

#### 1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.3 – Rural Tourism.

#### 2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

#### 3.0 OBJECTIVES

- 3.1 To provide for a range of low impact accommodation and other low impact tourist related uses in the rural and rural lifestyle areas of the Shire in a manner that is complementary and sensitive to the agricultural and environmental fabric of the municipality.
- 3.2 To set out the circumstances under which the Local Government may approve low impact tourist development in the rural and rural lifestyle areas of the municipality as provided in the Scheme.

#### 4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Art Gallery, Bed & Breakfast, Camping Ground, Caravan Park, Holiday Accommodation, Holiday House, Reception Centre, Restaurant/Café and Tourist Development in the 'Rural' and 'Rural Smallholding' zone.

#### 5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications shall include the following information:
  - 5.2.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.
  - 5.2.b Plans that have been drawn to scale that identify the proposed development in relation to the natural features (e.g. existing vegetation, watercourses, contours) and built existing features (including building and services) both on the subject land and on the adjoining land (the latter being dependant upon the subject lot size and boundary setbacks).
  - 5.2.c Written submission detailing how the proposed development:
    - can fit in with the locality. This means showing a sympathetic and well-mannered design without unreasonable impacts either on the agricultural, natural or cultural environment and that any impacts will be contained within the site.
    - will satisfy bushfire requirements and other hazards.
    - will provide a high level of amenity and services to the tourist occupants.
    - will continue to attend to matters of environmental concern, rural amenity and the well being and safety of the tourist occupants (once the development is established) i.e. Management Plan.

#### 6.1 POLICY STATEMENT

- 6.1 Applications for Rural Tourism will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment and that the quality of the development will present a positive image of the locality.
- 6.2 Depending on the nature of the proposed Rural Tourism, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.
- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the Rural Tourism activities are adequately screened from the road and adjoining properties.
- 6.4 Where Rural Tourism has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government's existing Crossover Policy.
- 6.5 Where Rural Tourism is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by vehicle movements associated with the Rural Tourism development. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- 6.6 The Local Government 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 Rural Tourism development, unless a financial contribution for such works has been agreed to and received from the respective business owner/proprietor.
- 6.7 With the exception of Bed and Breakfast and Holiday House, 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.
- 6.8 Subdivision and/or strata subdivision of rural land on which tourism development is proposed or existing will generally not be supported by the Local Government. Such proposal are not considered appropriate because they create circumstances where tourist activities can be operated independently of the principal agricultural or rural use of the land, thereby fragmenting rural land and leading to an increased likelihood of land use incompatibilities.
- 6.9 All signage associated with the uses specified in this policy is to be the subject of a separate application (unless specifically referenced within the application and conditions of approval).
- 6.10 Larger scaled developments and land uses will not be approved under this policy and will require, if found to be justified, an amendment to the Scheme to incorporate specific zoning for the development proposed.

6.11 Rural Tourism will generally be approved where the Local Government is satisfied that the following minimum criteria and standards can be achieved:

Use	Criteria	Standard
Art Gallery	<ol style="list-style-type: none"> <li>Public Road Access</li> <li>Potable Water Supply</li> <li>Ablutions</li> <li>Car Parking</li> <li>Lot size</li> <li>Setback</li> <li>Siting</li> <li>Clearing</li> <li>Screening</li> <li>Design &amp; Materials</li> <li>Management</li> </ol>	<ol style="list-style-type: none"> <li>Type 3 – 12m form/8m gravel paved</li> <li>46,000 litres storage (10,000 gals)</li> <li>As per Health Act 1911, including provision for disabled</li> <li>1 car bay for every 3m<sup>2</sup> of public area – gravel std/Local Government specs.</li> <li>10ha</li> <li>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 the Local Government.</li> <li>Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>No removal of remnant vegetation</li> <li>Well screened from view of neighbouring properties</li> <li>Complementary with landscape – earth tones – no reflection</li> <li>On site managers residence</li> </ol>
Bed & Breakfast	<ol style="list-style-type: none"> <li>Public Road Access</li> <li>Potable Water Supply</li> <li>Guest Ablutions</li> <li>Car Parking</li> <li>Lot size</li> <li>Management</li> </ol>	<ol style="list-style-type: none"> <li>Type 2 – 10m formed</li> <li>92,000 litres storage (20,000 gal)</li> <li>1 shared bathroom</li> <li>1 car bay per room – gravel standard</li> <li>Nil</li> <li>Within the same building</li> </ol>
Caravan Park & Camping Ground	<ol style="list-style-type: none"> <li>Location</li> <li>Public Road Access</li> <li>Potable Water Supply</li> <li>Ablutions</li> <li>Car Parking</li> <li>Lot size</li> <li>Setback</li> <li>Siting</li> <li>Clearing</li> <li>Screening</li> <li>Design &amp; Materials</li> <li>Management</li> </ol>	<ol style="list-style-type: none"> <li>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>Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications or Type 3 – 12m form/8m gravel paved at Local Government discretion</li> <li>As per Caravan &amp; Camping Regs 1997</li> <li>As per Caravan &amp; Camping Regs 1997 &amp; Building Code of Australia</li> <li>1car bay per caravan/camp site + 1 bay for manager – gravel std/Local Government specs</li> <li>15ha</li> <li>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 the Local Government.</li> <li>Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>No removal of remnant vegetation</li> <li>Well screened from view of neighbouring properties</li> <li>Buildings to be complimentary with landscape – earth tones – no reflection</li> <li>On site managers residence</li> </ol>
Holiday Accommodation	<ol style="list-style-type: none"> <li>Public Road Access</li> <li>Potable Water Supply</li> <li>Car Parking</li> <li>Floor Area</li> <li>Lot size</li> <li>Setbacks</li> <li>Siting</li> <li>Clearing</li> <li>Screening</li> <li>Design &amp; Materials</li> <li>Management</li> </ol>	<ol style="list-style-type: none"> <li>Type 3 – 12m form/8m gravel paved</li> <li>92,000 litres storage per chalet (20,000 gals)</li> <li>1 car bay per chalet – gravel std/Local Government specs</li> <li>100m<sup>2</sup> (internal)</li> <li>15ha</li> <li>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 The Local Government.</li> <li>Away from ridge line and side slope/breakaway areas – clustered together</li> <li>No removal of remnant vegetation</li> <li>Partially screened from view of neighbouring properties</li> <li>Complementary with landscape – earth tones – no reflection</li> <li>On site manager’s residence</li> </ol>
Holiday House	<ol style="list-style-type: none"> <li>Public Road Access</li> <li>Potable Water Supply</li> <li>Guest Ablutions</li> <li>Car Parking</li> <li>Lot size</li> <li>Setbacks</li> <li>Siting</li> <li>Clearing</li> <li>Screening</li> </ol>	<ol style="list-style-type: none"> <li>Type 3 – 12m form/8m gravel paved</li> <li>92,000 litres storage per 8 beds (20,000 gals)</li> <li>Ensuite bathroom per bedroom</li> <li>1 car bay per room – gravel standard</li> <li>10ha</li> <li>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 the Local Government.</li> <li>Away from sand dunes, ridge lines and side slope/breakaway areas</li> <li>No removal of remnant vegetation</li> <li>Partially screened from view of neighbouring properties</li> </ol>

Use	Criteria	Standard
Holiday House (continued)	10. Landscaping 11. Design & Materials 12. Management	10. Peripheral native landscaping around Guesthouse building 11. Complementary with landscape – earth tones – no reflection 12. Within the same building
Tourist Development	1. Location 2. Public Road Access 3. Potable Water Supply 4. Guest Rooms/Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc 2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications 3. 92,000 litres storage per 8 beds (20,000 gals) 4. Per standards prescribed for Guesthouse, chalets, Caravan Parks including provision for disabled 5. 1 car bay per unit or caravan/camp site + 1 bay for manager – gravel standard 6. 20ha 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 the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas – clustered together 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Buildings to be consistent in design and complementary with landscape – earth tones – no reflection 12. On site managers residence
Reception Centre	1. Location 2. Public Road Access 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. With an established guesthouse, restaurant or rural holiday resort. 2. Type 3 – 12m form/8m gravel paved 3. 92,000 litres storage (20,000 gals) 4. As per Health Act 1911, including provision for disabled 5. 1 bay per 4 seats – gravel standard 6. 20ha 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 the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Complementary with landscape – earth tones – no reflection 12. On site managers residence
Restaurant / Café	1. Location 2. Public Road Access 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. With an established intensive agriculture/rural pursuit and/or rural holiday resort. 2. Type 3 – 12m form/8m gravel paved 3. 92,000 litres storage (20,000 gals) 4. As per Health Act 1911, including provision for disabled 5. 1 bay per 4 seats – gravel standard 6. 15ha 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 the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Complementary with landscape – earth tones – no reflection 12. On site managers residence
Tourist Development	1. Location 2. Public Road Access 3. Potable Water Supply 4. Guest Rooms/Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials	1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc 2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications 3. 92,000 litres storage per 8 beds (20,000 gals) 4. Per standards prescribed for Guesthouse, chalets, Caravan Parks including provision for disabled 5. 1 car bay per unit or caravan/camp site + 1 bay for manager – gravel standard 6. 20ha 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 the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas – clustered together 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties

Use	Criteria	Standard
Tourist Development (continued)	12. Management	11. Buildings to be consistent in design and complementary with landscape – earth tones – no reflection 12. On site managers residence

**7.0 CONSULTATION**

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

**8.0 DEFINITION**

- 8.1 For the purposes of this policy Art Gallery, Bed & Breakfast, Caravan Park, Holiday Accommodation, Holiday House, Reception Centre, Restaurant/Café and Tourist Development shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 8.2 For the purposes of this policy Camping Ground shall be as defined by the *Caravan Park & Camping Grounds Act 1995* and also include Nature Based Park as defined by the *Caravan Parks and Camping Grounds Amendment Regulations (No.2) 2014*

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.3