

COUNCIL OF THE
CITY OF GREATER LITHGOW

DEVELOPMENT CONTROL

PLAN NO 8

BED & BREAKFAST ACCOMMODATION



"Bed and Breakfast Establishment" means a dwelling house used by its permanent residents for the provision of short term accommodation for commercial purposes, which may include meals.

INTRODUCTION

The intent of this policy is to provide guidelines for the establishment and operation of short term tourist accommodation within the confines of a "Bed and Breakfast Establishment".

AIMS

The policy aims to ensure that these establishments provide a high standard of accommodation to visitors to the City and that the promotion of the City as a tourist destination is achieved through their operation.

PRELIMINARY

This plan is called "Greater Lithgow Development Control Plan No 8".

1. Land to which this policy applies;

This plan applies to all land within the City of Greater Lithgow, upon which a dwelling house is permissible. It is made under and generally conforms to the provisions of Interim Development Order No 1 - City of Greater Lithgow and Interim Development Order No 1 - Shire of Blaxland, which provide the planning controls for the development of land within the local government area. This plan will take effect from 8th November 1993.

OBJECTIVES

2. The Objectives of the Plan are:

- (a) to ensure Bed & Breakfast Establishments are located and operated in such a way as to not diminish the amenity of the property or locality in which they are situated, be it residential or rural;
- (b) to allow the provision of affordable yet attractive accommodation within the establishment, while maintaining a satisfactory standard of management and service to guests; and,

- (c) to ensure that the premises meet the minimum standards in relation to requirements for fire safety and community health standards under the Local Government Act, 1993 and the Building Code of Australia.
- (d) to ensure that adequate utility services are available to the dwelling to enable its use as a bed & breakfast establishment.

DEVELOPMENT STANDARDS

3. General Requirements

A "Bed and Breakfast Establishment" must comply with all of the following criteria in order to gain Council approval:

- (i) Operational Requirements
 - (a) The "Bed and Breakfast Establishment" must be operated by a permanent resident of the dwelling house.
 - (b) The bed and breakfast accommodation must be for short term visitors only.
 - (c) There must be no more than twelve (12) people resident at any one time, within the establishment. This includes paying guests who are in residence, visitors, permanent residents, friends or family members. (It should be noted that Section 4(a)(v) determines guest numbers for each establishment based on a floor area requirement per person within guest bedrooms).
- (ii) Services
 - (d) The dwelling house must be connected to the sewer. In rural zones, the dwelling must be connected to an approved effluent disposal system.
- (iii) Parking
 - (e) Off-Street parking is to be made available for the vehicles of permanent residents. Guest parking should be provided at a rate of one space per three guests. Generally, parking should be delineated but will not be required to be sealed. The applicant should ensure that the front yard area of the dwelling is not turned into a carpark.
- (iv) Other
 - (f) Refreshment rooms are not permissible as part of the establishment, however, meals may be provided to guests.
- (v) Advertising Signs
 - Council may permit one sign on the property to indicate the use of the dwelling as a "Bed & Breakfast" establishment. The name of the proprietor can also be included. The sign shall not exceed .3m² in area and shall be located to ensure minimal impact on adjoining residential landuses.

(vi) Sound Transmission

In order to minimise disturbance to guests utilising the establishment, walls separating guest bedrooms from other habitable rooms will be required to have a sound transmission class of 45. (This equates to the thickness of a single brick wall). Walls separating guest bedrooms from either a bathroom, kitchen, laundry or toilet will be required to have a sound transmission class of 50. (This equates to the thickness of a double brick wall).

Contact with Councils Environmental Services Division should be made in order to determine what works can be undertaken to achieve the sound transmission criteria.

This requirement does not apply to a wall separating an en-suite from the guest bedroom.

REGULATORY CONTROLS

4. Registration and Inspection

The premises are required to be registered by Council as a "Bed & Breakfast Establishment". The premises will be inspected annually and a registration notice will be issued to the permanent resident who operates the "Bed & Breakfast Establishment". A \$60.00 inspection and registration fee will be charged.

The standards required for registration are:

(a) Health & Amenity Standards

- i) Premises and furnishings are to be kept clean and free from vermin.
- ii) No animals are allowed within the building. Guide dogs excluded.
- iii) Toilet and bathroom facilities required for guests should be located to negate the need to enter another separate bedroom. Bathroom carpet is not permitted.
- iv) A kitchen used for the preparation or storage of guests' food shall comply with the requirements of the Food Act 1989 and the Food (General) Regulation 1992. If guests prepare their own food, the Act is not applicable. However, floors, benches, walls and ceiling surfaces within the kitchen should always be finished in smooth materials.
- v) For guest bedrooms, a minimum of 5.5m² of bedroom floor area is required per person. Children under 5 years of age are not included in this calculation.
- vi) The "Bed & Breakfast Establishment" shall operate having regard to the amenity of the surrounding neighbourhood. Noise levels emanating from the development should not exceed those which are normally experienced in the locality.

(b) Fire Safety

Kitchen

- i) A 1.2m x 1.2m fire blanket and a 3.5kg Carbon Dioxide Portable Fire Extinguisher are to be suitably wall mounted within the kitchen area and with clear instructions for use.

Locks

i) Deadlocks requiring an internal key release are not to be provided on doors to guests' rooms or external doors.

Smoke Detectors

ii) Approved single-station smoke detector alarms (connected to a permanent 240 volt supply with a battery operated backup device) are to be installed in all habitable rooms (excluding kitchens); and all corridors, passageways or hallways.

GUIDELINES ON MAKING AN APPLICATION

5. General

(a) Development consent is required to use the dwelling house as a "Bed & Breakfast Establishment". The development application should include:

(i) a layout plan of the dwelling to scale, detailing rooms to be utilised by the permanent residents and guests and corresponding room sizes;

(ii) a site plan of the land on which the use is to be established, showing the location of the dwelling and any ancillary buildings and the location of guest and permanent resident parking;

(iii) the location of proposed advertising sign.

(b) Council will notify in writing adjoining property owners and others who in the opinion of Council, may be affected by the development. A \$50.00 notification fee will be charged.

(c) Each application will be treated on its merits.

(d) Building approval is also required for any renovations extensions or new buildings and also for work required in relation to the satisfaction of sound transmission criteria and installation of fire detection systems.

(e) Registration of the business is required prior to operation. Inspection and registration of the premises is undertaken on an annual basis, subject to a fee.

(f) Development consent is required for any advertising sign, but this can be applied for with consent for the "Bed & Breakfast Establishment".

(g) Fees will be charged for the development application and building applications together with the necessary fees for notification of neighbours. Fees will be charged annually for the registration and inspection of the premises.

PRELIMINARY DISCUSSIONS

8. Contacting Council's Environmental Services Division prior to preparation of building designs, plans and site layouts is encouraged to minimise delays in the processing of applications.

Also, information can be obtained from the Building Section of the Division, on the scale of upgrading works required to the dwelling in order to comply with the development standards and regulatory controls of this D.C.P.