

## Chapter 4

# RURAL AND NATURE-BASED TOURISM DEVELOPMENT



## Chapter 4 – Rural and Nature-Based Tourism Development

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# 1 Introduction

Council is committed to a sustainable future for the Local Government Area that involves balancing the protection and enhancement of agriculture, Lismore's sensitive natural environment and improving social and economic outcomes for both residents and visitors.

Lismore Local Government Area (LGA), with its spectacular natural assets, cultural diversity, unique community lifestyles, desirable climate and proximity to the coast is an ideal destination for tourists and visitors. Short term visitor accommodation is also in demand in the Lismore LGA due to the abundance and diversity of professional services and high-quality sporting facilities. Lismore is a regional hub for health services and also has a large education and justice sector. The region is also host to numerous festivals, events and sporting competitions.

This chapter provides development guidelines and controls for a range of small-scale agritourism and rural tourist facilities in the LGA and it supplements the statutory provisions of Lismore LEP 2012.

## 1.1 Aims of this Chapter

The Aims of this Chapter are:

1. To provide development guidelines and controls for various forms of sustainable rural and nature-based tourism development.
2. To promote a high standard of environmentally sustainable and responsive design for rural tourist and nature-based tourism development that is sensitive to and enhances the natural and built environment, and is consistent with the character of the area.
3. To protect agricultural production and activities on the site and nearby land.
4. To promote energy efficiency and to ensure consideration of the ecological characteristics and sub-tropical climate in the design process.
5. To minimise land use conflict arising from rural and nature-based tourism development.

## 1.2 Application of this Chapter

This Chapter applies to various forms of rural tourist accommodation, camping grounds and caravan parks permitted with consent by LEP 2012 in zones RU1 Primary Production, RU2 Rural Landscape, C3 Environmental Management and RE1 Public Recreation. The chapter also provides controls for agritourism uses permitted with consent by LEP 2012 in the RU1 zone, including farm gate premises and farm experience premises. The chapter supplements the provisions of Lismore LEP 2012 and should be read in conjunction with other relevant DCP chapters, State Environmental Planning Policies and Council Policies.

## 1.3 How does this Chapter work?

Specific requirements for rural and nature-based tourism addressed by this chapter are divided into Elements. Elements comprise Objectives, Performance Criteria and Suggested Solutions. In some cases both Performance Criteria and Suggested Solutions are provided, but in other cases only Performance Criteria or Suggested Solutions are provided. Development proposals must be consistent with the specified Element Objective. This will usually be achieved by meeting the Suggested Solutions. Alternatively, Council may be prepared to approve development proposals that are demonstrated to meet both the Element Objectives and the Performance Criteria. This approach enables the development of innovative design that responds to the characteristics of an individual site.

## 1.4 Definitions

Terms not defined in the LEP 2012 Dictionary are defined in this section.

**rural tourist accommodation** means **bed and breakfast accommodation, farm stay accommodation, eco-tourist facilities** or **other tourist accommodation** enabled under Lismore LEP 2012.

**other tourist accommodation** means a form of **rural tourist accommodation** that does not meet the definition of bed and breakfast accommodation, farm stay accommodation or eco-tourist facilities.

Note. **Other tourist accommodation** is a form of **tourist and visitor accommodation** as defined in LEP 2012. **Other tourist accommodation** is permissible with development consent in Zone RU1 Primary Production only.

**tourism development** includes, but is not necessarily limited to, development for the purposes of rural tourist accommodation; camping grounds; caravan parks; artisan food and drink industry; cellar door premises; farm experience premises; farm gate premises; home industries that provide services, or the sale of goods, on site to visitors; information and education facilities; kiosks; or restaurants or cafes.

## 2 General Provisions

### 2.1 Element – Location and Siting

Objectives
To ensure agricultural production and activities being carried out on the site or nearby land are protected from encroaching land uses.
To ensure that the siting and design of rural tourist accommodation does not conflict with important ecological and conservation values of the location and surrounds.
To minimise the potential for land use conflict.

