

## 4.4 Bed and Breakfast and Small Scale Tourist Facility Code

### (1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The purpose of the Bed and Breakfast and Small Scale Tourist Facility Code is the achievement of the overall outcomes sought for the establishment and use for these uses in the Shire.*
- (b) *The overall outcomes sought for a Bed and breakfast or a Small-scale tourist facility are that uses and works are sited and designed so:*
- (i) *their form and appearance is compatible with the scale, character and amenity desired for the local setting,*
  - (ii) *they reflect a quality architectural style which is responsive to the climate and the scenic attributes enjoyed in the Shire,*
  - (iii) *the wellbeing, safety and lifestyle of the community is maintained,*
  - (iv) *off-site impacts are minimised to an acceptable level,*
  - (v) *environmental and landscape values of the locality in which they are situated are maintained,*
  - (vi) *acceptable levels of privacy and amenity for overnight visitors are achieved in conjunction with maintaining the amenity of neighbouring properties, and*
  - (vii) *they operate within the safe and effective design capacity of the utilities, transport networks and community facilities servicing the area.*

### (2) ELEMENTS:

#### (a) Location

Specific Outcome		Acceptable Solution (if self assessable)
		Probable Solution (if code assessable)
O1	The site:	S1.1
	(1) is safely and conveniently accessible in all reasonable weather conditions, and	In all but the Rural Locality, the site is connected between the property access on the frontage of the site and the nearest higher order road depicted on the Zone maps by a formed, constructed and gazetted public road comprising a 8 metre wide, bitumen seal carriageway.
	(2) has a frontage to a public road having a standard of construction and service necessary to accommodate traffic generated by the use.	OR In the Rural Locality, the site is connected between the property access on the frontage of the site and the nearest higher order road depicted on the Zone maps by a formed, constructed and gazetted public road comprising a 6 metre wide, all-weather carriageway.

**(a) Location continued**

Specific Outcome	Acceptable Solution (if self assessable)	
	Probable Solution (if code assessable)	
O2 Existing or likely future legitimate commercial rural activities on surrounding lands are protected from any conflict with the proposed use.	S2.1	Where in or abutting the Rural Locality, any buildings and structures used for accommodation (not within the curtilage of an existing <i>Dwelling house</i> ) are sited no closer than 100 metres to any boundary which adjoins land: <ol style="list-style-type: none"> <li>(1) used for commercial rural production, or</li> <li>(2) that is Class A or B land as shown in SMOA map 2D.</li> </ol>

**(b) Siting, Design and Density**

Specific Outcome	Acceptable Solution (if self assessable)	
	Probable Solution (if code assessable)	
O3 Sites have sufficient area to allow for the safe, convenient and attractive operations of uses and works so the amenity of guests and neighbouring residences are not adversely affected.	S3.1	The site for <i>Bed and breakfast</i> has a minimum area of: <ol style="list-style-type: none"> <li>(1) in Council's sewerage scheme area - 800m<sup>2</sup>, or</li> <li>(2) otherwise:               <ol style="list-style-type: none"> <li>1. 4000m<sup>2</sup> where involving bedrooms or rooming units in the curtilage of a <i>Dwelling house</i>, or</li> <li>2. 2 ha in other circumstances.</li> </ol> </li> </ol>
	S3.2	In the Rural Locality, free-standing buildings and structures used for <i>Bed and breakfast</i> accommodation are within 250 metres of the existing <i>Dwelling house</i> .

Specific Outcome	Acceptable Solution (if self assessable)	
	Probable Solution (if code assessable)	
O4 <i>Bed and breakfast</i> accommodation is provided by a household as part of the premises occupied by that household.	S4.1	<i>Bed and breakfast</i> accommodation is provided on the same site as the <i>Dwelling house</i> occupied as the principal place of residence by the household providing the accommodation.

**(b) Siting, Design and Density continued**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
<p>O5 The number of <i>Bed and breakfast</i> guests accommodated on-site is limited in accordance with the ability of the premises to provide accommodation of an acceptable standard (including car parking and on-site waste and effluent management) so that the enjoyment, privacy and amenity of guests, the proprietor and surrounding residences is not adversely affected.</p>	<p>S5.1 The maximum amount of accommodation made available to guests is:</p>
	<p>(1) three bedrooms, or (2) three cabins where in a Rural Locality.</p>
	<p>S5.2 Guests are provided with a bedroom (with or without ensuite facilities) that is separate from those of members of the host household.</p>
	<p>S5.3 In the premises:</p> <p>(1) the bedrooms providing for guests are:</p> <ol style="list-style-type: none"> <li>1. in the same building as the kitchen, bathing and toilet facilities provided for the guests, or</li> <li>2. within a secondary building (including bathing and toilet facilities) within 10 metres of the <i>Dwelling house</i>, and</li> </ol> <p>(2) the only cooking facilities available to the guests are those within and normally used by the residents of the house.</p> <p>OR</p> <p>S5.4 In the Rural Locality, accommodation may also be provided in cabins or other secondary buildings on the site which provide one or more of the following for common use:</p> <ol style="list-style-type: none"> <li>(1) bathing facilities;</li> <li>(2) toilet facilities;</li> <li>(3) cooking and/or dining facilities; and</li> <li>(4) lounge room facilities.</li> </ol>

