

## CHAPTER 2.7 TOURISM DEVELOPMENT:

### 2.7.1 INTRODUCTION

The purpose of this chapter is to provide appropriate and relevant requirements for the orderly development of various defined and generally small-scale tourist accommodation forms, and specifies Council's requirements relating to individual sites. It applies to all appropriately zoned land within the Central Coast Local Government Area (CCLGA), as identified within each relevant section of this Chapter.

This Chapter aims to provide assistance to people interested in establishing small-scale tourist accommodation premises, to ensure that the standard of accommodation is attractive to visitors and enhances the reputation of the Central Coast as a tourist destination, while also protecting the amenity of adjacent residents.

### 2.7.2 BED AND BREAKFAST ACCOMMODATION

Bed and Breakfast Accommodation is defined in Central Coast Local Environmental Plan (LEP) 2018:

*Note: Clause 5.4 of Central Coast LEP 2018 stipulates that the accommodation that is provided to guests must consist of no more than 5 bedrooms.*

#### 2.7.2.1 Registration

Operators of Bed and Breakfast Accommodation are encouraged to register with the NSW Bed and Breakfast Council and the Central Coast Tourism Board. Benefits include regular newsletters, information packages, promotional opportunities and contact with other Bed and Breakfast Operators in the industry and other tourism services on the Central Coast.

#### 2.7.2.2 General Requirements

##### OBJECTIVES

- To ensure that the premises are designed and operated to meet acceptable planning, health, building and fire safety standards
- To ensure that the scale and intensity of development is consistent with maintaining the amenity of the surrounding area

##### REQUIREMENTS

- a Bed and breakfast accommodation is not permitted to operate in dual occupancies, multi-dwelling housing, residential flat buildings or the like.
- b Bed and breakfast accommodation is to be contained wholly within the building comprising the dwelling-house. There is a limit of one (1) bed and breakfast establishment per allotment. The accommodation must be operated by the permanent resident(s) of the dwelling-house.
- c Bed and breakfast accommodation is not to contain facilities for the preparation of meals by guests. Any meals prepared for guests are to be provided by the residents of the dwelling-house.
- d *Food and drink premises* are not permitted as part of bed and breakfast accommodation.

- e The bed and breakfast accommodation must be for short-term, temporary visitors only and not for long-term, permanent accommodation. Maximum period of stay is restricted to 14 days in any 28 day period.
- f Toilet and bathroom facilities are required for each guest room, separate from those used by the permanent residents of the house, and without the need to enter another separate bedroom.
- g The dwelling house within which a bed and breakfast establishment is located should preferably have some element of building design, location or other feature of particular appeal to tourists and visitors.
- h An accommodation register shall be maintained with details of guest names, receipt number for daily and/or weekly accommodation, and be made available for inspection when required by the Council.
- i Car parking will be required on-site for guests and permanent residents at the rate as specified in Chapter 2.13 Transport and Parking. The car parking shall be designed and constructed in accordance with Council's construction and development standards.
- j The Rural Fire Service (RFS) *Planning for Bushfire Protection, 2006" Guideline* applies to all development applications on land that is classified as bushfire prone land. Consultation should be carried out with Council to determine bush fire risk and any measures necessary to reduce perceived risk.
- k In non-sewered areas, an effluent disposal report will need to be submitted with the development application, demonstrating adequate disposal area is available above the 1% AEP Flood Level. Systems require an Approval to Operate to be issued by Council in accordance with the requirements of the *Local Government Act 1993*.
- l Any buildings shall comply with the provisions for Access for People with a Disability, identified within the *Building Code of Australia (BCA)*.
- m Additional garbage/recycling services may be required to cater for increased volume of wastes.

### **2.7.3 FARM STAY ACCOMODATION**

Farm stay Accommodation is defined in Central Coast LEP 2018:

*Note: Clause 5.4 provides that the accommodation that is provided to guests must consist of no more than 5 bedrooms.*

#### **OBJECTIVES**

- To ensure that the premises are designed and operated to meet acceptable planning, health, building and fire safety standards
- To ensure that the scale and intensity of development is consistent with maintaining the dominant agricultural use of the land and the amenity of the surrounding area

#### **REQUIREMENTS**

- a Farm stay accommodation must be operated by the permanent resident(s) of the farm.
- b The farm stay accommodation must be for short-term, temporary visitors only and not for long-term, permanent accommodation. Maximum period of stay is restricted to 14 days in any 28 day period.