Performance Criteria	Acceptable Solutions
<b>Location</b> <b>P1.1</b> The development is located and operated so that it: <ul style="list-style-type: none"> <li>• does not adversely affect the conduct and productivity of agriculture on the site and adjoining properties;</li> <li>• maximises the use of existing infrastructure;</li> <li>• does not create potential for conflict with adjoining land uses;</li> <li>• does not disrupt environmental enhancement projects on the land;</li> <li>• does not negatively impact on the ecological or environmental values of the land; and</li> <li>• is clustered and in close proximity to the primary dwelling on the lot (where practical).</li> </ul> <b>P1.2 Eco-tourist facilities</b> are located in or adjacent to an area with special ecological, environmental or cultural values.	<b>Location</b> <b>A1.1</b> Adequate separation distances are incorporated to minimise the potential for land use conflict between the proposed development and existing or potential conflicting land uses on adjacent land.  (NOTE: The distances recommended in DCP Chapter 11 (Buffer Areas) for new residential development in rural areas and the DPI's Living and Working in Rural Areas will be used to guide buffers for rural tourism development.)  Services and activities related to the development must not be provided to visitors within buffer areas.  <b>A1.2</b> The location of development should be a minimum distance of 50 metres from a property boundary or waterway.  <b>A1.3</b> Development adheres to separation requirements in the Local Government (General) Regulation 2021 Part 5 Standards for keeping birds or animals.  <b>A1.4</b> The development is located to benefit from existing road and physical infrastructure.

Performance Criteria	Acceptable Solutions
<b>Scale</b> <b>P2.1</b> Development is to be small scale, low impact and designed and located to be compatible with the surrounding rural environment and of minimal environmental impact.	<b>Scale</b> <b>A2.1</b> The applicant shall demonstrate compliance with the relevant performance criteria.
<b>Orientation and views</b> <b>P3.1</b> The development is to be designed and structures sited to take advantage of rural vistas where possible. Visually prominent sites are not appropriate.	<b>Orientation and views</b> <b>A3.1</b> Buildings and structures should not be placed on or near the ridgeline or peak of a hill or other visually prominent areas.
<b>Protecting agricultural land</b> <b>P4.1</b> Where a proposal is located on land mapped as being State or regionally significant farmland, the applicant must demonstrate to Council's satisfaction how the proposed facility will not significantly impact upon the future use of the land and surrounding land for agriculture.	<b>Protecting agricultural land</b> <b>A4.1</b> No acceptable solutions. The applicant shall demonstrate compliance with the relevant performance criteria.
<b>Biosecurity</b> <b>P5.1</b> The development is located and operated so that it does not significantly increase biosecurity risk on the site and/or adjoining properties.	<b>Biosecurity</b> <b>A5.1</b> The planning and assessment of development proposals is to consider the NSW Department of Primary Industries' <i>Managing biosecurity risks in land use planning and development guide (2020)</i> to ensure biosecurity is appropriately addressed.  <b>A5.2</b> Where a rural tourism development poses a biosecurity risk to an existing agricultural activity, the applicant must prepare a biosecurity management plan. The plan should be prepared in accordance with the NSW DPI's requirements, including the <i>Farm Biosecurity Action Planner</i> .

## 2.2 Element – Vegetation and landscaping

Objective	
<p>To avoid the clearing and removal of native flora and fauna, in particular threatened species and threatened ecological communities.</p> <p>To ensure development complements, enhances and protects existing native vegetation, features and landscapes.</p> <p>To minimise the impacts of a development on the environment, including existing vegetation, features, natural resources and biodiversity.</p> <p>To ensure landscaping is visually complementary to the development.</p>	
Performance Criteria	Acceptable Solutions
<b>Landscaping</b> <b>P6.1</b> Landscaping is to be provided to:	<b>Landscaping</b> <b>A6.1</b> A landscape plan is to be submitted with the application in accordance with Council's

