

BEGA VALLEY SHIRE COUNCIL

# BED AND BREAKFAST ESTABLISHMENTS



Development Control Plan No.11





I, David Jesson, General Manager, Bega Valley Shire Council, certify that this is Development Control Plan No.11 – Bed and Breakfast Establishment and was made pursuant to Section 72 of the Environmental Planning and Assessment Act, 1979 and approved by Council at its meeting on the 12 November 2002.

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DAVID JESSON  
General Manager

### Record of Amendments

<b>Name of Amendment</b>	<b>Date Approved by Council</b>	<b>Date Plan Came into Force</b>
<b>Original Plan</b>	22 November 1994	2 December 1994
<b>Updating of references included in the plan</b>	12 November 2002	15 November 2002

## DEVELOPMENT CONTROL PLAN NO.11

### BED AND BREAKFAST ESTABLISHMENTS

#### INTRODUCTION

Bed and breakfast establishments essentially provide short-stay accommodation within, or close to an established residence. The emphasis is very much on treating visitors like house guests, where they might feel almost part of the host family for their short stay.

This type of accommodation is not intended to supplant other forms of tourist accommodation. Rather it is to offer an alternative and thereby widen the range of accommodation options available, to the benefit of tourism in Bega Valley.

This development control plan presents guidelines for bed and breakfast accommodation which are particularly relevant to anyone wishing to establish this form of accommodation in Bega Valley Shire. Its provisions are designed to maintain the low-key nature of bed and breakfast accommodation. The main controls are: a requirement that the operator of the establishment is the permanent resident of the dwelling, restricting the number of guests at any one time to six, and limiting the length of stay.

#### 1. NAME OF THE PLAN

This plan is Development Control Plan No.11 - Bed and Breakfast Establishments.

#### 2. AIMS OF THE PLAN

The aims of this plan are:

- a. to enable bed and breakfast accommodation to be provided in appropriate zones within Bega Valley Shire;
- b. to offer an alternative option for short-stay accommodation in a residential setting;
- c. to ensure that the operator of bed and breakfast accommodation is the permanent resident of the dwelling house associated with bed and breakfast accommodation;
- d. to limit the number of guests, and the length of their stay;
- e. to ensure that the applicable fire and health regulations are complied with;
- f. to encourage a suitably high standard of guests facilities in bed and breakfast establishments;

- g. to ensure that the amenity of neighbouring residential properties is not unduly compromised. established; and,
- h. to require the provision of adequate services and facilities.

### **3. LAND TO WHICH THIS PLAN APPLIES**

This plan applies to the following zones under Bega Valley Local Environmental Plan 2002 in which tourist facilities or Bed and Breakfast developments are permitted with consent:

Residential – Zones 2(a), 2(b), 2(c), 2(e), 2(f), 2(v)

Rural – Zones 1(a) and 1(c)

Environmental Protection – Zones 7(d), 7(f1)

### **4. RELATIONSHIP TO OTHER PLANS AND POLICIES**

- (a) This plan should be read in conjunction with the Bega Valley Local Environmental Plan 2002 and all other Codes and Policies adopted by Council relating to the development of land in the Shire of Bega Valley
- (b) Where there is an inconsistency between this plan and other Council policies and codes, then this plan prevails.
- (c) Variations to the standards applied in this plan may be considered where such inconsistencies are justified in relation to the aims and objectives of this plan.

### **5. DEFINITIONS**

In this plan:

"Bed and Breakfast Establishment" means a lawfully erected dwelling house occupied for permanent residential purposes in which a maximum of three rooms are made available by the residents for temporary holiday accommodation.

### **6. OPERATOR**

The operator must be a permanent resident of the dwelling house associated with bed and breakfast accommodation.

### **7. BUILDING CLASSIFICATION**

Bed and breakfast accommodation can only be conducted in a class 1 building as defined under the Building Code of Australia (BCA). Class 1 buildings have a total floor area of not more than 300m<sup>2</sup> and accommodate no more than 12 residents. Other forms of

accommodation will be regarded as tourist facilities, motels, guest houses or similar. Applicants are urged to discuss the components of this classification, including health and fire controls, with Council's Building and Planning Section.

## 8. **MAXIMUM NUMBER OF GUESTS**

In a development consent Council may limit the number of guests which may be accommodated at any one time, up to a maximum of six (6).

It should be noted that the maximum number of residents (permanent residents plus guests) in a class 1 building is 12.

## 9. **LENGTH OF STAY**

No guest shall be accommodated for more than 14 days in any 28 day period.

## 10. **UTILITIES**

Whilst Council will prefer sewered properties for bed and breakfast accommodation, it will consider sites served by on-site effluent disposal systems provided that it is satisfied that the additional load will be adequately handled by the existing or augmented system.

## 11. **PARKING**

At least one off-street parking space for each bedroom set used for guests accommodation shall be provided. An additional space shall be provided for the permanent residents.

The minimum size of a parking space shall be as per the following table:

ARRANGEMENT	SIZE
Angled – 90 <sup>0</sup>	2.5 x 5.5
Angled – Less than 90 <sup>0</sup>	2.5 x 5.5
Parallel	2.5 x 6.1
Enclosed	3.2 x 6.1
Disabled - 90 <sup>0</sup> angled	3.0 x 5.5

All driveways, manoeuvring areas and parking spaces are to be sealed or paved, except in rural areas where Council may accept an alternative all-weather surface.

Parking spaces, manoeuvring areas and driveways will have a minimal impact on the landscaping of the site. Large areas of unbroken concrete or paving, particularly forward of the building line, will not be accepted.

## 12. **AMENITY**

Council will carefully consider the likely impact of proposed bed and breakfast accommodation on adjoining or adjacent properties. In

preparing a development application, applicants are urged to consider such matters as loss of privacy, noise transmission and vehicle movements in relation to neighbouring properties. In some cases measures such as fencing or screen plantings may need to be employed to minimise impact. Design solutions are, however, preferred by the Council.

In rural areas, concerns about loss of privacy and noise transmission are generally less prominent. However, applicants are urged to consider the impact of increased traffic on local roads and driveways, particularly where rights-of-way are to be employed.

### **13. SIGNS**

Only one internal sign for each establishment providing bed and breakfast accommodation will be permitted. It must be located within the property itself and have an area of not more than 0.5m<sup>2</sup>. Details of the proposed sign including sketch design, colours and location will need to be submitted with the development application.

In urban zones, signs external to the property can only be erected by Council at its discretion and at the applicant's expense. For example Council may erect one or more fingerboard signs to direct travellers to a certain establishment.

A request for external signs should be included with the development application for bed and breakfast accommodation.

### **14. GUEST FACILITIES**

Separate bathroom and toilet facilities shall be made available for guests.

### **15. NOTIFICATION OF NEIGHBOURS**

In residential zones Council will notify adjoining and adjacent owners when it receives an application for a bed and breakfast accommodation. A fee covering the cost of this notification will be sought from the applicant.

### **16. CONTRIBUTIONS**

As a condition of development consent Council may require contributions towards the cost of the provision of services and facilities as a result of the additional use of the property.

### **17. FIRE REGULATIONS**

Applicants are urged to consult with Council's Building and Planning Section during the preparation of a development application. The provision of smoke detectors through the building or buildings is a key requirement.

## 18. HEALTH REGULATIONS

Applicants are urged to consult with Council's Building and Planning Section during the preparation of a development application. The key requirements are concerned with:

- the standard of kitchen facilities
- restrictions on animals indoors
- general cleanliness of the premises
- bathroom and toilet facilities.