

# RURAL TOURISM DEVELOPMENT

## LOCAL PLANNING POLICY



### 1. PURPOSE

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, be limited to the policy provisions and that mere compliance will result in an approval. This approach has produced many examples of inappropriate built form that has a long-term impact on the amenity and sustainability of the locality.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

### 2. SCOPE

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

### 3. OBJECTIVE

- 3.1 To provide for a range of accommodation and other tourist related uses in the rural areas of the Shire in a manner that is complimentary and sensitive to the agricultural and environmental fabric of the municipality.

### 4. POLICY STATEMENT

#### 4.1 Definitions

*'Bed & Breakfast'* means a dwelling -

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms.

*'Guesthouse'* means a building consisting of up to eight (8) individual bedroom suites each with private ablution facilities, a centralised living room and dining room (exclusive to resident guests), laundry and recreational facilities (maximum beds - 16).

*'Chalet/Farm Stay Development'* means a maximum of three (3) detached one to two bedroom fully self-contained accommodations units (in addition to a managed residence) utilised for the purpose of providing short stay/holiday accommodation (maximum beds -18).

*'Backpacker/Hostel Accommodation'* means a building consisting principally of bedrooms with multiple beds and shared or ensuite ablutions, cooking, dining, laundry and recreation facilities (maximum beds - 50).

*'Caravan Park & Camping Ground'* means land (and buildings) licenced under the *Caravan Parks and Camping Grounds Act 1995* for the purpose using caravans or camps for short stay / holiday accommodation and may also include a range of recreation facilities.

*'Rural Holiday Resort'* means a range of short stay/holiday accommodation options and associated facilities comprised of a maximum of ten (10) accommodation units. They may be rooms, suites or self-contained one or two bedroom chalets (Note: Caravan and camp sites may also be considered at Council's discretion).

*'Reception Centre'* means premises used for hosted functions on formal or ceremonial occasions.

*'Restaurant/Café'* means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*;

*'Art Gallery'* means premises –

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

*'Experiential Use'* means any land or buildings used for nature based outdoor activities including guided and self-guided tours, leisure and recreation activities operated for profit or gain, but does not include sporting and cultural events.

## 4.2 General Requirements

- a. Holiday Accommodation and other tourist related uses will generally be approved where the Council is satisfied that the following minimum criteria and standards can be achieved:

Use	Criteria	Standard
Bed & Breakfast	<ol style="list-style-type: none"> <li>1. Public Road Access</li> <li>2. Potable Water Supply</li> <li>3. Guest Ablutions</li> <li>4. Car Parking</li> <li>5. Lot size</li> <li>6. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Type 2 – 10m formed</li> <li>2. 92,000 litres storage (20,000 gal)</li> <li>3. 1 shared bathroom</li> <li>4. 1 car bay per room – gravel standard</li> <li>5. Nil</li> <li>6. Within the same building</li> </ol>
Guesthouse	<ol style="list-style-type: none"> <li>1. Public Road Access</li> <li>2. Potable Water Supply</li> <li>3. Guest Ablutions</li> <li>4. Car Parking</li> <li>5. Lot size</li> <li>6. Setbacks</li> <li>7. Siting</li> <li>8. Clearing</li> <li>9. Screening</li> <li>10. Landscaping</li> <li>11. Design &amp; Materials</li> <li>12. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Type 3 – 12m form/8m gravel paved</li> <li>2. 92,000 litres storage per 8 beds (20,000 gals)</li> <li>3. Ensuite bathroom per bedroom</li> <li>4. 1 car bay per room – gravel standard</li> <li>5. 10ha</li> <li>6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>7. Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>8. No removal of remnant vegetation</li> <li>9. Partially screened from view of neighbouring properties</li> <li>10. Peripheral native landscaping around Guesthouse building</li> <li>11. Complementary with landscape – earth tones – no reflection</li> <li>12. Within the same building</li> </ol>
Chalet / Farm Stay Development	<ol style="list-style-type: none"> <li>1. Public Road Access</li> <li>2. Potable Water Supply</li> <li>3. Car Parking</li> </ol>	<ol style="list-style-type: none"> <li>1. Type 3 – 12m form/8m gravel paved</li> <li>2. 92,000 litres storage per chalet (20,000 gals)</li> <li>3. 1 car bay per chalet – gravel std/Council specs</li> </ol>