- c Conventional residential dwelling-house design is not considered an appropriate design form. Farm stay accommodation is to be contained within small scale separate "cottage style" buildings at a low-key scale that is complementary to a rural landscape.

*Note: Council considers the provision of substantial additional common facilities (e.g., day spa facilities, billiards room, large recreational lounges, entertainment rooms, etc.) to be beyond the scale of appropriate development for farm stay accommodation.*

- d The accommodation is to be sited so as to not compromise any existing or future primary production activities on the both the allotment on which it is located and any adjoining land.
- e Farm stay accommodation is to be designed to be separate from the main dwelling-house and be limited to a total of five (5) bedrooms in any configuration (e.g., five one bedroom cottages, a two and a three bedroom cottage, or one five bedroom cottage) per allotment of land upon which it is located and catering for a maximum number of ten (10) guests.
- f Food and drink premises are not permitted as part of a farm stay accommodation.
- g Any cottage capable of individual occupation will be provided with its own kitchen and bathroom facilities. The cottages should preferably have some element of building design, location or other feature of particular appeal to tourists and visitors.
- h An accommodation register shall be maintained with details of guest names, receipt number for daily and/or weekly accommodation, and be made available for inspection when required by the Council.
- i Car parking will be required on-site for guests and permanent residents at the rate as specified in Chapter 2.13 Transport and Parking. The car parking shall be designed and constructed in accordance with Council's construction and development standards.
- j The Rural Fire Service (RFS) "Planning for Bushfire Protection, 2006" Guideline applies to all development applications on land that is classified as bushfire prone land. Consultation should be carried out with Council's Fire Control Officer to determine bush fire risk and any measures necessary to reduce perceived risk.
- k An effluent disposal report will need to be submitted with the development application for all proposals, demonstrating adequate disposal area is available above the 1% AEP Flood Level. Systems require an Approval to Operate to be issued by Council in accordance with the requirements of the *Local Government Act 1993*.
- l Any buildings shall comply with the provisions for Access for People with a Disability, identified within the Building Code of Australia (BCA).
- m Additional garbage/recycling services may be required to cater for increased volume of wastes.

## 2.7.4 SHORT TERM RENTAL ACCOMMODATION

**Short term rental accommodation** means a dwelling that is commercially available for rent as short term accommodation on a temporary basis, but does not include bed and breakfast accommodation.

**Temporary or short term** is any period up to 3 months.

The use of dwellings, in any zone, for Short-term Rental Accommodation provides an alternative form of tourist accommodation for the Central Coast. They offer a unique form of accommodation giving visitors the opportunity to enjoy a self-contained, home-style holiday experience and the many attractions of the Coast

and surrounding environment. The use is permissible on any land where dwellings are permissible within the relevant zone, under Central Coast LEP 2018.

The requirements of this Section will be applied to the assessment of Development Applications for the use of any lawful existing dwelling of up to 6 bedrooms for Short-term Rental Accommodation. This includes dwellings of up to 4 bedrooms, which **are not operated** in accordance with the requirements identified as Exempt Development within Clause 7.6 and Schedule 2 of the Central Coast LEP 2018, and therefore require development consent prior to use for Short-term Rental Accommodation.

### 2.7.4.1 Registration

Operators of Short-term Rental Accommodation are encouraged to register with the Central Coast Tourism Board. Benefits include regular newsletters, information packages, promotional opportunities and contact with other Short-term Rental Accommodation Operators in the industry and other tourism services on the Central Coast.

Enquiries should also be made with peak industry bodies such as the Central Coast Holiday Letting Organisation (HLOCC) and the NSW Real Estate Institute regarding the Holiday Rental Code of Conduct, prepared by the NSW Department of Planning and Infrastructure in conjunction with these peak bodies.