Performance Criteria	Acceptable Solutions
<ul style="list-style-type: none"> <li>• screen development and enhance the appearance of the site, including any car parking and vehicle circulation areas, from public roads and nearby dwellings;</li> <li>• provide privacy between accommodation structures;</li> <li>• assist in buffering the development from surrounding rural properties.</li> </ul>	<p>Landscape Guidelines and that demonstrates compliance with the Performance Criterion.</p>
<p><b>Ecological features and conservation values</b></p> <p><b>P7.1</b> The siting, design and operation of rural tourism development must not significantly impact biodiversity values of the site or surrounds.</p> <p><b>P7.2</b> Development must respect and contribute to the natural environmental systems and values of its location.</p>	<p><b>Ecological features and conservation values</b></p> <p><b>A7.1</b> The development shall demonstrate compliance with the requirements of the 'rural and high biodiversity value land' section of DCP Chapter 14 (Vegetation Protection).</p> <p><b>A7.2</b> Existing mature trees and vegetation are to be retained.</p> <p><b>A7.3</b> A concept vegetation management plan (VMP) to Council's satisfaction is required, demonstrating how the development will contribute to enhancing environmental conservation values of the site and locality. VMPs shall be prepared by a suitably qualified practitioner, and follow Council's Guidelines for the preparation of Vegetation Management Plans. VMPs must detail where native trees will be planted as environmental repair and enhancement for development. Equivalent ecological restoration may be provided where existing native vegetation occurs on site.</p> <p>Note: for small scale tourist developments, having minimal ecological impact it is acceptable for the concept VMP to simply illustrate the location and species of a proportionate number of plantings to achieve an enhancement of the environmental value of the site.</p> <p><b>A7.4</b> Development applications for proposals located in or near ecologically sensitive areas, areas of high conservation values and/or important natural features or sites, including waterways, must include an ecological assessment prepared by a suitably qualified practitioner to the satisfaction of Council.</p>

## 2.3 Element – Sewage, water and waste

Objective
To manage waste in an environmentally sensitive manner.
To ensure management of effluent waste is not detrimental to the local environment and public health.
To ensure adequate arrangements for water supply for visitors and guests.
To preserve water supply from contaminants generated by visitors and guests.

Performance Criteria	Acceptable Solutions
<b>On-site sewage management</b> <b>P8.1</b> Appropriate arrangements are to be provided for the on-site management of sewage and wastewater.	<b>On-site sewage management</b> <b>A8.1</b> On-site sewage management is to be designed in accordance with Council's On-Site Sewage and Wastewater Management Strategy.
<b>Waste management</b> <b>P9.1</b> Waste is managed in an environmentally sensitive manner that is not detrimental to the local environment.	<b>Waste management</b> <b>A9.1</b> A Site Waste Minimisation and Management Plan is submitted that complies with requirements of DCP Chapter 15 Waste Minimisation.
<b>Water supply and management</b> <b>P10.1</b> Adequate arrangements for water supply are provided for visitors and guests.	<b>Water supply and management</b> <b>A10.1</b> For sites not connected to mains water, a water supply and management plan is to demonstrate adequate potable water supply, both quality and quantity, is available for the proposed use. This water supply is to be in addition to water required for firefighting purposes.  <b>A10.2</b> Development is not to adversely impact existing water supplies for residential and primary production uses on the landholding.

## 2.4 Element – Traffic, Access and Parking

Objective
To ensure that road access is designed to adequate standards to accommodate likely increases in traffic.
To ensure the safety of vehicle movements associated with rural tourism development, including entry, egress and movement within a property.
To minimise the impact of traffic on local roads associated with rural tourism development.
To ensure adequate parking is available on the property for visitors and employees to farm gate premises, farm experience premises or farm stay accommodation and to deter overflow parking on local roads.
To ensure suitable pedestrian and disabled access and movement.

Performance Criteria	Acceptable Solutions
<p><b>Primary Road Access</b>  <b>P11.1</b> Appropriate and safe primary road access is provided to the development.</p>	<p><b>Primary Road Access</b>  <b>A11.1</b> The minimum public road standard for primary access is a local road of 6m wide seal.</p> <p>If the primary access road does not meet this standard, then a Traffic Impact Assessment (TIA) prepared by a suitably qualified consultant shall be provided demonstrating that the existing characteristics of the road can safely accommodate the development. The TIA should address:</p> <ul style="list-style-type: none"> <li>- compliance with Austroads Guidelines;</li> <li>- Planning for Bushfire Protection 2019;</li> <li>- environmental/user road impacts (such as dust, passing opportunities); and</li> <li>- existing road constraints (i.e. narrow bridges and poor road alignment).</li> </ul> <p><b>A11.2</b> The development must utilise a 'compliant' vehicular access (i.e. compliant sight distances and roadside drainage), driveway whether this be existing or proposed. The width of the driveway vehicular access, from the existing road pavement to the front boundary, shall be a minimum of 5.5 m to allow vehicles to pass. Any access point to the property is to demonstrate compliance with the sight distance requirements of AS 2890.1 Offstreet car parking</p>
	<p><b>A11.3</b> Where the primary road access to the development is from a State Highway or a classified road then a detailed Traffic Impact Assessment (TIA) as per the Transport for NSW's <i>Guide To Traffic Generating Developments (Latest Edition)</i> is to be undertaken. This will be required for either utilisation of an existing access or a proposed new access.</p> <p><b>A11.4</b> All vehicles (including trucks) should be able to enter and exit the property in a forward direction.</p> <p><b>A11.5</b> Only one driveway is permitted on a property unless the property has a frontage of greater 100m and can accommodate an additional access and egress that is demonstrated to improve:</p> <ol style="list-style-type: none"> <li>a) separation between the farming operations and the rural tourism development,</li> <li>b) traffic management on the property or on and off the road, and</li> <li>c) resident, employee and visitor safety.</li> </ol>



