A black and white logo

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**Statement of Environmental**

**Effects**

28 Paradise Drive, Smiths Lake NSW 2428, Australia

Proposed Eco Tourism Cabins

**OVERVIEW**

This Statement of Environmental Effects (SEE) forms part of a Development Application submitted to Mid-Coast Council for the proposed Eco Tourism park located at 28 Paradise Drive, Smiths Lake NSW 2428, Australia (the subject site). This application is made pursuant to section 4.15 of the *Environment Planning & Assessment Act (1979) (the Act)*, the *Great Lakes Local Environmental Plan 2014*, and the *Mid-Coast Council Development Control Plan*. More specifically, this report has been prepared in accordance with section 2(4) of Schedule 1 of the *Environmental Planning & Assessment Regulations (2021)* which states that an SEE must include the following:

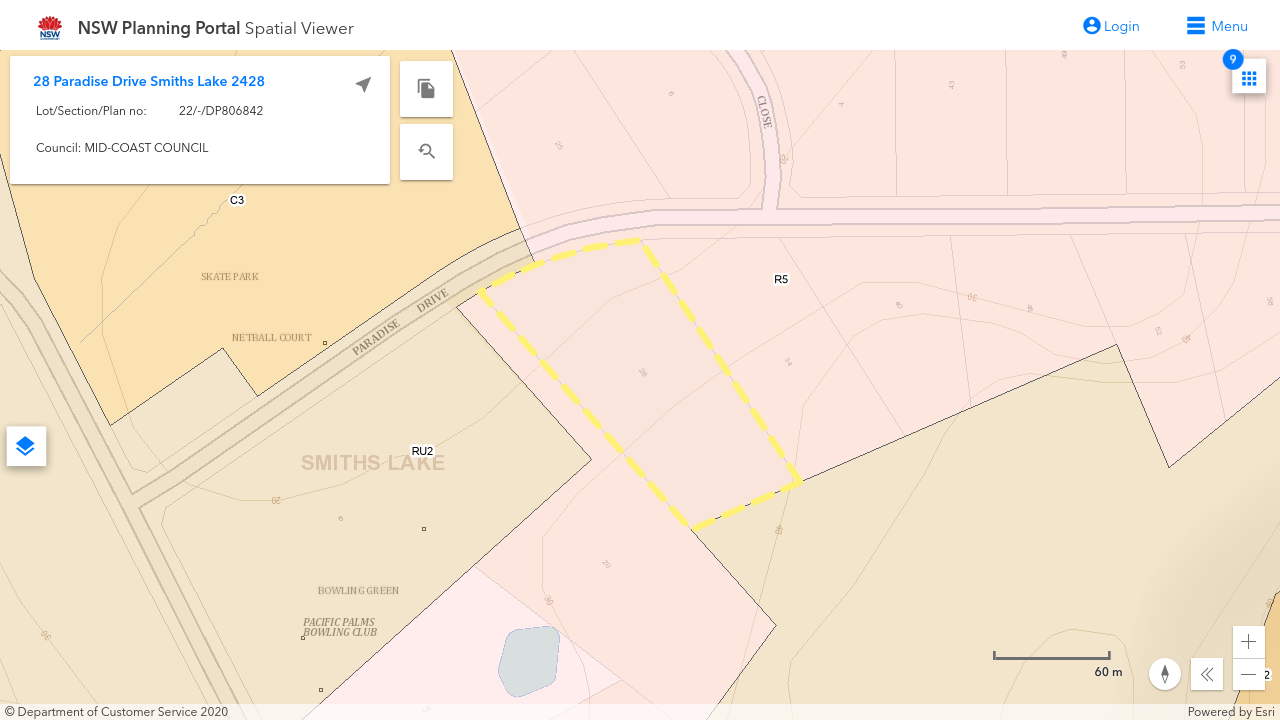
1. the environmental impacts of the development
2. how the environmental impacts of the development have been identified
3. the steps to be taken to protect the environment or to lessen the expected harm to the environment
4. any matters required to be indicated by any guideline issued by the Secretary for the purposes of this clause.

The environmental impacts of the proposed development, including measures taken to protect or lessen the expected harm to the environment, are addressed throughout this report.

