

LOCAL PLANNING POLICY

LPP14: FARMSTAY ACCOMMODATION & BED AND BREAKFAST ESTABLISHMENTS

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.2190
<i>Resolution Date</i>	18/12/2013
<i>Next Scheduled Review</i>	2021
<i>Related Shire Documents</i>	Local Planning Scheme No. 6
<i>Related Legislation</i>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015

OBJECTIVES

The primary objectives are to:

- (a) Support a diversity of accommodation within the Shire;
- (b) Provide an effective framework of guidelines within the Shire to develop Farmstay Accommodation and Bed & Breakfast Establishments;
- (c) Ensure the maintenance of a satisfactory standard of facility, which has planning as well as Environmental Health and Building approval;
- (d) Maintain the amenity of both the property and the neighbourhood/locality where Farmstay Accommodation or Bed and Breakfast Establishment is located;
- (e) Ensure the facility is adequately signposted as required;
- (f) Ensure the appropriate location of Farmstay Accommodation and Bed & Breakfast Establishments so as to increase the safety of motorists and guests.

DEFINITIONS

The following are definitions that may be used as part of this policy in addition to the definitions included in Local Planning Scheme No 6:

“**BCA**” means the Building Code of Australia.

“**Bed and Breakfast**” means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short term commercial basis and includes the provision of breakfast;

“**Farmstay**” means self-contained accommodation, with separate kitchen and bathroom facilities or non-self-contained accommodation, with shared facilities, for two persons, which may be either attached to or detached from a dwelling and includes chalet accommodation.

“**Dwelling**” has the same meaning as the Residential Design Codes of Western Australia;

“**Scheme**” means Local Planning Scheme No 6.

“**Short Term Stay**” means where the room or bed is not occupied for more than 90 days in any 12 month period by the same guest.

STATUTORY POWERS

This Local Planning Policy is made pursuant to clause 2.2 of the Shire's Scheme.

POLICY STATEMENT

1. General Provisions

- 1.1 All Bed and Breakfast establishments are required to be applied for by lodging an application for planning approval. As part of the Bed and Breakfast, an application for a Food Premises License will be required to be applied for and be granted by the Shire. This Food Premises License will be valid for one year and will be required to be renewed annually.
- 1.2 All Farmstay Accommodation are required to be applied for by lodging an application for planning approval for a use not listed under the Scheme. Farmstay Accommodation will also be required to submit an application for a Food Premises License. This Food Premises License, if granted, will be valid for one year and will be required to be renewed annually.
- 1.3 Bed and Breakfast establishments are not permitted in the “Commercial”, “Tourist”, “General Industry” and “Light and Service Industry” zones.
- 1.4 Farmstay Accommodation is a use not listed under the Scheme and will only be permitted in the “Tourist”, “Rural” and “Rural Smallholdings” zones. Farmstay Accommodation will not be permitted in the “Residential”, “Rural Residential”, “Commercial”, “Mixed Use”, “General Industry” or “Light and Service Industry” zones.

- 1.5 Establishments must be accessible via a constructed and sealed road as determined by the Shire.
- 1.6 Off street parking is to be provided at a rate of one car bay for every guestroom, in addition to the 2 bays required by the resident, car bays to be easily accessible by patrons and of a standard and location deemed suitable by the Shire.
- 1.7 Appearance of the dwelling shall remain predominantly residential and any additional structures forming part of a Farmstay shall be sympathetic to the existing dwelling.
- 1.8 Signage size restrictions shall apply as 2m² for "Residential" zoned proposals and 4m² for proposals in zones other than "Residential" zone.
- 1.9 Adequate firefighting equipment is recommended ie 1kg BE Extinguisher and 1m x 1m fire blanket, close to kitchen or power board, hose for external use.
- 1.10 Change of ownership will not forfeit Shire approval. However, notification to the Shire of the intentions of the new owners will be required to enable Shire records to be updated.
- 1.11 Refuse disposal to be adequate to prevent nuisance being created or bin(s) being overloaded.
- 1.12 Permission must be given for an Environmental Health Officer to inspect the premises used for food preparation at any reasonable time with reasonable notice.

2. **Advertising**

- 2.1 All applications for Bed and Breakfast Establishments and Farmstay Accommodation are to be advertised in accord with Clause 9.4 of the Scheme.
- 2.2 The Shire is to seek the views of relevant Government agencies, as appropriate.
- 2.3 Any application for a proposal abutting a highway reserve is to be referred to Main Roads Western Australia.

3. **Bed and Breakfast Establishments in Residential Areas**

3.1 Building Requirements

- (a) Maximum of 3 bedrooms for guest purposes.
- (b) The dwelling is to be of acceptable standard for tourist use.
- (c) Separate guestrooms shall comply with size, light and ventilation requirements as outlined in the Shire's Health Local Laws relating to lodging houses.
- (d) Building is to be in compliance with the BCA. If the accommodation was built after 1997, this includes smoke alarms in every bedroom.
- (e) Any building extensions or alterations will require building approval and modification of the annual licence.

3.2 Health Requirements

(a) *Sanitary Facilities*

- (i) Separate toilet, hand basin and shower or bath is to be supplied, where practical as determined by the Shire. Any shared bathroom and WC are to be provided with lockable doors.
- (ii) All wastewater to be directed to an acceptable effluent treatment system to the satisfaction of the Shire's Environmental Health Officer. Upgrading of the existing system may be required if it is deemed inadequate by the Shire's Environmental Health Officer.
- (iii) Bathroom/WC to be kept clean at all times.
- (iv) Clean linen is to be provided for every new guest and at least once per week if no change of guest.