Performance Criteria	Acceptable Solutions
<p><b>Internal road access</b>  <b>P12.1</b> Internal access roads are constructed to:</p> <ul style="list-style-type: none"> <li>• Minimise erosion and sedimentation;</li> <li>• Provide safe access for emergency vehicles;</li> <li>• Minimise negative environmental impacts</li> </ul>	<p><b>Internal road access</b>  <b>A12.1</b> The minimum standard for internal access roads shall be 3m wide gravel pavement with a minimum gravel depth of 150mm on a 4m wide formation with passing bay opportunities at no greater than 200m.</p> <p>Where new or existing internal access is fronting a sealed road, such access connection shall be sealed from the boundary to the existing sealed road.</p> <p><b>A12.2</b> Internal roads are consistent with Rural Fire Service requirements, inclusive of minimum load rated (ie 15t), drainage structures and suitable passing bays.</p> <p><b>Access grades and Sealed Access</b>  <b>A12.3</b> Unsealed road access grades are limited to 12%. Grades of up to a maximum of 25% may be considered if erosion of the road surface can be prevented (ie sealed / concrete tracks) and stabilised table drains are provided. Refer to Lismore City Council <i>Vehicular Access Policy</i>.</p>
<p><b>Impact on local road network</b>  <b>P13.1</b> The development is not to generate vehicle movements that are likely to have a significant detrimental impact on the road surface.</p>	<p><b>Impact on local road network</b>  <b>A13.1</b> Where the development will generate an additional 30 or more vehicle movements per day on a regular basis, or facilitates events of greater than 100 vehicle movements, the landowners will be required to upgrade the public road in accordance with the appropriate Ausroads standard for the length of road to be upgraded. Alternatively, Council will encourage the use of buses to minimise vehicle noise and the impact on roads.</p>

Performance Criteria	Acceptable Solutions
<p><b>Parking</b></p> <p><b>P14.1</b> Adequate and appropriate parking is provided on-site.</p>	<p><b>Parking</b></p> <p><b>A14.1</b> Parking is to be provided in accordance with the requirements of DCP Chapter 7 (Off Street Carparking). For development types not addressed in Chapter 7, the minimum number of car parking spaces to be provided is:</p> <ul style="list-style-type: none"> <li>a. 1 space per 3 visitors for any farm gate premises, farm experience premises activity or artisan food and drink industry, plus</li> <li>b. 1 per 2 employees</li> </ul> <p><b>A14.2</b> A parking and access plan may demonstrate alternative parking ratios to the above minimum numbers that includes safe separation between visitors and heavy vehicles and farming operations.</p> <p><b>A14.3</b> All parking and loading or unloading of vehicles must occur within the property boundary.</p> <p><b>A14.4</b> Car parking areas should not form a visually prominent element of the rural landscape or be highly visible from the road frontage and should be located behind the front building line.</p> <p><b>A14.5</b> Car parking areas should be finished in a surface that will allow for vehicle movements in all weather conditions.</p>
<p><b>Pedestrian access</b></p> <p><b>P15.1</b> Appropriate pedestrian access is to be provided.</p>	<p><b>Pedestrian access</b></p> <p><b>A15.1</b> Provide external pedestrian access between buildings and facilities associated with the development. The access must comprise connecting pathways or access balconies with an all-weather surface and must be integrated with the overall landscape plan for the development. Where feasible, access pathways between buildings and parking areas should be covered or shaded.</p>
<p><b>Access and mobility</b></p> <p><b>P16.1</b> The development is designed to cater for or is capable of catering for, people with disabilities.</p>	<p><b>Access and mobility</b></p> <p><b>A16.1</b> Development layout, access and structures address access and mobility in accordance with the Building Code of Australia and the relevant Australian Standards.</p>

