



Visitor Accommodation (small scale)

USER GUIDE – NOVEMBER 2016

Tourism remains a priority sector for Noosa's economy however visitors to Noosa Shire are increasingly seeking alternatives to the traditional hotel/motel and resort style establishments, where they can appreciate personalised hospitality, share accommodation with friends, stay in natural surrounds or live like locals. This user guide provides details of The Noosa Plan requirements for small scale visitor accommodation such as a B&B, guest house, host farm or cabin park. While this guide gives a summary of some scheme provisions you should still refer to The Noosa Plan to determine the relevant level of assessment and applicable codes.

Definitions

The following land use definitions are taken from Part 2 of The Noosa Plan

Visitor accommodation means accommodation that is designed and used for visitors to the Shire and where social, recreational and dining services may be provided for visitors by owners or staff. Resident guests stay for a temporary period of time (typically not exceeding 3 consecutive months).

Visitor accommodation Type 1 Home hosted means the use of premises for short term accommodation hosted by the resident family within a *detached house* where there is no more than 6 guests accommodated in no more than three rooms. At least one bedroom within the detached house is excluded from use by guests. Meals may be provided by the hosts, as guest cooking facilities are not available. The use includes bed and breakfast.

Visitor accommodation Type 3 Rural means the use of premises for short-term accommodation where accommodation has direct connection with the rural production, environmental or scenic values of the premises. The use includes a *cabin park*, *guesthouse* or retreat located in a rural setting and host farm offering rural experiences.

Visitor Accommodation Type 4 Conventional means two or more

dwelling units or accommodation units, for the purpose of providing short-term visitor accommodation. The use may include common recreation or dining facilities and includes an ancillary dwelling unit for onsite manager. The use includes a *guesthouse*, *visitor hostel*, *motel*, resort and serviced rooms.

Open space means any use of private or public land left predominantly undeveloped by buildings or structures.

Open Space Type 2 Camp ground means the use of premises for pitching a tent for the purpose of providing overnight accommodation to the travelling public. It may include toilet and shower facilities for the convenience of visitors. It may include the ancillary use of parking an RV overnight. It does not include cabins or similar structures. The use includes a Self-contained RV Overnight Area. It does not include Visitor Accommodation or Multiple Housing Type 5 Relocatable as separately defined.

Detached house means the use of premises for a single dwelling unit which comprises the whole of the building on one lot. The term includes uses and works incidental to and associated with the detached house. The term includes the temporary use as a display home or removal home. The use may include a

secondary dwelling not exceeding 65m² in area.

The following administrative definitions should also be noted:

Accommodation unit means part of a building to be used as a dwelling place for the exclusive use of one household containing at least one habitable room but which is not self-contained.

Dwelling unit means a building or part of a building used as a self-contained residence for the exclusive use of one household. It includes outbuildings and works normally associated with a dwelling.

Cabin means a free standing building, not exceeding 100m² in gross floor area and not including a laundry, used for overnight or holiday accommodation.

Guesthouse means accommodation for more than 6 guests in a single building which is also the home of the host(s). Guests do not have access to their own cooking facilities.

RV (Recreational Vehicle) means a motorized or towable vehicle that combines transportation and temporary living quarters for travel, recreation and accommodation. The term includes caravans, campervans, motorhomes, camper trailers, truck mounted camper. The term does not include a cabin or transportable building as separately defined.

Self-contained RV overnight area means premises used for the parking of self-contained RVs, for a maximum of 4 consecutive nights, where no water is provided and no liquid or solid waste is left or disposed of on site. Self-contained RVs are those that can hold fresh water, greywater and/or blackwater and have on board cooking and sleeping facilities.

Visitor hostel means a budget visitor accommodation building(s) which accommodate 6 or more unrelated persons with shared facilities including kitchen and laundry facilities. Sanitary and bathroom facilities as well as bedrooms may also be shared.

What does this User Guide Cover?

This user guide specifically covers scenarios for accommodating small numbers of guests, perhaps as a means of generating secondary income. For larger establishments it is highly recommended that you seek professional planning assistance in preparing applications or interpreting the planning scheme.

