

**POLICY REVIEW – LPP1 – ANCILLARY
DWELLINGS**

**Existing TPP 14 - Rural Tourist Accommodation &
Additional Houses**

Meeting Date: 20 December 2022

Number of Pages: 4

Town Planning Scheme No. 3

Town Planning Scheme Policy No. 14.

RURAL TOURIST ACCOMMODATION & ADDITIONAL HOUSES

Purpose

1. Commercial tourist development should generally occur within the urban areas of the Shire and that opportunities should be provided for small scale and low impact tourist accommodation and related activities in rural areas.
2. To provide the ability for the Council to consider Additional houses on rural properties.

Objectives

1. *To provide for tourist accommodation in the rural areas of the Shire in a manner that does not conflict with existing or potential agricultural or horticultural pursuits.*
2. *To provide a balance between agriculture or horticulture and tourism such that tourism does not dominate, and does not detrimentally impact, the sustainable use or availability of agricultural land.*
3. *To acknowledge tourism as an appropriate source of employment and income to the benefit and prosperity of the community of the Shire.*
4. *To optimise both the agricultural and tourism potential of the rural areas of the Shire without detrimental impact on the inherent beauty, amenity and value of those areas.*
5. *To allow, under certain circumstances, additional houses and/ or ancillary accommodation to be erected on rural properties over 10ha.*

This Policy applies to all land situated within the rural zone.

Proponents should be aware that proposals including more than 4 tourist accommodation units will be subject to rezoning and other procedures pursuant to the Town Planning Scheme in addition to the requirements of this policy.

In considering any application for approval for Rural Tourist Accommodation & Additional Houses, the Council will have regard to the criteria below before a decision is made.

Policy Criteria:

- 1) This policy applies for up to a maximum of 4 tourist accommodation units on a Rural zoned property. The minimum lot size for such a proposal will be 10ha.
- 2) All tourist accommodation units will be sited in a manner that will not impinge on the amenity or character of the area. The Council may require additional vegetation screening to be planted and established prior to approval of the proposal.
- 3) Tourist accommodation units must be primarily accessed from a bitumen sealed road. A small scale operator (4 units or less) is able to access off a gravel road but should not expect the Council to upgrade the road pavement to bitumen standards. The Council may require a once off financial contribution to maintenance of the gravel road at the time of approval. This fee will be set in the Council's Annual Budget.
- 4) Tourist accommodation will not be permitted within a minimum of 100 metres of existing horticultural activities on adjoining land.

The operator may be required to display appropriate signage/information material within the main reception area of the development and / or within accommodation units that advises patrons that development is located in an agricultural area and that agricultural activities may create nuisance or inconvenience from time to time, but are essential to the maintenance of the prosperity and character of the area.

- 5) Each tourist accommodation unit (such as a Chalet) will be a maximum of 2 bedrooms.
- 6) External building materials of tourist accommodation units and/ or additional houses must be compatible with the site's surrounding.
- 7) Every tourist accommodation unit and/or additional house requires a source of potable water to a capacity of 92,000 litres. Suction fittings will be required on individual domestic potable water supplies for the supply of water to fire fighting appliances in the event of a fire.
- 8) The applicant must demonstrate that efficient long-term on-site effluent disposal can be achieved without potential impact to public health, water supplies, neighbouring properties or the environment.

Conventional effluent disposal areas must not be located within 100 metres of any creek, river, dam or spring however, approved ATUs may allow this distance to be reduced to 50 metres.

- 9) The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development will be at no cost to the Council.

- 10) The Council shall determine on application the need for fire protection measures such as Building Protection zones, firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities in consultation with the Fire and Emergency Service Authority.
- 11) The applicant of an additional house will be required to substantiate that the house is needed for management purposes of an existing rural enterprise or for a family member. A maximum of two additional houses will be permitted on any one Rural zoned lot over 10ha.
- 12) In considering additional houses, specifically for a rural enterprise, the Council will require the applicant to substantiate that progress has been made towards bringing the rural venture into operation.
- 13) Ancillary Accommodation (maximum 60m²) must be part of the main house (or connected through some physical means to the Council's satisfaction) on the property and will need to meet the standards set in the Residential Design Codes. A Statutory Declaration will be required to be submitted with the application for planning consent.
- 14) Ancillary Accommodation may be allowed an increase in the floor area maximum from 60m² up to 90m² on the basis that the accommodation is designed to meet the Australian Standards and the Building Code of Australia for disabled persons.
- 15) Land subdivision by way of freehold or strata title arising from the approved development of tourist accommodation or additional houses of any given site will not be supported.

Larger Rural Tourist Accommodation Proposals

Proposals for between 5 and 8 tourist accommodation units in the Rural zone will require the property to be subject to an amendment to Town Planning Scheme No. 3 to include the property in the Additional Use Schedule No. 2. Such an amendment will include a development plan for the site and relevant conditions of use for the proposal. Where relevant, the above listed policy criteria will apply.

Proposals over 8 tourist accommodation units in the Rural zone will require the property to be subject to an amendment to Town Planning Scheme No. 3 to rezone the property to a Tourist zone. Presently no such zone exists in Town Planning Scheme No. 3 and as such the first such proposal will need to include the necessary mechanisms into the Scheme which will include a Schedule of Tourist zones. Any such proposal for over 8 such units will need to show the sustainability of the development in terms of its location and site specific standards.

Adopted on 12 December 2006 in accordance with clause 7.6 of Town Planning Scheme No. 3.