## 2.5 Element – Hazards

Objective	
To ensure development does create a risk to life and/or property	
Performance Criteria	Acceptable Solutions
<p><b>P17.1</b> Development is located to minimise exposure to natural and environmental hazards, including bushfire and flood.</p> <p><b>P17.2</b> Development that could be affected by natural and environmental hazards, including bush fire and flooding, is adequately protected.</p> <p><b>P17.3</b> The safety of visitors who could be adversely affected by natural and environmental hazards, including bush fire and flooding, is maximised.</p> <p><b>P17.4</b> Safe evacuation assembly points and egress pathways are provided</p> <p><b>P17.5</b> Site contamination is identified and appropriately and effectively remediated before the land is used.</p>	<p><b>A17.1</b> Development is not located in areas of high bushfire, flood or landslip hazard.</p> <p><b>A17.2</b> Development on bush fire prone land must provide:</p> <ol style="list-style-type: none"> <li>a water tank dedicated for firefighting purposes with a minimum volume as required by <i>Planning for Bush Fire Protection</i>, published by the NSW Rural Fire Service, and</li> <li>a bush fire emergency evacuation plan which identifies when the premises will be on alert and will close, evacuation procedures and assembly points, proposed signage, measures to protect human life and property in the event of bush fire, any vegetation hazard clearing needed, contact details for emergency services and any bush fire maintenance measures required.</li> </ol> <p><b>A17.3</b> For development within the flood planning area, development must comply with Council's Flood Prone Lands DCP. A flood evacuation plan is to identify when the facility will be on alert and will close, evacuation procedures and assembly points, proposed signage, measures to protect human life and property in the event of flooding, contact details for emergency services and any maintenance measures required.</p> <p><b>A17.4</b> Evacuation routes from the location of a development to a main road or alternate point of refuge are to avoid flood liable land and bush fire prone land where practicable.</p> <p><b>A17.5</b> Development complies with requirements in Lismore City Council's regional policy for the management of contaminated land.</p>

## 2.6 Element – Operations

Objective
To provide for the ongoing management of rural tourism development
To ensure development minimises the impacts on the natural environment and visitor safety

Performance Criteria	Acceptable Solutions
<p><b>Operations</b></p> <p><b>P18.1</b> Development applications must provide sufficient detail to Council on the expected scale and operations of rural tourism development.</p> <p><b>P18.2</b> Public swimming pools or spas as defined by the <i>Public Health Act 2010</i> must meet the requirements of the <i>Act</i> and <i>Regulations</i>.</p>	<p><b>Operations</b></p> <p><b>A18.1</b> A management plan is provided that details:</p> <ol style="list-style-type: none"> <li>a description of the development to be carried out on the property</li> <li>a map of where the development will be on the property, relevant dimensions and key features on the land</li> <li>the proposed months, days and hours of operation</li> <li>the maximum number of guests at one time, and how this will be monitored</li> <li>how visitors and guests will be advised to: <ol style="list-style-type: none"> <li>limit impacts to the operational farm,</li> <li>preserve and protect existing native flora, fauna and waterways, heritage items and Aboriginal heritage located on the property,</li> <li>minimise any biosecurity risk through dispersal of weeds, seeds, insects and contaminants,</li> <li>manage their waste, and</li> <li>be alerted as to risks that may be present on the property such as natural hazards or changing weather</li> </ol> </li> <li>measures to mitigate adverse environmental and amenity impacts</li> <li>the way vehicles will access the landholdings and the premises, including consideration of wildlife strike</li> <li>any safety hazards on the property and how they will be managed to ensure the safety of visitors and guests.</li> </ol>
<p><b>Lighting and noise</b></p> <p><b>P19.1</b> The development is designed and constructed to minimise noise, light (including noise and light from vehicles) and vibration impacts on occupants of adjoining or nearby dwellings or buildings, and nocturnal fauna.</p> <p><b>P19.2</b> All external lighting is limited to protect the dark night sky and the rural atmosphere of the locality (e.g. lighting located around pool areas).</p>	<p><b>Lighting and noise</b></p> <p><b>A19.1</b> No acceptable solution is prescribed. The applicant shall demonstrate compliance with relevant performance criteria.</p>