Short term rental of an entire house or dwelling unit by the property owner is not specifically covered by this user guide. If available only occasionally (perhaps up to 8 weeks in a year) while the principal purpose is as a permanent residence, such an arrangement may be considered subsidiary to the residential use of the property. However if the principal use is short term rental the land use occurring is visitor accommodation.

Why does The Noosa Plan manage Visitor Accommodation?

The Noosa Plan is the document through which Council controls all development throughout Noosa Shire. Council needs to ensure that all visitor accommodation is compatible with the environmental and lifestyle values of the Shire and benefits the community in some way. The plan seeks to ensure that the density, design and location of visitor accommodation integrates with the urban or rural landscape its particular locality and "fits in" with surrounding land uses.

While tourism is a critical element of Noosa Shire's economy it shouldn't affect the residential amenity of people who live in the Shire, nor should it have an adverse impact on our natural environment or agriculture industry.

Will I need to make an application to Council?

Depending on the location of your site and scale and nature of the operation, town planning approval (called a Development Permit) may be necessary prior to commencing a new visitor accommodation operation. This is discussed further in the following subsections.

Applications for Material Change of Use will be lodged with Council's Planning Assessment section (ph 07 5329 6245).

Zoning

Each locality of the planning scheme has a zoning map which shows the zone of each property. This can be checked at Council's interactive mapping site: <http://noosacouncil.wixsite.com/interactivemaps/home>

Depending on the zone visitor accommodation will either be a "consistent use" or "inconsistent use". If it is consistent it is generally expected in that zone whereas if it is inconsistent it isn't likely to be approved in that zone.

Overlays

Overlays can add another dimension to your assessment. They indicate the likelihood of a development constraint that may affect the way the land can be developed.

Check the Overlay Maps to see whether or not the site is located within any of the overlay areas. Some of the triggers for the overlays are based on distances from the mapped areas, so you should check the Development Assessment Tables in Part 13 and not rely on the Overlay Maps alone.

Overlays don't necessarily rule out development but there may be specific outcomes that must be met. In some cases it will be impossible to introduce visitor accommodation while meeting those outcomes although in other cases there will be solutions that allow visitors to be accommodated on site without impacting on the environment or worsening any physical hazards (eg landslide or flooding).

Rural & semi-rural areas

Options available in the rural parts of the Shire include:

- Allowing self-contained RVs to park on your property overnight
- Establishing a camping ground
- Having up to 6 guests staying with you in your own home
- Establishing separate cabins or cottages on your property
- Establishing a guesthouse or bunkhouse.

These are all discussed in further detail below.

Open Space Type 2 Camp Ground

In the Rural Zone, Open Space Type 2 Camp ground will generally be a consistent use. If it is **exclusively** for the parking of self-contained RVs, for a maximum of 4 consecutive nights, it will be self-assessable with no planning approval needed if you meet the following criteria:

- The property has an area of at least 10ha.
- Camp sites are located at least 50m from any dwelling unit on the subject or adjacent properties.
- Parked recreational vehicles are visually screened from any dwelling unit on adjoining properties.
- The campground is not located within a Water Supply Catchment shown on Natural Resource Overlay Maps.
- All overnight parking of RVs occurs on site and not within the road reserve.
- Adequate parking and vehicular manoeuvring area is provided on site so all vehicles enter and leave the site in a forward gear.
- A maximum of 5 RVs are parked on site at any one time.
- Only self-contained RVs with their own fresh water, grey water and black water storage are accommodated on site and no liquid waste is left on site.

Still in the Rural Zone, there is provision to apply for a larger campground, including one that caters for more guests and offers amenities for campers, however this is subject to impact assessment meaning a planning application must be made and public notification would be necessary.

Campgrounds are inconsistent in the Rural Settlement Zone.

Visitor Accommodation Type 1 Home Hosted (Bed & Breakfast)

In general B&B style establishments are consistent uses in the Rural Zone and the Rural Settlement Zone.

