

Attachment 1 – Ballina Local Environmental Plan 2012 Clause 7.6 Rural and nature-based tourism development

7.9 Rural and nature-based tourism development

- (1) The objective of this clause is to ensure that services and facilities provided for tourists in rural and natural areas do not adversely impact on the agricultural production, scenic or environmental values of the land.
- (2) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape.
- (3) Development consent must not be granted to tourism development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) there is, or will be, adequate vehicular access to and from a road, other than a classified road, taking into account the scale of the development proposed, and
 - (b) the development is small scale and low impact, and
 - (c) the development is complementary to the rural or environmental attributes of the land and its surrounds, and
 - (d) the development will not have a significant adverse impact on agricultural production, amenity or significant features of the natural environment.
- (4) Development consent must not be granted to development for the purpose of tourist and visitor accommodation on a lot that is land to which this clause applies unless:
 - (a) a lawfully erected dwelling house or dual occupancy (attached) is situated on the lot, or
 - (b) a dwelling house may be erected on the lot under this Plan.
- (5) Development consent must not be granted to development under subclause (4) if the development:
 - (a) includes an ancillary caretaker's or manager's residence, or
 - (b) is for the purpose of more than 1 bed and breakfast accommodation.
- (6) In this clause:

small scale means a scale that corresponds to that of residential uses in a rural or environmental locality.

tourism development means development for any of the following purposes:

 - (a) caravan parks,

- (b) cellar door premises,
- (c) charter and tourism boating facilities,
- (d) home industries that provide services, or the sale of goods, on site to visitors,
- (e) information and education facilities,
- (f) kiosks,
- (g) markets,
- (h) recreation facilities (major),
- (i) recreation facilities (outdoor),
- (j) rural industries that provide services, or the sale of goods, on site to visitors,
- (k) tourist and visitor accommodation.