### 3 Additional Development Controls for Rural Tourist Accommodation

#### 3.1 Element – Location and siting

Objective									
<p>To diversify the uses of agricultural land for rural tourist accommodation without adversely impacting the principal use of the land for primary production.</p> <p>To ensure rural tourist accommodation does not detract from existing environmental values, scenic landscape values, infrastructure and adjoining land uses.</p> <p>To protect the amenity and privacy of adjoining properties, including visual and acoustic privacy, from rural tourist accommodation.</p> <p>To provide accessible rural tourist accommodation suitable for people with disability or limited mobility.</p>									
Performance Criteria	Acceptable Solutions								
<p><b>Location</b></p> <p><b>P20.1</b> The development is located and operated so that it:</p> <ul style="list-style-type: none"> <li>• does not adversely affect the conduct and productivity of agriculture on the site and adjoining properties;</li> <li>• maximises the use of existing infrastructure;</li> <li>• does not create conflict with adjoining land uses;</li> <li>• does not significantly increase biosecurity risk on the site and/or adjoining properties</li> <li>• does not disrupt environmental enhancement projects on the land;</li> <li>• does not negatively impact on the ecological or environmental values of the land; and</li> <li>• is clustered and in close proximity to the primary dwelling on the lot (where practical).</li> </ul> <p><b>P20.2 <i>Eco-tourist facilities</i></b> are located in or adjacent to an area with special ecological, environmental or cultural values.</p>	<p><b>Location</b></p> <p><b>A20.1</b> Accommodation is to be arranged in a 'cluster' pattern and located on average no further than 40 metres apart with adequate vegetation/privacy screening.</p> <p><b>A20.2</b> Accommodation is not located within 6m of another building on the landholding.</p> <p><b>A20.3 <i>Eco-tourist facilities</i></b> are located no greater than 4km from ecological, environmental or cultural values of the site or area</p> <p><b>A20.4</b> Site restoration works should be incorporated into development for the purposes of <b><i>eco-tourist facilities</i></b> so as to enhance the site's special ecological or cultural features.</p>								
<p><b>Scale</b></p> <p><b>P21.1</b> Development is to be small scale, low impact and designed and located to be compatible with the surrounding rural environment and of minimal environmental impact.</p>	<p><b>Scale</b></p> <p><b>A21.1</b> The density of <b><i>eco-tourist facilities and other tourist accommodation</i></b> to be provided is as follows:</p> <table border="1"> <thead> <tr> <th>Land Size</th><th>Max number of bedrooms</th></tr> </thead> <tbody> <tr> <td>0 – 10ha</td><td>4</td></tr> <tr> <td>10-20ha</td><td>8</td></tr> <tr> <td>Over 20ha</td><td>12</td></tr> </tbody> </table> <p><b>A21.2</b> The density of <b><i>farm stay accommodation</i></b> is no more than 12 bedrooms in accordance with LEP 2012 Clause 5.4 (5),</p>	Land Size	Max number of bedrooms	0 – 10ha	4	10-20ha	8	Over 20ha	12
Land Size	Max number of bedrooms								
0 – 10ha	4								
10-20ha	8								
Over 20ha	12								

Performance Criteria	Acceptable Solutions
	<p>and no more than one structure per 5ha, up to a maximum of six structures.</p> <p><b>A21.3</b> Each <i>rural tourist accommodation</i> structure is to have a gross floor area of not more than 60m<sup>2</sup> comprising a maximum of two (2) bedrooms. Each structure can include a kitchenette and bathroom facilities.</p> <p><b>A21.4</b> The external floor area (i.e. a balcony and/or veranda) for each <i>rural tourist accommodation</i> structure is limited to a maximum of 15m<sup>2</sup>.</p> <p><b>A21.5</b> Building height is to be no more than 4.5m.</p> <p><b>A21.6</b> <i>Bed and breakfast accommodation</i> must accommodate no more than 10 guests.</p> <p><b>A21.7</b> One toilet per 10 staying guests in rural tourist accommodation on the landholding is to be available in an accessible location. At least one toilet must be a unisex accessible toilet.</p>
<p><b>Orientation and views</b>  <b>P22.1</b> The development is to be designed and structures sited to:</p> <ul style="list-style-type: none"> <li>• maximise solar access and summer shade;</li> <li>• take advantage of rural vistas where possible. Visually prominent sites are not appropriate.</li> </ul>	<p><b>Orientation and views</b>  <b>A22.1</b> The development is to open up onto outdoor recreation areas with access to winter sun and summer shade, and where possible orientated to take advantage of views of the surrounding hinterland, rural landscapes, or other natural features.</p> <p><b>A22.2</b> Buildings used as accommodation are to either have a north, northwest or northeast aspect to maximise solar access.</p>
<p><b>Ecological features and conservation values</b>  <b>P23.1</b> Development must respect and contribute to the natural environmental systems and values of its location.</p>	<p><b>Ecological features and conservation values</b>  <b>A23.1</b> Site restoration works are incorporated into the development for the purposes of eco-tourist facilities so as to enhance ecological or cultural features.</p>