In the Rural Zone the use is self-assessable meaning no planning approval is necessary if you meet the following solutions specified in the Visitor Accommodation code:

- The property has an area of at least 4,000m².
- The detached house used for the home hosted accommodation is situated at least 10m from a property boundary.
- The detached house used for the home hosted accommodation is situated at least 50m from Agricultural Uses on adjoining premises.
- The detached house used for the home hosted accommodation is situated at least 40m from the property boundary of any property over 4ha in area located in the Rural Zone.
- The home hosted accommodation is directly accessible from a sealed road or a good standard gravelled road.
- The use is carried out within a detached house or where it is in a separate wing or pavilion it is no more than 25m from and connected to the living and dining areas of the detached house by a covered walkway.
- No more than 3 guest bedrooms are provided for a total of no more than 6 guests.
- Guests are provided with a bedroom capable of being enclosed to prevent visual or other intrusion by members of the host family or other guests.
- A separate bathroom and toilet facility is provided within the detached house for the exclusive use of guests.

- Guests do not have their own laundry or food preparation facilities.
- Sufficient off-street car parking is provided for guests (1 space per guest bedroom although they would not have to be sealed).

If your proposed home-hosted accommodation does not comply with these self-assessable criteria, you would need to lodge an application for a development permit with Council.

In the Rural Settlement Zone the use is subject to code assessment. The solutions above can be used as a guide however Council officers will be checking that the use meets the overall and specific outcomes for the locality code and various works codes, particularly ensuring:

- The site has adequate area for the proposed use, without adverse impact on neighbouring properties.
- Home hosted accommodation is sited to avoid land use conflicts with residents and Agricultural Uses on adjacent or surrounding premises.
- Building works to the house—
 - are of a scale and character consistent with surrounding residential buildings; and
 - visually integrate and are compatible with any existing building, the topography and vegetation on-site.
- An acceptable standard of privacy and facilities is provided for guests.
- Guest accommodation is not self-contained.
- Sufficient parking spaces are provided on the site to cater for guests.

Visitor Accommodation Type 3 Rural

This type of use is generally a consistent use in the Rural and Rural Settlement Zones however will always be subject to impact assessment meaning you must lodge a planning application and give public notification of your proposal. The application will be assessed on its merits. However as a guide:

- Properties should offer moderate to high levels of access to urban facilities.
- Accommodation should offer guests an insight into rural production / agricultural pursuits or a natural environment setting.
- It is preferable the use be located on lots of 4ha or more.
- Suitable density would be 2 cabins per hectare or 2 guest bedrooms per hectare, providing the overall number of cabins or guest bedrooms wouldn't typically exceed 6.
- The accommodation must be appropriately sited so as not to generate land use conflicts with neighbouring residents and Agricultural Uses (typically keep it 40m away from a property boundary or 50m away from an agricultural use)
- The scale, design and external finish of buildings:-
 - complements the rural character and/or natural character of the area and integrates with the surrounding landscape; and
 - incorporates colours and finishes that allow the buildings to blend in with the natural and/or rural landscape.

On site carparking will be required and any signage would have to be in keeping with the rural amenity.

Rural Guesthouses are generally larger homes where the host lives in the same building as guests but because of the size of the house 4 to 6 bedrooms are available for guests. The host will provide breakfast and possibly other meals for the guests and there would usually be a communal lounge room for guests to mingle and relax.

Cabins or cottages can offer more privacy and seclusion for guests. They will usually contain kitchen facilities although the host may still offer meals to guests. Cabins won't include a laundry although there may be shared laundry facilities on the site.

There is no particular limit on the number of rooms in a cabin but they can't exceed 100m² of floor area.

Farmers may wish to offer farm-based accommodation to visitors where guests

can stay on a working farm and have the opportunity to participate in or simply observe and learn about farm life and activities. Accommodation and meals may be provided within the farmer's home or another outbuilding built for or adapted for this use. The use may have a communal lounge room for guests to mingle and relax.

Other small establishments not already mentioned may include a lodge, health farm, meditation centre or other premises where distance from urban influences and proximity to natural features and bushland are critical to their success.