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| **PROPOSED DEVELOPMENT** | |
| **PROPOSAL** | Proposed Eco Tourism Park | |
| **PROPERTY** | 28 Paradise Drive, Smiths Lake NSW 2428, Australia | |
| Lot/Section/Plan no: 22/-/DP806842 | |
| **LOCAL GOVERNMENT AREA** | Mid-Coast Council | |
| **CLIENT** | Kieran Parry Jones | |
| **DATE** | March 18, 2025 | |
| **Project Number** | PL\_KPJ | |

**SITE ANALYSIS**

**Figure 1:** The existing site plan of the Subject Site.



The site located at 28 Paradise Drive, Smiths Lake, NSW 2428 is a coastal property situated in a tranquil environment conducive for eco-tourism activities. It offers scenic views and access to natural landscapes, making it an ideal location for an eco tourism park.

**Zoning:** The property falls under a zoning category suitable for tourist accommodation, allowing for the establishment of eco tourism parks and eco-friendly developments.

**Physical Characteristics:** The site features a relatively flat terrain with both front and back portions available for development. Its proximity to water bodies and green spaces enhances its appeal for outdoor activities such as nature walks and scuba diving.

**Environmental Considerations:** Given the site's coastal location, careful attention to environmental management is essential. Measures should be taken to minimise impacts on local flora and fauna, particularly given the area's ecological significance.

**Existing Structures:** Currently, there is a dwelling house, studio and garage on the site.

This site has significant potential for development as an eco-tourist park catering to eco-tourists, provided that environmental considerations are prioritised in the planning process to ensure sustainability.

**SITE IMAGE**

**Figure 2:** Six Map image of the Subject Site reflecting broader location

A map of a forest

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**LOCALITY ANALYSIS**

28 Paradise Drive, Smiths Lake, NSW 2428 is located in a picturesque coastal area on the Mid North Coast of New South Wales. It offers a serene environment conducive to outdoor activities and relaxation, ideal for tourism and nature-based initiatives.

**Surrounding Environment:** The surrounding environment consists of lush bushland, proximity to scenic lakes and beaches, which enhances the appeal for eco-tourism. The area is known for its natural beauty, providing opportunities for nature walks and water activities.

**Accessibility:** Access to the site is via Paradise Drive, which connects to the main roads leading to nearby towns and cities. Public transport options are limited, highlighting the importance of private vehicle access for visitors.

**Amenities:** Local amenities are available within a short driving distance, including shops, grocery stores, and cafes in nearby Smiths Lake and surrounding areas. Essential services can be accessed in the larger town of Forster, which is approximately 20 minutes away.

**Community Features:** The local community is small but engaged, with a demographic skewed towards older residents. Community events and activities may be limited but there is a strong emphasis on preserving the natural environment and promoting local tourism.

**Future Development Potential:** The area has potential for growth in eco-tourism and sustainable developments, such as the proposed eco tourism park. With increasing interest in nature-based retreats, there is an opportunity to expand facilities while maintaining environmental integrity.

Overall, the locality surrounding 28 Paradise Drive presents a vibrant opportunity for eco-tourism development, combining natural beauty with the potential for community engagement and sustainable practices.

**DEVELOPMENT PROPOSAL**

The proposed development at 28 Paradise Drive, Smiths Lake is for an eco-tourist park that seeks to establish 10 portable cabins across the site, with the intention of fostering eco-tourism through additional amenities such as nature walks and wellness activities. This development aims to provide a unique accommodation experience in alignment with the locality's natural environment and tourism goals, while also being sensitive to the surrounding character of Smiths Lake.

**Site Description:** The site located at 28 Paradise Drive is characterised by its proximity to the coastal landscape of Smiths Lake, making it an appealing location for an eco-tourist park. The site is generally flat and accessible, with significant vegetation cover that offers a pleasant natural setting. Being in a bushfire-prone area, it presents both challenges and opportunities for integrating hazard reduction practices.

**Proposed Alterations and Additions:** The proposal includes the installation of 10 portable cabins: 6 positioned towards the back of the site to provide privacy and minimise impact on the streetscape, and 4 towards the front to enhance visibility and accessibility. These cabins will incorporate sustainable design practices and eco-friendly materials to align with the proposed eco-tourism theme. In addition, the development will feature nature walks and wellness activities, including yoga sessions and scuba diving opportunities, catering to diverse tourist needs.