### 3.2 Element – Limits on operation

Objective	
<p>To ensure the amenity of surrounding properties is adequately protected.</p> <p>To minimise the potential for land use conflict.</p>	
Performance Criteria	Acceptable Solutions
<p><b>Length of stay</b>  <b>P24.1</b> Rural tourist accommodation is used for short term tourist accommodation purposes only and is not used for long-term residential purposes.</p>	<p><b>Length of stay</b>  <b>A24.1</b> The maximum length of stay for any guest/guests is limited to no more than 90 days in total in any 12-month period.</p>

## 4 Additional Development Controls for Camping Grounds and Caravan Parks

### 4.1 Element – Location and siting

Objective	
<p>To ensure the amenity of surrounding properties is adequately protected.</p> <p>To ensure agricultural production and activities being carried out on the site or nearby land are protected from encroaching land uses.</p> <p>To minimise the potential for land use conflict.</p> <p>To ensure design and operation of caravan parks and camping grounds meet the needs of users.</p>	
Performance Criteria	Acceptable Solutions
<p><b>P25.1 Caravan parks and camping grounds</b> must be designed to be compatible with the streetscape and character of the area in which they are located.</p> <p><b>P25.2</b> Sites must be suitable for the purpose of a <b>caravan park</b> or <b>camping ground</b>, in that:</p> <ol style="list-style-type: none"> <li>steep slopes are to be avoided due to drainage, slip and bushfire risk</li> <li>existing vegetation and areas with ecological and conservation values must be protected</li> <li>sites are able to be integrated into the visual environment</li> <li>site layout and landscaping can break up or conceal repetitive visuals of caravans and moveable dwellings</li> <li>visually exposed sites on ridges are not permitted</li> </ol> <p><b>P25.3</b> A minimum of 10% of the total area of the caravan park or camping ground must be developed for recreation and communal activities. The recreation and communal activities area must not include any caravan site, campsite, roadway or land designated for any other purpose, but may be grassed and landscaped with trees and/ or other plants. A maximum 10% of the recreation area may be used as the site of a building devoted to recreation or communal activities that are appropriate to the proposed mix of occupants and users of the caravan park. Any such building must be integrated with the landscape and aesthetic characteristics of the site and the recreation area.</p>	<p>The applicant shall demonstrate compliance with the relevant performance criteria.</p>

## 5 Additional Development Controls for other Tourism Development

### 5.1 Element – Location and siting

Objective	
<p>To allow for tourism and related commercial uses at a scale that does not adversely affect the principal use of land for primary production.</p> <p>To ensure farm gate premises and farm experience premises do not detract from existing environmental values, scenic values, infrastructure and adjoining land uses.</p> <p>To ensure the amenity of surrounding properties is adequately protected.</p> <p>To manage the number of visitors to a landholding to address cumulative effects of traffic on roads.</p>	
Performance Criteria	Acceptable Solutions
<p><b>Location</b></p> <p><b>P26.1</b> The development is located and operated so that it:</p> <ul style="list-style-type: none"> <li>• does not adversely affect the conduct and productivity of agriculture on the site and adjoining properties;</li> <li>• maximises the use of existing infrastructure;</li> <li>• does not create conflict with adjoining land uses;</li> <li>• does not significantly increase biosecurity risk on the site and/or adjoining properties</li> <li>• does not disrupt environmental enhancement projects on the land;</li> <li>• does not negatively impact on the ecological or environmental values of the land; and</li> <li>• is clustered and in close proximity to the primary dwelling on the lot (where practical).</li> </ul>	<p><b>Location</b></p> <p><b>A26.1</b> Where a proposal includes a Farm Experience Premises with associated accommodation facilities, all buildings shall be wholly located within a circumference of 100m.</p>
<p><b>Scale</b></p> <p><b>P27.1</b> Development is to be small scale, low impact and designed and located to be compatible with the surrounding rural environment and of minimal environmental impact.</p>	<p><b>Scale</b></p> <p><b>A27.1</b> A <i>farm experience premises, farm gate premises</i> or <i>restaurant or café</i> is to have a maximum capacity of 100 patrons and will be limited to an internal floor area of not more than 300m<sup>2</sup>.</p> <p><b>A27.4</b> Adequate toilet facilities are to be provided. At least one toilet must be a unisex accessible toilet.</p>