**(b) Siting, Design and Density continued**

<b>Specific Outcome</b>		<b>Acceptable Solution (if self assessable)</b>	
		<b>Probable Solution (if code assessable)</b>	
O6	The scale, intensity, bulk, finish and orientation of uses and works provided on the site is visually unobtrusive, such that the desired character and amenity of the locality is complemented.	S6.1	<i>Bed and breakfast</i> accommodation or <i>Small-scale tourist facilities</i> are provided within the existing building(s).
		OR	
	Additionally, for <i>Small-scale tourist facilities</i> , effective buffering and screening to adjoining residences allows that local privacy and amenity is protected.	S6.2	In all but the Rural Locality, any new buildings and structures (including extensions) for a <i>Bed and breakfast</i> : <ul style="list-style-type: none"> <li>(1) have a height equivalent to or less than that of the <i>Dwelling house</i> on-site,</li> <li>(2) are aligned with or are set back further than the existing frontage building line for buildings and structures adjacent/abutting the site, and</li> <li>(3) are aligned with or are set back further than the existing building line to the <i>Dwelling house</i> relative to the side or rear property boundaries.</li> </ul>
		S6.3	In the Rural Locality, any new buildings or other structures (including extensions) for <i>Bed and breakfast</i> : <ul style="list-style-type: none"> <li>(1) have a height equivalent to or less than the height of the <i>Dwelling house</i> on-site,</li> <li>(2) are aligned with or are set back further than the existing frontage building lines applicable on-site, and</li> <li>(3) except as specifically stated in S2.1 above, have side and rear boundary set backs of 15 metres.</li> </ul>

**(b) Siting, Design and Density continued**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
	<p>S6.4 <i>Small-scale tourist facilities are:</i></p> <ol style="list-style-type: none"> <li>(1) within 10 metres of the existing buildings for the primary use on-site,</li> <li>(2) confined to 150m<sup>2</sup> in gross floor area, and</li> <li>(3) where involving new buildings or structures: <ol style="list-style-type: none"> <li>1. an extension has a height equivalent to or less than that for existing buildings associated with the primary use on the site,</li> <li>2. free standing buildings or structures have a height not exceeding 3.5 metres in height,</li> <li>3. premises are visually buffered along the frontage to collector or higher order roads shown on the Zone maps or any stock route or Bicentennial Trail<sup>1</sup>, with landscape planting at least 2 metres deep, and</li> <li>4. are located no closer than 6 metres to a side or rear boundary adjoining land used for a <i>Residential Use Class</i>.</li> </ol> </li> </ol> <p>S6.5 The architectural style, form and materials used in any new structures replicates those used in the existing buildings on the site.</p>

<sup>1</sup> Routes and Trails are depicted on PSP 8

**(c) Landscaping**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
O7 On-site landscaping integrates the development into the surrounding environment having regard to built form and scale.	<p>S7.1 Where any of the following for the premises, namely:</p> <ol style="list-style-type: none"> <li>(1) driveway, vehicle movement areas or car parking,</li> <li>(2) service or utility areas,</li> <li>(3) any plant machinery/equipment area (other than roof or wall mounted room air conditioner), or</li> <li>(4) communal outdoor recreation, activity or congregation area,</li> </ol> <p>adjoin habitable rooms and outdoor living areas on adjoining sites, provision is made along the common boundary for:</p> <ol style="list-style-type: none"> <li>1. a solid visual screen fence of 1.8 metre height, or</li> <li>2. screen landscaping that is 2 metres deep.</li> </ol>

**(d) Parking and Access**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
<p>O8 Premises have:</p> <ol style="list-style-type: none"> <li>(1) adequate on-site car parking provided in a safe, attractive and functional manner, and</li> <li>(2) direct, safe, practical and trafficable access to a public road without impacting on local amenity and character or the safe and effective movement of passing traffic, including associated with stock routes and the Bicentennial Trail.</li> </ol>	<p>S8.1 Vehicle parking is provided on-site, at a rate of:</p> <ol style="list-style-type: none"> <li>(1) <i>Bed and breakfast</i> – 1 spaces per unit in addition to that serving the proprietors' <i>Dwelling house</i>, or</li> <li>(2) <i>Small scale tourist facility</i> – 1 space per 50m<sup>2</sup> of gross floor area, and</li> </ol> <p>with design and construction in accordance with Division 2, Schedule 1.</p> <p>S8.2 Site ingress and egress:</p> <ol style="list-style-type: none"> <li>(1) is taken from the existing site access arrangements that meet the standards in Table S2.7 (a)(3) of Schedule 2, or</li> <li>(2) for a <i>Small-scale tourist facility</i>: <ol style="list-style-type: none"> <li>1. does not involve more than one (1) access point,</li> <li>2. allows for forward entry and exit for vehicles associated with the development, and</li> <li>3. involves a vehicle crossover located, designed and constructed in accordance with the standards nominated in Table S2.7 (a)(3) of Schedule 2.</li> </ol> </li> </ol>