**Compliance with Planning Controls:** The proposal has been carefully developed to comply with the Great Lakes Local Environmental Plan 2014. It adheres to relevant height of buildings, floor space ratio, and bush fire hazard reduction objectives, ensuring that scale and intensity align with the existing environmental and urban character of Smiths Lake, while also accommodating for necessary fire mitigation measures necessary for development in bushfire prone areas.

**Impact on Streetscape and Neighbourhood Character:** The proposed eco tourism park is designed to complement the natural landscape of Paradise Drive rather than dominate it. The placement of cabins at varying distances along the site will maintain the visual aesthetics of the streetscape, preserving the local character while enhancing the overall appeal of the neighbourhood as a destination for tourists and locals alike. The use of landscaping will further bolster the integration of the park into the environment.

**Environment and Heritage Considerations:** The development acknowledges and respects the environmental sensitivities of the site. An eco-conscious approach has been employed including minimising land disturbance and employing sustainable practices throughout construction and operation. Measures will be taken to ensure that the natural flora and fauna are preserved, reinforcing a commitment to environmental stewardship.

In conclusion, the proposed eco tourism park at 28 Paradise Drive offers a thoughtful integration of accommodation with the natural assets of Smiths Lake while complying with all necessary planning controls. It aims to provide beneficial eco-tourism options without compromising the site's environmental integrity or the character of the neighbourhood, creating a sustainable and attractive development for visitors and the local community.

**PLANNING ASSESSMENT**

The application is to be assessed against the relevant Environmental Planning Instruments below:

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| **RELEVANT PLANNING INSTRUMENTS** |
| 1. Environmental Planning & Assessment Act (1979) 2. Environmental Planning & Assessment Regulations (2021) 3. Great Lakes Local Environmental Plan 2014 |

And the following Local Provisions:

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| **RELEVANT LOCAL PLANNING INSTRUMENTS** |
| 1. Mid-Coast Council Development Control Plan |

**ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION (2021)**

**Section 25 - Concurrences and/or Approvals**

Based on Section 25 of the Environmental Planning and Assessment Regulation (2021), no additional state-level concurrences or approvals appear necessary for the proposed eco tourism park at 28 Paradise Drive, Smiths Lake NSW 2428, Australia, aside from the standard local council approval.

**Section 27 - BASIX**

In accordance with Section 27 of the Environmental Planning & Assessment Regulations (2021), the proposed development at 28 Paradise Drive, Smiths Lake NSW 2428, Australia, does not meet the thresholds for a BASIX Certificate requirement. Therefore, a BASIX Certificate is not required for this application.

**SUITABILITY OF THE SITE**

**Great Lakes Local Environmental Plan 2014**

**PART 2: PERMITTED OR PROHIBITED DEVELOPMENT**

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| **Zone R5: Large Lot Residential** | |
| **1 Objectives of Zone** | * 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. |
| **2 Permitted Without Consent** | Extensive agriculture; Home occupations |
| **3 Permitted With Consent** | Agriculture; Airports; Airstrips; Animal boarding or training establishments; Aquaculture; Backpackers’ accommodation; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Environmental protection works; Exhibition homes; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Hazardous storage establishments; Helipads; Heliports; Home-based child care; Home businesses; Hotel or motel accommodation; Industrial training facilities; Industries; Information and education facilities; Jetties; Kiosks; Landscaping material supplies; Marinas; Mooring pens; Moorings; Neighbourhood shops; Offensive storage establishments; Open cut mining; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Secondary dwellings; Sewerage systems; Signage; Timber yards; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures; Water supply systems; Wharf or boating facilities |
| **4 Prohibited** | (1)  Canal estate development is prohibited on land to which this Plan applies. (2)  In this Plan, canal estate development means development that involves— (a)  a constructed canal, or other waterway or waterbody, that— (i)  is inundated by surface water or groundwater movement, or (ii)  drains to a waterway or waterbody by surface water or groundwater movement, and (b)  the erection of a dwelling, and (c)  one or both of the following— (i)  the use of fill material to raise the level of all or part of the land on which the dwelling will be erected to comply with requirements for residential development in the flood planning area, (ii)  excavation to create a waterway. (3)  Canal estate development does not include development for the purposes of drainage or the supply or treatment of water if the development is— (a)  carried out by or with the authority of a person or body responsible for the drainage, supply or treatment, and (b)  limited to the minimum reasonable size and capacity. (4)  In this clause— flood planning area has the same meaning as in clause 5.21. |

In accordance with the Great Lakes Local Environmental Plan 2014, the subject site at 28 Paradise Drive, Smiths Lake NSW 2428, Australia, is **zoned R5 Large Lot Residential**. This zoning designation aims to provide large lot residential opportunities that promote a semi-rural lifestyle while ensuring the preservation of the area's natural environment.

