



COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL



IMAGESHARONSKI

# AGRITOURISM DEVELOPMENT GUIDE

What types of agritourism are permitted on my farm?

## Table of Contents

<b>WHAT TYPES OF AGRITOURISM ARE PERMITTED ON MY FARM? .....</b>	<b>3</b>
<b>What is permitted on my land? .....</b>	<b>4</b>
<b>Planning consultants.....</b>	<b>4</b>
<b>Regulatory and non-regulatory considerations .....</b>	<b>5</b>

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## WHAT TYPES OF AGRITOURISM ARE PERMITTED ON MY FARM?

Owners of agritourism businesses have to consider a large number of regulatory and non-regulatory issues.

If you are interested in pursuing any agritourism development, it is best to hire a planning consultant to guide you through the permissibility preparation and development stages. Council's planners cannot advise on what is permissible on your property, as there is a conflict of interest when your development requires their approval.

You can find a planning consultant via an internet search.

**Important guide:** [A guide to agritourism approvals by NSW Planning](#)

This guide will help you navigate the complexities of the state's [planning legislation](#), how it applies to your farm, and what types of agritourism experiences you might be able to offer on your farm.

You can only establish an agritourism business if it is permitted in the land-use zone that applies to your farm.

There are two sections in this guide.

Starting an agritourism business	Specific planning requirements
<p>This section covers what farmers need to consider from the outset – practical elements such as location and design, and planning legislation and other approvals that may apply.</p> <p>Required approvals may include</p> <ul style="list-style-type: none"><li>• Development approval (not required for all types of agritourism)</li><li>• Waste management, including waste water and sewerage</li><li>• Water supply</li><li>• Food safety</li><li>• Alcohol sales</li><li>• New and upgraded driveways</li><li>• Protection of wildlife and vegetation</li></ul>	<p>This section goes into detail about the specific planning requirements that apply to different types of agritourism businesses:</p> <ul style="list-style-type: none"><li>• Farm stay accommodation - camping, caravans, new or existing cabins, and moveable dwellings</li><li>• Farm gate premises – workshops, cellar door premises, and food experiences</li><li>• Farm experience premises – farm tours, weddings, and horse riding</li><li>• Roadside produce stalls</li><li>• A combination of multiple agritourism activities</li></ul> <p>Some of these require a Development Application, some are exempt from requiring approval if certain conditions are all met (exempt development), and for some there is a quick approval process (complying development).</p> <p>This guide outlines which projects require approval and which don't.</p>

## What is permitted on my land?

You will first have to identify what Land Use Zone applies to your property, and then look at what is permitted for that Land Use Zone in the Local Environment Plan (LEP) that applies to your property.

The planning legislation applies to commercial farms in RU1 Primary Production, RU4 Primary Production Small Lots, and RU2 Rural Land zones.

[Find your Land Use Zone](#)

Find your LEP:

- [Cootamundra LEP](#)
- [Gundagai LEP](#)

The [planning legislation](#) contains all of the requirements that your agritourism offering must meet, which relates to such things as (but is not limited to), compliance with the Building Code of Australia, heritage considerations, tree removal, floor area limitations, proximity to property boundaries, watercourses and dwellings, notification requirements, noise restrictions, limitation on hours of operation, evacuation plans, vehicle access limitations and requirements, parking, effluent disposal, and more.

A key factor that may impact if you will be able to offer agritourism on your farm is how cars leave your farm, specifically if there is a long enough line of sight from the exit of your property (or a new entry/exit you construct for visitors).

- Vehicle or pedestrian access must not be directly from a highway.
- Drivers leaving the property must have a clear line of sight of 300m, or the minimum car stopping sight distances set out in the [Guide to Road Design](#) (whichever is shorter).

Read the [NSW Planning Legislation related to agritourism](#). This can feel intimidating, but take the time to give it a go, or hire a planning consultant to advise you.

## Planning consultants

Unfortunately, understanding the state's planning legislation and going through a Development Approval process is complex. Council recommends hiring a planning consultant to make the process as easy as possible.

A planning consultant can

- interpret legislative jargon into plain English
- explain the rationale behind regulations (how they protect the public)
- help identify all of Council's requirements up front (e.g. septic, roads, construction, signage), and the costs involved in applying for approval, including the cost of developing attachments
- help you identify alternatives if the legislation is restrictive
- provide timely answers to your questions.

The time to receive a Development Approval can be quite long, but you might be able to avoid a DA through the [exempt and complying \(fast track\) development options](#) for agritourism.

There are excellent reasons to do everything "by the book" (with approval). If you try to avoid necessary approvals, consequences include any insurance claims you might have to make will be declined, and if you try to avoid Council learning about your agritourism offering, this will limit your ability to promote it to potential customers.

## Regulatory and non-regulatory considerations

Agritourism business owners may need to meet the following regulatory and non-regulatory considerations, depending on what their agritourism offering includes. The list is not exhaustive.

<ul style="list-style-type: none"> <li>• Insurance (public liability, building, vehicle)</li> <li>• Site safety and OHS</li> <li>• Bushfire risk</li> <li>• Biosecurity risk – weeds, diseases, pests</li> </ul>	<ul style="list-style-type: none"> <li>• Testing drinking water quality (if rain/ bore water)</li> <li>• Food safety and food handling</li> <li>• Food testing, labelling and packaging</li> <li>• Responsible service of alcohol (RSA)</li> </ul>	<ul style="list-style-type: none"> <li>• Aboriginal heritage (presence of sacred sites and artefacts)</li> <li>• Heritage listed buildings</li> </ul>
<ul style="list-style-type: none"> <li>• Building standards (Building Code of Australia, BASIX)</li> <li>• Disability access</li> <li>• Sewage management</li> <li>• Signs (on farm and on the road, and tourism signs)</li> <li>• Road upgrades and maintenance</li> <li>• Parking</li> <li>• Traffic management</li> <li>• Road and developer contributions</li> </ul>	<ul style="list-style-type: none"> <li>• Noise</li> <li>• Environmental impact (including endangered species)</li> <li>• Effect of development activities on the water catchment area</li> <li>• Remediating contaminated land (e.g land used for sheep dips)</li> <li>• Waste disposal</li> </ul>	<ul style="list-style-type: none"> <li>• Register business name, register company, get ABN, get AusKEY</li> <li>• Tax and financials – PAYG, TFN (business), GST, BAS</li> <li>• Setting up, managing staff – award wages, conditions, fair work rules including dismissal, staff qualifications, workers compensation insurance, managing leave</li> <li>• Working with children check</li> </ul>
<ul style="list-style-type: none"> <li>• Permit for soap production</li> <li>• Permit for distilling essential oils</li> </ul>	<ul style="list-style-type: none"> <li>• Stock and supplies (including food supplies)</li> </ul>	<ul style="list-style-type: none"> <li>• Marketing and promotion</li> <li>• Technology – website, payment systems, security cameras, customer management systems</li> </ul>

Image source: Service NSW

A farmer doesn't require a license to exhibit livestock under the [Exhibited Animals Protection Regulation 2021](#), as farm animals on farm are exempt.