**(e) Services and Utilities**

<b>Specific Outcome</b>		<b>Acceptable Solution (if self assessable)</b>	
		<b>Probable Solution (if code assessable)</b>	
O9	An adequate, safe and reliable water supply must be available to the premises for the use of guests and the preparation of food.	S9.1	<p>Where the premises are connected to Council's reticulated potable water supply, provision is also made for a 2000 litre/room (minimum 4500 litre) additional supply storage to supplement that for the <i>Dwelling house</i> on-site.</p> <p>OR</p> <p>Where not in a reticulated potable water supply area, the premises are provided with a reliable supply of potable water that includes on-site storage of at least 60,000 litres plus an emergency supply storage catering to 4500 litres for any guest suite to supplement that for the <i>Dwelling house</i>.</p> <p>OR</p> <p>Where not in a reticulated water supply area, the premises are supplied by a producing bore (300l/hr) or a suitable on-site dam capable of capturing and storing a minimum of 1 ML of water.</p>
<b>Specific Outcome</b>		<b>Acceptable Solution (if self assessable)</b>	
		<b>Probable Solution (if code assessable)</b>	
O10	Provision must be made for the treatment and disposal of sewage and other wastes such that acceptable public health, environmental and water quality standards are maintained.	S10.1	<p>Where the premises are outside Council's sewerage scheme area (including that with common effluent drainage):</p> <ol style="list-style-type: none"> <li>(1) loadings can be accommodated within the existing effluent treatment and disposal systems on-site; or</li> <li>(2) new, replaced or upgraded on-site treatment and disposal infrastructure is provided: <ol style="list-style-type: none"> <li>1. in accordance with the standards in Table S2.9 and S2.10 of Schedule 2, and</li> <li>2. so effluent treatment and disposal areas are set back to water resources in accordance with Table S10.1 at the end of this Code.</li> </ol> </li> </ol>
<b>Specific Outcome</b>		<b>Acceptable Solution (if self assessable)</b>	
		<b>Probable Solution (if code assessable)</b>	
O11	Signage is limited to a single, small and relatively unobtrusive sign at or within the frontage of the site.	S11.1	<p>The street number of the premises is displayed in a prominent position on the fence of the premises or the façade of the building, together with the premises' logo/name and the sign does not exceed a size of 0.5 m<sup>2</sup> in area. The logo/name may be illuminated if it is displayed on the building and then only with an incandescent globe of small wattage.</p>

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
O12 Road frontages meet the appropriate standards of service and construction so traffic from the development is safely, conveniently, cost effectively and efficiently accommodated.	S12.1 If in the Rural Locality, the road frontage of the development is constructed to the planned standard of service nominated in Table S2.1 of Schedule 2.

#### (f) Natural and Man Made Hazard Risk Management

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
<p>O13 Areas susceptible to hazards associated with erosion, land slip, mass movement, flooding, drainage problems, salinity and the like are maintained in a state which minimises the following relative to the site and its setting:</p> <ol style="list-style-type: none"> <li>(1) potential for significant adverse effects on habitats, water quality and landscape values,</li> <li>(2) unacceptable risks to public safety,</li> <li>(3) potential damage to property and essential service infrastructure, and</li> <li>(4) adverse impacts on the capacity to use land and upon the economic value of water and land resources.</li> </ol>	<p>S13.1 Buildings and works are sited on slopes no greater than 15% in gradient.</p> <p>S13.2 Buildings, structures and works (including areas for the disposal of treated effluent) occur:</p> <ol style="list-style-type: none"> <li>(1) on cleared land,</li> <li>(2) outside overland flow paths, gullies or other drainage paths, including stormwater discharge points,</li> <li>(3) at least the following from the top bank of a river, creek, stream, or wetland<sup>2</sup>: <ol style="list-style-type: none"> <li>1. 50 metres in the Rural Locality, and</li> <li>2. 20 metres in other Localities,</li> </ol> </li> <li>(4) at least 200 metres from the full supply level for any referrable dam<sup>3</sup>, and</li> <li>(5) on free draining land so that: <ol style="list-style-type: none"> <li>1. habitable rooms within a building are 300 mm above the highest known flood level, and</li> <li>2. non-habitable rooms within a building as well as carports, on site areas for disposal of treated effluent and approved property accesses are 100 mm above the highest known flood.</li> </ol> </li> </ol>

Table S10.1

Minimum set back (metres) from:	Minimum set back (metres)
Top bank of waterway	50
Edge of a potable water supply provided by bore or gully dam on or abutting the site	30
Centre line of gully	15
Full supply level to a referrable dam	200

<sup>2</sup> Relevant details are depicted on SMOA map 2C

<sup>3</sup> Relevant details are depicted on SMOA map 2C