The proposed eco-tourist park falls under the **'permitted with consent'** category, meaning this type of development is allowable with the appropriate council approvals. This ensures that the proposal aligns with the objectives of the R5 zoning while adhering to local planning controls.

**PART 4: PRINCIPAL DEVELOPMENT STANDARDS**

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| **4.3** | **Height of Building** | |
| (1) | The objectives of this clause are as follows—  (a) to ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality,  (b) to encourage residential development that is consistent with AS 4299–1995, Adaptable housing. |
| (2) | The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map **– 8.5 metres.**   (2A) Despite subclause (2), the height of a building may exceed the maximum height shown for the land on the Height of Buildings Map by 10% if the land is in Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone E1 Local Centre or Zone MU1 Mixed Use and the consent authority is satisfied that—  (a) internal lift access will be provided to all levels in the building, and  (b) the design of the building is consistent with AS 4299–1995, Adaptable housing.   cl 4.3: Am 2022 (831), Sch 1.10[8]. |

The proposed eco-tourist park at 28 Paradise Drive, Smiths Lake is designed to be compatible with the existing environmental character and desired future urban character of the locality, thereby fulfilling the first objective of the height of buildings clause. Furthermore, the proposal will adhere to the maximum 8.5 metre height guidelines as indicated in the Height of Buildings Map, with a proposed maximum height of 6 metres ensuring that its scale is appropriate for the area and promotes residential development aligned with AS 4299-1995, Adaptable housing, thereby satisfying the second aim of the objectives.

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| **4.4** | **Floor Space Ratio (FSR)** | |
| (1) | The objectives of this clause are as follows—  (a) to ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality,  (b) to encourage a diversity of development on land in Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support or Zone MU1 Mixed Use, which is unlikely to prejudice the supply of retail or business floor space in those zones,  (c) to permit a floor space ratio that will provide a transition in built form and land use intensity,  (d) to encourage residential development that is consistent with AS 4299—1995, Adaptable housing. |
| (2) | The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.   (2A) Development consent must not be granted for development on land in Zone E1 Local Centre unless the development includes commercial premises with a floor space ratio of at least—  (a) for land identified as “Area A” on the Floor Space Ratio Map—0.3:1, and  (b) for land identified as “Area B” on the Floor Space Ratio Map—1:1.   (2AB) Subclause (2A) does not apply to the North Tuncurry Urban Release Area.   (2B) Despite subclause (2), the floor space ratio for a building on land in Zone R3 Medium Density Residential or Zone MU1 Mixed Use may exceed the floor space ratio shown for the land on the Floor Space Ratio Map by 10% if the consent authority is satisfied that—  (a) lift access will be provided to each level in the building, and  (b) the design of the building is consistent with AS 4299–1995, Adaptable housing.   (2C) Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone RU5 Village may exceed the floor space ratio shown for the land on the Floor Space Ratio Map.   cl 4.4: Am 2022 (831), Sch 1.10[9]–[11]; 2023 (81), Sch 1[3]. |

The proposed eco-tourist park at 28 Paradise Drive, Smiths Lake complies with the floor space ratio objectives by ensuring that the scale of the buildings is compatible with the existing environmental character of the location, thus fulfilling the first objective. The development will adhere to the maximum floor space ratio as illustrated on the Floor Space Ratio Map, promoting a transition in built form and land use intensity as outlined in objective (c). Furthermore, the eco-tourist park is intended to encourage residential development that aligns with AS 4299-1995, Adaptable housing, addressing the fourth objective effectively.