Use	Criteria	Standard
	<ol style="list-style-type: none"> <li>4. Floor Area</li> <li>5. Lot size</li> <li>6. Setbacks</li> <li>7. Siting</li> <li>8. Clearing</li> <li>9. Screening</li> <li>10. Design &amp; Materials</li> <li>11. Management</li> </ol>	<ol style="list-style-type: none"> <li>4. 100m<sup>2</sup> (internal)</li> <li>5. 15ha</li> <li>6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>7. Away from ridge line and side slope/breakaway areas – clustered together</li> <li>8. No removal of remnant vegetation</li> <li>9. Partially screened from view of neighbouring properties</li> <li>10. Complementary with landscape – earth tones – no reflection</li> <li>11. On site managers residence</li> </ol>
Backpacker / Hostel Accommodation	<ol style="list-style-type: none"> <li>1. Location</li> <li>2. Public Road Access</li> <li>3. Potable Water Supply</li> <li>4. Guest Rooms/Ablutions</li> <li>5. Car Parking</li> <li>6. Lot size</li> <li>7. Setback</li> <li>8. Siting</li> <li>9. Clearing</li> <li>10. Screening</li> <li>11. Design &amp; Materials</li> <li>12. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc</li> <li>2. Type 3 – 12m form/8m gravel paved</li> <li>3. 92,000 litres storage per 8 beds (20,000 gals)</li> <li>4. As per Building Code of Aust., including provision for disabled</li> <li>5. 0.3 car bay per bed + 1 bay for manager – gravel standard/Council specs</li> <li>6. 15ha</li> <li>7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>8. Away from ridge line &amp; side slope/breakaway areas</li> <li>9. No removal of remnant vegetation</li> <li>10. Partially screened from view of neighbouring properties</li> <li>11. Complementary with landscape – earth tones – no reflection</li> <li>12. Within the same building</li> </ol>
Caravan Park & Camping Ground	<ol style="list-style-type: none"> <li>1. Location</li> <li>2. Public Road Access</li> <li>3. Potable Water Supply</li> <li>4. Ablutions</li> <li>5. Car Parking</li> <li>6. Lot size</li> <li>7. Setback</li> <li>8. Siting</li> <li>9. Clearing</li> <li>10. Screening</li> <li>11. Design &amp; Materials</li> <li>12. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc &amp; distances from other Caravan Parks/Camp Sites as prescribed by <i>Caravan Parks and Camping Grounds Act 1995</i></li> <li>2. Type 5 – 7m bitumen seal + bitumen seal crossover to Council specifications or Type 3 – 12m form/8m gravel paved at Council discretion</li> <li>3. As per Caravan and Camping Regs, 1997</li> <li>4. As per Caravan and Camping Regs, 1997 &amp; Building Code of Australia</li> <li>5. 1 car bay per caravan/camp site + 1 bay for manager – gravel std/Council specs</li> <li>6. 15ha</li> <li>7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>8. Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>9. No removal of remnant vegetation</li> <li>10. Well screened from view of neighbouring properties</li> <li>11. Buildings to be complimentary with landscape – earth tones – no reflection</li> <li>12. On site managers residence</li> </ol>
Rural Holiday Resort	<ol style="list-style-type: none"> <li>1. Location</li> <li>2. Public Road Access</li> <li>3. Potable Water Supply</li> <li>4. Guest Rooms/Ablutions</li> <li>5. Car Parking</li> <li>6. Lot size</li> <li>7. Setback</li> <li>8. Siting</li> <li>9. Clearing</li> <li>10. Screening</li> <li>11. Design &amp; Materials</li> </ol>	<ol style="list-style-type: none"> <li>1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc</li> <li>2. Type 5 – 7m bitumen seal + bitumen seal crossover to Council specifications</li> <li>3. 92,000 litres storage per 8 beds (20,000 gals)</li> <li>4. Per standards prescribed for Guesthouse, chalets, Caravan Parks including provision for disabled</li> <li>5. 1 car bay per unit or caravan/camp site + 1 bay for manager – gravel standard</li> <li>6. 20ha</li> <li>7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>8. Away from sand dunes, ridge lines and side slope/breakaway areas – clustered together</li> <li>9. No removal of remnant vegetation</li> <li>10. Well screened from view of neighbouring properties</li> <li>11. Buildings to be consistent in design and complementary with</li> </ol>

