

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 Establishment' means a dwelling, used by a resident of the dwelling, to provide accommodation for person away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast. A maximum of three (3) bedrooms with shared or ensuite ablutions are to be utilised for the purpose of providing short stay/holiday accommodation. (maximum beds - 6).

'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).

'Café/Tearooms' means a building used for the preparation, sale and serving of food and non-alcoholic drinks on the premises to the general public. The use may also include alfresco dining at the Council's discretion.

'Restaurant' means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Licensing Act 1988*. The use may also include alfresco dining at the Council's discretion.

'Reception Centre' means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes. The use may include the serving of food and alcoholic/non-alcoholic drinks on the premises where the facility is licenced under the *Liquor Licencing Act 1988*.

'Art Gallery and Sales' means a building used for the creation, display and sale of primarily art works and other materials/works of a cultural or historic nature or significance.

'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 Establishment	<ol style="list-style-type: none"> Public Road Access Potable Water Supply Guest Ablutions Car Parking Lot size Management 	<ol style="list-style-type: none"> Type 2 – 10.0 metre formed 92,000 litres storage (20,000 gal) 1 shared bathroom 1 car bay per room – gravel standard Nil Within the same building
Guesthouse	<ol style="list-style-type: none"> Public Road Access Potable Water Supply Guest Ablutions Car Parking Lot size Setbacks Siting Clearing Screening Landscaping Design & Materials Management 	<ol style="list-style-type: none"> Type 3 – 12.0 metre form/8.0 metre gravel paved 92,000 litres storage per 8 beds (20,000 gals) Ensuite bathroom per bedroom 1 car bay per room – gravel standard 10.0 hectares 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council. Away from sand dunes, ridge lines and side Slope/breakaway areas No removal of remnant vegetation Partially screened from view of neighbouring properties Peripheral native landscaping around Guesthouse building Complementary with landscape – earth tones – no reflection Within the same building
Chalet / Farmstay Development	<ol style="list-style-type: none"> Public Road Access Potable Water Supply Car Parking Floor Area Lot size Setbacks Siting Clearing Screening Design & Materials Management 	<ol style="list-style-type: none"> Type 3 – 12.0 metre form/8.0 metre gravel paved 92,000 litres storage per chalet (20,000 gals) 1 car bay per chalet – gravel std/Council specs 100 m² (internal) 15.0 hectares 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.. Away from ridge line and side slope/breakaway areas – clustered together No removal of remnant vegetation Partially screened from view of neighbouring properties Complementary with landscape – earth tones – no reflection On site managers residence
Backpacker Hostel Accommodation	<ol style="list-style-type: none"> Location Public Road Access Potable Water Supply Guest Rooms/Ablutions Car Parking Lot size Setback Siting Clearing Screening Design & Materials Management 	<ol style="list-style-type: none"> Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc Type 3 – 12.0 metre form/8.0 metre gravel paved 92,000 litres storage per 8 beds (20,000 gals) As per Building Code of Aust., including provision for disabled 0.3 car bay per bed + 1 bay for manager – gravel standard/Council specs 15.0 hectares 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council. Away from ridge line & side slope/breakaway areas No removal of remnant vegetation Partially screened from view of neighbouring properties Complementary with landscape – earth tones – no reflection Within the same building
Caravan Park & Camping Ground	<ol style="list-style-type: none"> Location Public Road Access 	<ol style="list-style-type: none"> Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc & distances from other Caravan Parks/Camp Sites as prescribed by <i>Caravan Parks and Camping Grounds Act 1995</i> Type 5 – 7.0 metre bitumen seal + bitumen seal crossover to Council specifications or Type 3 – 12.0 metre form/8.0 metre gravel paved at Council discretion

	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 3. As per Caravan and Camping Regs, 1997 4. As per Caravan and Camping Regs, 1997 & Building Code of Australia 5. 1car bay per caravan/camp site + 1 bay for manager – gravel std/Council specs 6. 15.0 hectares 7. 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council. 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. Buildings to be complimentary with landscape – earth tones – no reflection 12. On site managers residence
Rural Holiday Resort	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc 2. Type 5 – 7.0 metre bitumen seal + bitumen seal crossover to Council 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. 1car bay per unit or caravan/camp site + 1 bay for manager – gravel standard 6. 20.0 hectares 7. 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council. 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
Café/Tearooms & Restaurant	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 1. With an established intensive agriculture/rural pursuit and/or rural holiday resort. 2. Type 3 – 12.0 metre form/8.0 metre 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. 15.0 hectares 7. 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council.. 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
Reception Centre	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 1. With an established guesthouse, restaurant or rural holiday resort. 2. Type 3 – 12.0 metre form/8.0 metre 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. 20.0 hectares 7. 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council. 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. Design & Materials 12. Management	11. Complementary with landscape – earth tones – no reflection 12. On site managers residence
Local Art Gallery and Sales	1. Public Road Access 2. Potable Water Supply 3. Ablutions 4. Car Parking 5. Lot size 6. Setback 7. Siting 8. Clearing 9. Screening 10. Design & Materials 11. Management	1. Type 3 – 12.0 metre form/8.0 metre gravel paved 2. 46,000 litres storage (10,000 gals) 3. As per Health Act 1911, including provision for disabled 4. 1 car bay for every 3 m ² of public area – gravel std/Council specs. 5. 10.0 hectares 6. 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council. 7. Away from sand dunes, ridge lines and side slope/breakaway areas 8. No removal of remnant vegetation 9. Well screened from view of neighbouring properties 10. Complementary with landscape – earth tones – no reflection 11. On site managers residence
Experiential Use	1. Public Road Access 2. Potable Water Supply 3. Ablutions 4. Car Parking 5. Lot size 6. Setback 7. Siting 8. Clearing 9. Screening 10. Design & Materials 11. Management	1. Type 3 – 12.0 metre form/8.0 metre gravel paved 2. 46,000 litres storage (10,000 gals) 3. As per Health Act 1911, including provision for disabled 4. As determined by Council at the time of application – gravel std/Council specs. 5. 30.0 hectares 6. 30 metres from the front boundary and 75 metres from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council. 7. Away from sand dunes, ridge lines and side slope/breakaway areas 8. No removal of remnant vegetation 9. As determined by Council at the time of application 10. Buildings to be complementary with landscape – earth tones – no reflection 11. On site managers residence

- 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 Establishments, 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.2

Planning & Development Act 2005

Caravan Parks and Camping Grounds Act 1995

Adopted at the 19 February 2014 Ordinary Meeting of Council