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|  | **Bush fire hazard reduction** |
| **5.11** | Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. |

The proposed eco-tourist park at 28 Paradise Drive, Smiths Lake complies with the bush fire hazard reduction objectives by acknowledging that the site is classified as bushfire prone. Given that bush fire hazard reduction work can be carried out under the Rural Fires Act 1997 without the need for development consent, the proposal allows for the implementation of necessary hazard reduction measures to enhance safety and mitigate bushfire risks, thus aligning with the relevant legislative requirements.

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| **5.13** | **Eco-tourist facilities** | |
| (1) | 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,  (b)  to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site. |
| (2) | This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan. |
| (3) | The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that—  (a)  there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and  (b)  the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and  (c)  the development will enhance an appreciation of the environmental and cultural values of the site or area, and  (d)  the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and  (e)  the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and  (f)  waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and  (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 native flora, and  (h)  any infrastructure services to the site will be provided without significant modification to the environment, and  (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, and  (j)  the development will not adversely affect the agricultural productivity of adjoining land, and  (k)  the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment—  (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. |

The proposed eco-tourism cabins at 28 Paradise Drive satisfy every requirement of LEP 5.13 through a holistic, site-responsive approach: each of the 7 fabricated cabins is carefully clustered to preserve mature trees and habitat corridors, sited below the ridgeline to avoid visual intrusion, and positioned entirely outside mapped watercourses. Stormwater is managed via collecting rainwater and reusing it for flushing toilets , showering and irrigation. Waste minimisation will be achieved through a comprehensive construction waste management plan targeting a 90% diversion from landfill. Energy and water needs are met off-grid by rooftop solar arrays, passive solar design, high-efficiency fixtures, and rainwater harvesting tanks. Guest engagement is fostered through interpretive signage, guided nature walks, and optional wildlife-viewing platforms to deepen appreciation of local ecology. A detailed Eco-Tourism Management Plan (aligned with ISO 14001) commits to annual biodiversity monitoring, pest and weed control, habitat regeneration, and adaptive management. Following a review of the Great Lakes LEP heritage schedules and Mid-Coast Council listings, no heritage items or conservation areas are located on or adjacent to the site, ensuring all works proceed without cultural heritage impact. Collectively, the proposal demonstrates a strong connection to the site’s environmental and cultural values, minimal off-site impact, positive environmental outcomes, and a long-term commitment to ongoing stewardship.

**Mid-Coast Council Development Control Plan**

This plan is known as Mid-Coast Council Development Control Plan. This plan applies to all land within the Mid-Coast Council (LGA). This DCP is to be read in conjunction with the Great Lakes Local Environmental Plan 2014. If there is any inconsistency between this DCP and the LEP, the LEP will prevail.

This DCP has been prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act) and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

The aims of this DCP are to:

* Ensure that development contributes to the quality of the natural and built environments.
* Encourage development that contributes to the quality of the public domain.
* Ensure that development is economically, environmentally and socially sustainable.
* Ensure future development has consideration for the needs of all members of the community.
* Ensure development positively responds to the qualities of the site and its context.
* Ensure development positively responds to the character of the surrounding area.

**Compliance Summary Table**

The below table lists the parts and controls of the Mid-Coast Council Development Control Planthat relate to the proposed development in the subject site. The details below are a summary of the analysis and justification in the body of the report and in the plans submitted as a part of this application.

Final compliance is required to be assessed and authorised by council, but this report seeks to identify elements of the design that comply, do not comply, or those that should comply based on merit through use of justification. Note that controls that are not affected by the proposed development, as well as controls that do not apply to or are not required of the development may not be indicated in the body of the report to follow and may not be summarised below. Controls that do apply to the proposed development are contained within the compliance summary and in the detailed compliance analysis to follow.