Use	Criteria	Standard
	12. Management	landscape – earth tones – no reflection 12. On site managers residence
Reception Centre	<ol style="list-style-type: none"> <li>1. Location</li> <li>2. Public Road Access</li> <li>3. Potable Water Supply</li> <li>4. Ablutions</li> <li>5. Car Parking</li> <li>6. Lot size</li> <li>7. Setback</li> <li>8. Siting</li> <li>9. Clearing</li> <li>10. Screening</li> <li>11. Design &amp; Materials</li> <li>1. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. With an established guesthouse, restaurant or rural holiday resort.</li> <li>2. Type 3 – 12m form/8m gravel paved</li> <li>3. 92,000 litres storage (20,000 gals)</li> <li>4. As per Health Act 1911, including provision for disabled</li> <li>5. 1 bay per 4 seats – gravel standard</li> <li>6. 20ha</li> <li>7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>8. Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>9. No removal of remnant vegetation</li> <li>10. Well screened from view of neighbouring properties</li> <li>11. Complementary with landscape – earth tones – no reflection</li> <li>1. On site managers residence</li> </ol>
Restaurant / Café	<ol style="list-style-type: none"> <li>2. Location</li> <li>3. Public Road Access</li> <li>4. Potable Water Supply</li> <li>5. Ablutions</li> <li>6. Car Parking</li> <li>7. Lot size</li> <li>8. Setback</li> <li>9. Siting</li> <li>10. Clearing</li> <li>11. Screening</li> <li>12. Design &amp; Materials</li> <li>13. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. With an established intensive agriculture/rural pursuit and/or rural holiday resort.</li> <li>2. Type 3 – 12m form/8m gravel paved</li> <li>3. 92,000 litres storage (20,000 gals)</li> <li>4. As per Health Act 1911, including provision for disabled</li> <li>5. 1 bay per 4 seats – gravel standard</li> <li>6. 15ha</li> <li>7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council..</li> <li>8. Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>9. No removal of remnant vegetation</li> <li>10. Well screened from view of neighbouring properties</li> <li>11. Complementary with landscape – earth tones – no reflection</li> <li>12. On site managers residence</li> </ol>
Art Gallery	<ol style="list-style-type: none"> <li>1. Public Road Access</li> <li>2. Potable Water Supply</li> <li>3. Ablutions</li> <li>4. Car Parking</li> <li>5. Lot size</li> <li>6. Setback</li> <li>7. Siting</li> <li>8. Clearing</li> <li>9. Screening</li> <li>10. Design &amp; Materials</li> <li>11. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Type 3 – 12m form/8m gravel paved</li> <li>2. 46,000 litres storage (10,000 gals)</li> <li>3. As per Health Act 1911, including provision for disabled</li> <li>4. 1 car bay for every 3m<sup>2</sup> of public area – gravel std/Council specs.</li> <li>5. 10ha</li> <li>6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>7. Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>8. No removal of remnant vegetation</li> <li>9. Well screened from view of neighbouring properties</li> <li>10. Complementary with landscape – earth tones – no reflection</li> <li>11. On site managers residence</li> </ol>
Experiential Use	<ol style="list-style-type: none"> <li>1. Public Road Access</li> <li>2. Potable Water Supply</li> <li>3. Ablutions</li> <li>4. Car Parking</li> <li>5. Lot size</li> <li>6. Setback</li> <li>7. Siting</li> <li>8. Clearing</li> <li>9. Screening</li> <li>10. Design &amp; Materials</li> <li>11. Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Type 3 – 12m form/8m gravel paved</li> <li>2. 46,000 litres storage (10,000 gals)</li> <li>3. As per Health Act 1911, including provision for disabled</li> <li>4. As determined by Council at the time of application – gravel std/Council specs.</li> <li>5. 30ha</li> <li>6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.</li> <li>7. Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>8. No removal of remnant vegetation</li> <li>9. As determined by Council at the time of application</li> <li>10. Buildings to be complementary with landscape – earth tones – no reflection</li> <li>11. On site managers residence</li> </ol>

b. The Council will only approve tourist accommodation and development where it has been demonstrated that the proposed use

is compatible with surrounding land uses and will not result in unacceptable environmental impacts as a result of noise, light-spill or visual intrusion, and that the quality of the development will present a positive image of the locality.

- c. With the exception of Bed and Breakfast, all other forms of tourist/holiday accommodation will only be approved subject to the landowner entering into a legal agreement, which shall bind the owner, their heirs and successors in title, requiring that the tourist accommodation will only be used for Short Stay Accommodation purposes.
- d. Strata titling of Tourist Accommodation/Development in rural areas will generally not be supported by Council.
- e. All Signage associated with the uses specified in this policy is to be the subject of a separate application.
- f. The Council will not be bound to accept any request for additional maintenance or upgrading of roads directly resulting from increases in traffic volumes from an approved tourist development, unless a financial contribution for such works has been agreed to and received from the respective business owner/proprietor.

## **5. REFERENCES AND ADOPTION**

Shire of Chapman Valley Local Planning Scheme No.3

*Planning & Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Caravan Parks and Camping Grounds Act 1995*

*Adopted at the 19 February 2014 Ordinary Meeting of Council*