(b) *Kitchen*

- (i) The kitchen is to be kept clean and tidy at all times, and in good order and repair.
- (ii) Suitable facilities for hygienic preparation, storage and cooking of food shall be provided, including hand basin and sinks.
- (iii) An adequate supply of potable water to the satisfaction shall be provided.
- (iv) An adequate supply of hot and cold water shall be provided.
- (v) A basic knowledge of safe food handling principles must be demonstrated.
- (vi) Preparation of breakfast to be undertaken by the keeper of the accommodation only.
- (vii) No domestic animals to have access into the establishment.
- (viii) Food preparation only to be undertaken in areas approved by the Shire.
- (ix) Children under the age of 5 years and persons not employed in the food preparation are to be excluded from the food preparation area during times of food preparation.
- (x) Premises to be fully sealed to control vermin, including rodents.
- (xi) All food is to be protected from contamination, such as dust and flies.

4. **Bed and Breakfast and Farmstay Accommodation in Areas Other than Residential**

4.1. Bed and Breakfast Establishments

4.1.1. *Building Requirements*

- (a) Maximum of 5 bedrooms for guest purposes.

- (b) The dwelling is to be of acceptable standard for tourist use.
- (c) Separate guestrooms shall comply with size, light and ventilation requirements as outlined in the Shire's Health Local Laws relating to lodging houses.
- (d) Building is to be in compliance with the BCA. If the accommodation was built after 1997, this includes smoke alarms in every bedroom.
- (e) Any building extensions or alterations will require building approval and modification of the annual licence.

4.1.2. Sanitary Facilities

- (a) Separate toilet, hand basin and shower or bath is to be supplied, where practical as determined by the Shire. Any shared bathroom and WC are to be provided with lockable doors.
- (b) All wastewater to be directed to an acceptable effluent treatment system to the satisfaction of the Shire's Environmental Health Officer. Upgrading of the existing system may be required if it is deemed inadequate by the Shire's Environmental Health Officer.
- (c) Bathroom/WC to be kept clean at all times.
- (d) Clean linen is to be provided for every new guest and at least once per week if no change of guest.

4.1.3. Kitchen

- (a) The kitchen is to be kept clean and tidy at all times, and in good order and repair.
- (b) Suitable facilities for hygienic preparation, storage and cooking of food shall be provided, including hand basin and sinks.
- (c) An adequate supply of potable water to the satisfaction of the Shire shall be provided.
- (d) An adequate supply of hot and cold water shall be provided.
- (e) A basic knowledge of safe food handling principles must be demonstrated.
- (f) Preparation of breakfast to be undertaken by the keeper of the accommodation only.
- (g) No domestic animals to have access into the establishment.
- (h) Food preparation only to be undertaken in areas approved by the Shire.
- (i) Children under the age of 5 years and persons not employed in the food preparation are to be excluded from the food preparation area during times of food preparation.
- (j) Premises to be fully sealed to control vermin, including rodents.

- (k) All food is to be protected from contamination, such as dust and flies.

4.2. Farmstay Accommodation

4.2.1. In the “Rural Smallholdings” zone, the minimum lot size for farmstay accommodation is 8ha and the maximum density is one suite/chalet for each two hectares, in addition to a dwelling occupied by the landowner.

4.2.2. In “Rural” zone, the minimum lot size for rural tourist accommodation is 20ha and the maximum density is one suite/chalet per hectare, in addition to a dwelling occupied by the landowner.

4.2.3. Farmstay accommodation in the “Tourist” zone is assessed on a case-by-case basis.

4.2.4. Building Requirements

- (a) Building of acceptable standard for tourist use and must be fully self-contained or provided with detached ablution facilities.
- (b) Buildings are required to be in compliance with the BCA.
- (c) Any building extensions or alterations will require building approval and modification of the annual licence.

4.2.5. Health Requirements

4.2.5.1. Sanitary Facilities

- (a) Separate toilet, hand basin and shower or bath is to be supplied, where practical as determined by the Shire. Any shared bathroom and WC to be provided with lockable doors.
- (b) All wastewater to be directed to an acceptable effluent treatment system to the satisfaction of the Environmental Health Officer. Upgrading of the existing system may be required if it is deemed inadequate by the Environmental Health Officer.
- (c) Bathroom/WC/ablution facilities to be kept clean at all times.
- (d) Clean linen is to be provided for every new guest and at least once per week if no change of guest.

4.2.5.2. Kitchen

- (a) Kitchen to be kept clean and tidy at all times, and in good order and repair.
- (b) Suitable facilities for hygienic preparation, storage and cooking of food shall be provided, including hand basin and sinks.
- (c) An adequate supply of potable water to the satisfaction of the Shire shall be provided.

- (d) An adequate supply of hot and cold water to be provided.
- (e) A basic knowledge of safe food handling principles must be demonstrated.
- (f) Preparation of breakfast to be undertaken by the keeper of the accommodation only.
- (g) No domestic animals to have access into the dwelling occupied by the landowner.
- (h) Food preparation only to be undertaken in areas approved by the Shire's Environmental Health Officer.
- (i) Children under the age of 5 years and persons not employed in the food preparation are to be excluded from the food preparation area during times of food preparation.
- (j) Premises to be fully sealed to control vermin, including rodents.
- (k) All food is to be protected from contamination, such as dust and flies.

**ADDITIONAL INFORMATION SHEET TO ACCOMPANY AN APPLICATION FOR A
HOME BUSINESS OR RURAL HOME BUSINESS (BED AND BREAKFAST
ESTABLISHMENT OR FARMSTAY ACCOMMODATION)**

Location of premises: _____

Materials of construction: _____

Maximum number of lodgers to be accommodated: _____

Number of rooms used to accommodate lodgers: _____

Description of room to be used by lodgers as a sleeping apartment	Measurement in metres – length, width, height	Cubic capacity in metres	No. of boarders

Signature: _____

Address: _____

Date: _____