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| **11.3** | **General Objectives and Controls for Water Sensitive Design** | |
| Objectives | . To safeguard the environment by maintaining or improving the quality of stormwater run-off.  . To protect and restore aquatic, estuarine or riparian ecosystems and bushland areas.  . To harvest rainwater and urban stormwater runoff for use where appropriate.  . To control the hydrological impacts of development on receiving surface and ground water systems by controlling the frequency, magnitude and duration of flows to preserve, as far as practicable, pre-development groundwater and surface water regimes and interactions.  . To control the impacts of development on channel bed and bank erosion by controlling the magnitude, nature and duration of sediment-transporting flows.  . To promote disconnection of impervious areas to the drainage system by introducing appropriate measures to minimise the rate, frequency and volume of urban runoff events in order to improve WSD performance. |
| Controls | 1. All development must meet the relevant water quality targets identified for that type of development as set out in the applicable Stormwater Quality Targets table within this DCP, except in the instance of a Council approved Stormwater Strategy or Drainage Plan which will specify the targets to be met for identified parcels of land.  2. Additional stormwater drainage measures may be required by Council to address potential flood issues related to the development. Instances where additional requirements apply may include: a. residential development other than a dwelling house, dual occupancy or secondary dwelling; or b. development in areas where there is insufficient capacity in existing stormwater infrastructure to absorb the increased stormwater runoff.  3. Water Quality Treatments: a. are to be calculated and designed in accordance with this section of the DCP, except in the instance of a Council approved Stormwater Strategy or Drainage Plan which may prescribe the other measures to satisfy water quality targets. b. wherever practical, are to be designed as part of any additional stormwater flow modification measures such as detention and infiltration in such a way as to retain, treat and infiltrate runoff events. c. should be integrated into landscaped areas to fit within the built environment of the development. d. and associated stormwater infrastructure which services more than one dwelling should be constructed on common property. e. may be constructed within building setback areas. f. can be any shape or size, as long as the area is consistent with that calculated to meet the relevant Water Quality Targets. g. cannot be constructed: i. within a drainage or sewer easements except for privately owned inter-allotment drainage; or ii. within private open space areas; or iii. above services e.g. electricity |
| **Compliance** | The proposed eco-tourist park at 28 Paradise Drive complies with the outlined objectives and controls by implementing measures designed to safeguard the environment and manage stormwater effectively. The development plans to incorporate rainwater harvesting systems and utilise urban stormwater runoff for irrigation of landscaped areas, thereby improving water quality and enhancing the local ecosystem. Additionally, the proposal includes the design of stormwater drainage systems that meet the required water quality targets as specified in the applicable Stormwater Quality Targets table. To address potential flood issues, additional stormwater drainage measures will be implemented, ensuring that the hydrological impacts on both surface and groundwater systems are carefully managed. These efforts will control sediment-transporting flows, promoting the preservation of aquatic ecosystems and enhancing overall water quality in the area. |

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| **12.4** | **Controls** | |
| Objectives |  |
| Controls | . Removal or pruning of vegetation on land to which the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 applies, must comply with the process outlined in the Vegetation Management Policy. |
| **Compliance** | The proposed eco-tourist park at 28 Paradise Drive complies with the relevant controls regarding vegetation management by adhering to the removal or pruning procedures outlined in the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017. Prior to any vegetation removal or pruning activities, the development will follow the established processes in the Vegetation Management Policy to ensure that any actions taken are in accordance with ecological preservation standards and contribute to maintaining the area's natural landscape. |

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| **13.1.1** | **Objectives** | |
| Objectives | . To encourage development design which responds to the topography of the site and provides for the retention of mature native tree species.  . To maintain a low density setting and open character derived from the spaces and landscaping between buildings and street.  . To ensure that existing vegetation on steep slopes and near watercourses are maintained and protected. |
| Controls |  |
| **Compliance** | The proposed eco-tourist park at 28 Paradise Drive complies with the objectives of maintaining the site's natural topography and preserving mature native tree species, as the design carefully considers the existing landscape. The layout incorporates the retention of significant vegetation, ensuring that mature trees are preserved and integrated into the development, thereby enhancing the overall character of the site. The design promotes a low-density setting by spacing cabins strategically to maintain an open character and providing generous landscaping areas between buildings. Additionally, the proposal prioritises the protection of existing vegetation on steep slopes and near watercourses, ensuring these sensitive areas are preserved to safeguard the ecological integrity of the site. |

