

### 5.3 LEP 2014 Clause 5.13 – Eco-tourist facilities

The proposal seeks consent for development for the purposes of an eco-tourist facility. The proposal is located entirely within land zoned under the Byron LEP 2014 as RU2 – Rural Landscape.

Development for the purposes of an eco-tourist facility falls within item 3 of the RU2 land use table - permitted with consent. As per Clause 5.13 (2), the Clause is applicable to the proposed use as Eco-tourist facility is permitted with consent in the zone. The provisions of clause 5.13 have been addressed in the table below:

Requirement	Comment
<p>The objectives of this clause are as follows—</p> <p>(a) (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,</p>	<p>The proposed use seeks to maintain the environmental and cultural values of the property.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
<p>(b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.</p>	<p>The description of the proposed use of the development within Section 3.0 of this report provides details on the design and management of the proposed development. Section 7 of this report provides an assessment of the impacts of the development on the environment.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
<p>(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.</p>	<p>An eco-tourist facility is permitted with the consent of Council in the RU2 Rural Landscape Zone.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
<p>(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—</p> <p>(a) (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and</p>	<p>The photographs provided within the Annexures of this report provide evidence of the native vegetation and natural drainage lines within the site. The proposed camping sites will provide accommodation to nature enthusiasts to enjoy the ecological attributes of the property.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this</b></p>

	item.
(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and	<p>The proposed camping sites have been decisively located within the cleared areas of the property to minimise impacts on the natural environment. Pedestrian access to the vegetated areas of the site is provided by existing nature trails and gravel roads, with no additional impacts on vegetation required.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and	<p>The site will provide short term accommodation to tourists who seek an environmental experience from the natural values of the property. The property also provides a cultural experience as they can engage with old logging routes used by early settlers at the entry of Midjimbul creek.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
(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	<p>It is proposed to provide educational notices within the development to promote the environmental sensitivity of the natural areas of the site. Guests will be inducted on arrival and guided to use existing nature trail within the property to access the natural features of the land. Low water use devices are to be installed and a recycling program is to be applied to both the construction and operational phases of the development.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
(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	<p>Refer to the Annexure J of this statement of environmental effects for a Management Strategy which addresses this requirement.</p> <p><b>Development for the purposes of Eco-tourist</b></p>

	<b>facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b>
(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and	<p>A Site Waste Management Plan has been prepared for the proposed development – refer to the Annexure I of this report.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
(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	<p>As the development intends to use the sites environment in the condition it currently is in, no disturbance of local native flora &amp; fauna will occur.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
(h) any infrastructure services to the site will be provided without significant modification to the environment, and	<p>All proposed services can be completed with minimal modifications to the environment.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
(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	<p>The land-owner intends to provide photovoltaic panels within the site to supplement mains power with solar electricity. Water efficient devices are proposed to be installed within each of the proposed amenities blocks. Rainwater tanks are proposed to harvest rainwater for use within the development.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with this item.</b></p>
(j) the development will not adversely affect the agricultural productivity of adjoining land, and	<p>The proposed development is suitably setback from grazing activities within the adjoining allotment to the west.</p>
(k) the following matters are addressed or	<p>Refer to the Annexure J of this Town</p>

provided for in a management strategy for minimising any impact on the natural environment:	<p>Planning Report for a Management Strategy which addresses these requirements.</p> <p><b>Development for the purposes of Eco-tourist facility is permitted with consent in the RU2 zone and the proposal is consistent with these items.</b></p>
(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.	