Towns and Villages

Visitor Accommodation Type 1 Home Hosted (Bed & Breakfast)

In general B&B style establishments are consistent uses in the Detached Housing Zone, Semi-Attached Housing Zone and Attached Housing Zone. There are locality specific exceptions to this and you must refer to your specific locality plan. For example they are inconsistent uses in the Detached Housing Zone at Noosa Heads or Noosa North Shore.

By definition the host must reside in the same building as the guests and no more than 3 bedrooms can be available for guests (max 6 guests).

The use is subject to impact assessment, meaning you must lodge a planning application and give public notification of your proposal. The application will be assessed on its merits however as a guide:

- The site has adequate area for the proposed use, without adverse impact on neighbouring properties (a site area of at least 800m² may be necessary).
- Building works to the dwelling unit—
 - are of a scale and character consistent with surrounding residential buildings; and

- visually integrate and are compatible with any existing building, the topography and vegetation on-site.
- An acceptable standard of privacy and facilities is provided for guests (Guests will require a bedroom capable of being closed off and Guest bathroom and toilet facilities should not be shared with the host family).
- Guest accommodation is not self-contained (they should not have their own laundry or cooking facilities).
- Sufficient parking spaces are provided on the site to cater for guests (one visitor car parking space for every guest bedroom in addition to the hosts)

Visitor Accommodation Type 4 Conventional

Where two or more flats or units are available for visitor accommodation it is classed as Visitor Accommodation Type 4.

For example a detached house which includes a self-contained secondary dwelling or flat, where both are individually available for visitor accommodation would qualify as this use. Likewise a duplex where both dwellings were available for visitors would qualify.

Visitor Accommodation Type 4 is generally consistent in the Attached Housing Zone, Visitor Mixed Use Zone, Business Centre Zone and Village Mix Zone but inconsistent in all other zones. While there are some exception to this it is not likely to be consistent in a low density residential neighbourhood.

In all instances the use is subject to impact assessment, meaning you must lodge a planning application and give public notification of your proposal. The application will be assessed on its merits however it will be important it does not adversely impact on surrounding land uses.

In addition to the zones where the use is consistent, some other sites have specifically been given the potential for a visitor hostel.

What should I include with my application?

You will need to lodge the standard IDAS application forms and should include a plan of your property showing the areas that will be used by visitors. A report outlining how the establishment will be constructed and operated should also be provided. The Specific Outcomes in the locality code, Visitor Accommodation Code and the works codes would make a good 'checklist' of matters you should address. If any of the overlays apply to the land, you should also address the Specific Outcomes of the relevant Overlay Code(s).

If you have a chance to discuss the matter with neighbours prior to making the application, details of this communication and letters of support from them would assist.

What happens if I operate visitor accommodation without an approval?

If you commence or continue operating without the necessary approval, Council may initiate action to make you cease operating. There may also be potential impacts on your home insurance if you operate an unlawful activity from your home and property owners may find themselves unprotected.

What else should I consider?

Infrastructure Charges may be payable for the visitor accommodation in line with Council's Charges Resolution (especially if it involves new buildings or a building extension). Contact Council to check the current charge as it is subject to annual review.

As well as the Noosa Plan there are industry standards, health and building regulations that you would need to comply with. For instance the size and arrangements of your buildings may change them from a class 1 building to a class 3 building under the Building Code

of Australia and therefore additional requirements will apply such as the Queensland Development Code Fire Safety Standards.

If you are providing meals to guests there will be food preparation guidelines to adhere to and a Food Business Licence may be required including assessment of the kitchen. Drinking water supply will be required in case of properties not on town water supply.

Residential properties offered for short term visitor letting are subject to the Tourism and Economic levy on the property rates as per commercial visitor accommodation.

Further information

The Noosa Plan can be viewed online at www.noosa.qld.gov.au/view-the-noosa-plan. A hard copy can also be viewed at the 2nd level counter of Council's office, 9 Pelican Street Tewantin or in the libraries at Noosaville or Cooroy.

You can contact Council's Planning Assessment staff weekdays, between 9am and 5pm by phoning (07) 5329 6245 or Council's Building & Plumbing Services on (07) 5329 6480.