## 5.2 Element – Limits on operation

Objective	
To protect the amenity and privacy of adjoining properties, including visual and acoustic privacy, from farm gate premises and farm experience premises.	
Performance Criteria	Acceptable Solutions
<p><b>Operation</b></p> <p><b>P28.1</b> The scale of operations of a <b>farm experience premises, farm gate premises, artisan food and drink or restaurant or café</b> are not to unreasonably impact upon residents and other lawful land uses.</p> <p><b>P28.2</b> Development satisfies food safety and public health requirements.</p>	<p><b>Operation</b></p> <p><b>A28.1</b> The use of a facility as a <b>farm experience premises</b> for weddings and similar events that use amplified noise is to be limited to a maximum of 35 events per year.</p> <p><b>A28.2</b> The use of a facility as a <b>restaurant or café</b> must not be open to visitors outside the following hours—</p> <ul style="list-style-type: none"><li>(i) on Sundays and public holidays—8am to 8pm,</li><li>(ii) on Mondays to Saturdays—7am to 10pm,</li></ul> <p><b>A28.3</b> The use of a facility as a <b>farm gate premises</b> must not be open to visitors outside the following hours—</p> <ul style="list-style-type: none"><li>(i) on Sundays and public holidays—8am to 6pm,</li><li>(ii) on Mondays to Saturdays—7am to 6pm,</li></ul> <p><b>A28.4</b> The use of a facility as a <b>farm experience premises or artisan food and drink industry</b> must not be open to visitors outside the following hours—</p> <ul style="list-style-type: none"><li>(i) on Sundays, Mondays, Tuesdays, Wednesdays, Thursdays or public holidays—8am to 6pm,</li><li>(ii) on Fridays or Saturdays—8am to 11pm</li></ul> <p><b>A28.5</b> Guests at a <b>farm experience premises</b> (other than those staying on-site) must be off-site by no later than 11pm.</p>

Performance Criteria	Acceptable Solutions
<p><b>Amplified music and other noise</b>  <b>P29.1</b> Noise generated will not unreasonably impact upon neighbours' amenity.</p>	<p><b>Amplified music and other noise</b>  <b>A29.1</b> Amplified music is to be limited to no later than 10pm for <b>farm experience premises</b> and <b>artisan food and drink industry</b>.</p> <p><b>A29.2</b> A site-specific noise management plan is to be prepared by an appropriately qualified person in accordance with the NSW EPA '<i>Noise Policy for Industry</i>' and submitted with any development application. The plan must include an acoustic assessment that quantifies existing background noise levels and outlines all expected noise generating activities including traffic movements. The noise management plan should determine appropriate noise trigger levels and where an activity is predicted to exceed that level, it should identify all feasible</p>
	<p>and reasonable mitigation measures. The intent is to ensure any noise generated must have minimal impact upon adjoining properties and will not result in the generation of 'offensive noise', as defined in the <i>Protection of the Environment Operations Act 1997</i>.</p> <p><b>A29.3</b> The use of fireworks, helicopters and/or other comparable activities known to cause disturbance to livestock and/or farming activities is not permitted.</p>
<p><b>Service access and parking</b>  <b>P30.1</b> Appropriate vehicle access and parking areas are available for vehicles supplying catering, equipment hire, entertainment and other services.</p>	<p><b>Service access and parking</b>  <b>A30.1</b> No acceptable solutions. The applicant shall demonstrate compliance with the relevant performance criteria.</p>