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| **13.1.2** | **Controls** | |
| Objectives |  |
| Controls | . A minimum of 30% of the site area is to be set aside for landscaping preferably with native vegetation at existing natural ground level and a deep soil zone. The landscaped area does not include any building, garage, or impervious surface such as a driveway or swimming pool.  . The deep soil zone is that part of the site that is not built on, paved or otherwise sealed, where the soil is of sufficient depth to support the growth of trees and shrubs. At least 50% of the landscape area is to include deep soil zones.  . Landscaping is to be provided both behind and in front of the building line. Landscaping of less than 1.5m in length and width shall not be included in landscape area calculations.  . All sites are to be provided with a minimum of 1.5m wide landscape strip adjacent to any driveway and an adjoining property.  . Where removal of locally important koala food trees is unavoidable as part of the proposed development, replacement plantings may be required. |
| **Compliance** | The proposed eco-tourist park at 28 Paradise Drive complies with the landscaping controls by dedicating a minimum of 30% of the site area to landscaping, utilising native vegetation to enhance the natural environment. The design plan incorporates deep soil zones in at least 50% of the landscaped area, ensuring sufficient depth for the growth of trees and shrubs. Landscaping has been thoughtfully positioned both in front of and behind the building line, with special consideration given to the dimensions of landscaped areas to meet compliance requirements. Additionally, a minimum 1.5-metre wide landscape strip is provided adjacent to driveways and adjoining properties. In the event that locally important koala food trees must be removed for the development, replacement plantings will be implemented to maintain ecological balance and support local wildlife. |

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| **17.1** | **Objectives** | |
| Objectives | 1. Encourage high quality developments which feature a high standard of urban design and provide a high level of amenity for residents.  2. Ensure sufficient site area is provided to accommodate communal and private open space areas, including areas for deep soil planting and natural site drainage.  3. Ensure the development layout and design, streetscape treatment and built form demonstrate visual compatibility and cohesion with the surrounding neighbourhood.  4. Ensure that adequate infrastructure and community/support services are available to meet the needs of residents. |
| Controls |  |
| **Compliance** | The proposed eco-tourist park at 28 Paradise Drive complies with the objectives by presenting a high-quality development that features thoughtful urban design and prioritises a high level of amenity for residents. The design ensures ample site area is allocated for both communal and private open space, including spaces dedicated to deep soil planting and promoting natural drainage on the site. The layout and design of the cabins, along with the landscaping, have been carefully crafted to demonstrate visual compatibility with the surrounding neighbourhood, enhancing the overall streetscape. Furthermore, the development is aligned with ensuring that adequate infrastructure and community support services are readily available to meet the needs of future residents, contributing to a cohesive living environment. |

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| **17.2** | **Development Controls** | |
| Objectives |  |
| Controls | 17.2.1. Setbacks and Separation   * a Site layouts for manufactured homes shall be designed to provide for articulation and diversity along street frontages. * b Buildings and manufactured homes are to be grouped/clustered to provide a high level of pedestrian permeability. Each group is to be separated by an access road or a pedestrian path, with communal landscaped areas. * c The setbacks provided between buildings and manufactured homes, are to be designed to ensure acoustic and visual privacy to residents. * d The property boundary setbacks to buildings and manufactured homes are to be maximised, to provide visual separation from the street and adjoining properties. * e Setbacks shall be sufficient to avoid any land use conflicts with adjoining zones and uses.   17.2.2. Landscaping   * a Setbacks to manufactured homes are to be screened, fenced and landscaped to ensure an attractive streetscape, to both internal and public roads. Setbacks to public roads are not to be used for administrative buildings, community buildings/amenities, camping sites or parking facilities. * b Deep soil planting and semi-mature street trees are to be provided in the property boundary setbacks and between groups/clusters of manufactured homes, to provide visual buffers and shaded areas in communal open spaces.   17.2.3. Building Design of Manufactured Homes   * a Building articulation and habitable rooms in dwellings must enable passive surveillance of access roads. * b Building materials and colour schemes must be selected to demonstrate compatibility with surrounding residential development. * c Building designs on corner lots should avoid blank walls and include design features that provide visual interest to, and passive surveillance of, access roads.   17.2.4. Visitor Parking   * a Visitor parking is required to be accessible at all times by residents and visitors to the development. * b Where the number of dwellings and/or sites is 100 or fewer, a centralised visitor car parking facility is to be provided. * c Where the number of manufactured homes and/or sites is more than 100, visitor parking is to be spread throughout the development site. A minimum of 4 spaces and maximum of 10 spaces per parking facility are to be provided in any location.   17.2.5. Caravan and Boat Storage   * a Where a separate parking facility is to be provided for caravan and boat storage, the facility is to incorporate a wash down facility. * b The siting, design and security of this facility is to have regard to the need to minimise the opportunity for crime.   17.2.6. Services and Infrastructure   * a The entrance of a development with more than 25% long-term/permanent occupancy sites, is to be within 400m of a bus stop serviced with daily bus services or provided with a private daily bus service for residents. * b Any onsite administration, retail, community facilities and amenity buildings are to be accessible to all residents. * c Garbage facilities on the site are to be designed to be accessible to all residents and provided with screening from manufactured homes and long-term/permanent occupancy sites, adjoining properties and public areas. |
| **Compliance** | The proposed eco-tourist park at 28 Paradise Drive complies with the relevant controls by meticulously addressing site layout, landscaping, building design, and visitor parking requirements. The site layout provides for articulation and diversity along the street frontages, and the cabins are grouped to ensure high pedestrian permeability, maintaining clear access roads and pedestrian pathways with communal landscaped areas. Setbacks between the buildings are designed to ensure acoustic and visual privacy for residents, while maximizing property boundary setbacks to create a visual separation from the street and adjoining properties, effectively reducing land use conflicts. Landscaping efforts include deep soil planting and semi-mature street trees in property boundary setbacks, enhancing the visual appeal of both internal and public roads. The building materials and colour schemes selected for the cabins are compatible with the surrounding residential development, ensuring cohesive aesthetics. Moreover, adequate visitor parking is provided that is accessible at all times, facilitating easy access for residents and guests. The overall design adheres to principles that promote safety, community interaction, and a high standard of amenity throughout the development. |