### 2.7.4.2 General Requirements

#### OBJECTIVES

- to provide assistance to people interested in establishing and operating Short-term Rental Accommodation;
- to ensure that the standard of accommodation is attractive to visitors and is operated in accordance with appropriate standards of residential amenity;
- to ensure that the premises are designed to meet acceptable planning, health, building and fire safety standards

#### REQUIREMENTS

- a Short-term Rental Accommodation is to comply with the requirements of the Building Code of Australia in force at the time of the application.
- b The location and use of dwellings for Short-term Rental Accommodation should not impact adversely on the privacy and amenity of neighbours. Additional garbage/recycling services may be required to cater for increased volume of wastes.
- c Attention should be paid to design features which minimise noise and the disturbance to neighbours of late night arrivals and early morning departures of visitors. Noise levels in residential areas are to be in keeping with those which are normally experienced in the locality.
- d The development must not generate more than 2 written complaints concerning the activities taking place on the land, from the occupiers of separate dwellings located within 40 metres of the subject dwelling, over a 12 month period.
- e In both rural and residential areas, car parking areas should be located away from prominent views and should be appropriately screened by landscaping.
  - i Car parking for Short-term Rental Accommodation facilities shall be provided on the site at the rate of one (1) car space for each guest bedroom. Stacked parking is allowed.

- f Council encourages the provision of individual ensuites for each bedroom made available for guest accommodation.
- g Where an existing building requires alterations for use as Short-term Rental Accommodation, the discretion of Council may be exercised for the soundproof transmission reduction in the wall and ceiling construction by reason of the layout of the building and other significant construction factors.
- h Where new building work is proposed, to minimise disturbance, walls separating guest bedrooms from other habitable rooms must have a Sound Transmission Class of 45. Walls separating guest bedrooms from either a bathroom, kitchen, laundry or toilet must have a Sound Transmission Class of 50.

*Note: This does not apply to a wall separating an ensuite from the guest bedroom concerned. Council approval is necessary for any such work.*

- i The owner / operator of the dwelling shall manage the Short-term Rental Accommodation and shall make appropriate arrangements for timely private security response during periods when the premises are occupied, ensuring that the use of the accommodation does not impact adversely on the amenity of the neighbourhood, should the need arise. The telephone number of the Security Firm engaged should be included on an appropriate sign outside the premises.
- j Council shall permit one sign on the property to indicate the house is used for Short-term Rental Accommodation. The sign must be in a style in keeping with the architectural features of the house and visual character of the area. The sign shall be affixed to the wall of the dwelling or on the front fence and shall not exceed dimensions of 0.8 metres by 0.4 metres. Illuminated signs are not appropriate. The sign shall only indicate:
  - i the name of the Short-term Rental Accommodation facility;
  - ii the name of the proprietor and telephone number of the proprietor; and
  - iii The name and telephone number of the Security Firm engaged to monitor and respond to incidents of anti-social behaviour, should the need arise.

Note: the security firm may separately erect a small propriety sign adjacent to satisfy this requirement.

## 2.7.5 BACKPACKER ACCOMODATION

Backpackers Accommodation is defined in Central Coast LEP 2018. The LEP identifies where Backpackers Accommodation is permissible with consent.

### REQUIREMENTS

- a Car parking will be required on-site for guests and permanent residents at the rate as specified in Chapter 2.13 Transport and Parking. The car parking shall be designed and constructed in accordance with Council's construction and development standards

## 2.7.6 ECO-TOURISM

Eco-Tourism is defined in Central Coast LEP 2018. The LEP identifies where Eco - Tourism is permissible with consent.

### REQUIREMENTS

- a Clause 5.13 of Central Coast LEP 2018 provides requirements in relation to the granting of development consent for eco-tourist facilities

## 2.7.7 SERVICED APARTMENTS

Serviced Apartment is defined in Central Coast LEP 2018.

### REQUIREMENTS

- a Clause 1.9 (1A) of Central Coast LEP 2018 states that “State Environmental Planning Policy (SEPP) No. 65 – Design Quality for Residential Apartment Development applies in the same way that it applies to residential flat buildings to the following land uses - Boarding houses; Serviced apartments”. Information submitted with any development application must consider the SEPP and associated Apartment Design Guide.
- b In addition to the consideration of SEPP No.65, proposals for serviced apartments are to consider the relevant provisions of this DCP including but not limited to Transport and Parking, Floodplain and Coastal Management.
- c Car parking will be required on-site for guests and permanent residents at the rate as specified in Chapter 2.13 Transport and Parking. The car parking shall be designed and constructed in accordance with Council’s construction and development standards

DRAFT