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| **17.4** | **Environmental Considerations** | |
| Objectives |  |
| Controls | 17.4.1. Ecological Impacts   * a To ensure that development is designed in a manner that avoids, mitigates or offsets negative impacts on biodiversity and the quality and function of the natural environment and responds to relevant ecological constraints and opportunities.   17.4.2. Flooding   * a To ensure that development is designed to minimise the risk of flooding and its impacts on the environment and community.   17.4.3. Bushfire Management   * a To ensure that development is designed to minimise the risk of bushfire and its impacts on the environment and community.   17.4.4. Water Management   * a To incorporate water sensitive urban design principles and other energy efficiency measures into the development of the land.   17.4.5. Heritage Conservation   * a To ensure that development within the Heritage Conservation Area and/or affecting a Heritage Item retains the significance and integrity of the Area and/or Item. |
| **Compliance** | The proposed eco-tourist park at 28 Paradise Drive complies with the relevant controls by implementing measures designed to address ecological impacts, flooding, bushfire management, water management, and heritage conservation. The development is carefully designed to avoid, mitigate, or offset negative impacts on biodiversity, ensuring that it responds to ecological constraints and opportunities within the site. Flood risk assessments have informed the layout to minimise potential flooding impacts on both the environment and the local community. Additionally, bushfire management strategies have been integrated, incorporating design elements that reduce bushfire risk, thereby safeguarding the area. The proposal utilises water sensitive urban design principles to manage stormwater, improve water quality, and promote energy efficiency throughout the development. Furthermore, heritage conservation considerations have been meticulously addressed, ensuring that any relevant heritage aspects surrounding the site are preserved and the significance of the area is maintained. This comprehensive approach ensures that the development is environmentally responsible and sustainable while meeting all required planning standards. |

***CONCLUSION***

In conclusion, the proposed development of the eco-tourist park at 28 Paradise Drive, Smiths Lake, has been meticulously crafted to address and minimise environmental impacts while complying fully with the relevant local planning controls and standards. The design maintains the existing environmental character by ensuring that the height of the portable cabins aligns with the maximum height regulations, thereby preserving the scenic beauty of the coastal area. Furthermore, the layout respects the floor space ratio objectives and provides a harmonious transition in built form, maintaining the integrity of the surrounding landscape and neighbourhood character. These careful considerations underpin the proposal's commitment to promoting sustainable development and eco-tourism while safeguarding the ecological environment.  
  
Significantly, the design incorporates bushfire hazard reduction measures in accordance with the Rural Fires Act 1997, ensuring that appropriate precautions are in place to protect occupants and the environment. Additionally, environmental management strategies, including stormwater management and native vegetation preservation, reinforce the project's sustainability credentials. By thoughtfully integrating these elements, the proposal not only addresses compliance with local planning policy but also contributes positively to the community and local economy. Thus, it warrants the support of the Council for the issuance of development consent.