

Policy Name:	LOCAL PLANNING POLICY: BED & BREAKFAST ESTABLISHMENTS
Objective:	To provide a framework for the assessment of proposed Bed & Breakfast Establishments in the Shire of Esperance.
Key Words:	Bed & Breakfast
Statutory Compliance:	Local Planning Scheme No. 23

Policy Aims:

To achieve a balance between providing Bed & Breakfast accommodation throughout the Shire whilst ensuring the local character and amenity is not compromised.

Policy Provisions:

Definition

In accordance with Schedule 1 of Local Planning Scheme No. 23, a ‘bed and breakfast’ establishment is defined as:

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

Application Information

➤ *New Applications*

The following information is required to be submitted to enable an assessment of the bed and breakfast establishment proposal:

- Completed ‘Application for Planning Approval’ form;
- Payment of application fee in accordance with Council’s Fees & Charges Schedule;
- Three (3) copies of the following:
 - Site plan (to scale) showing the dwelling in relation to the lot boundaries and location of on-site car parking for use by bed and breakfast guests;
 - Floor plan(s) (to scale) of the dwelling delineating the rooms designated for use by guests (i.e. bedrooms, bathroom, toilet etc);
- Details of any proposed signage.

➤ *Renewal Applications*

- Completed ‘Application for Planning Approval’ form;
- Payment of renewal application fee in accordance with Council’s Fees & Charges Schedule;
- Accompanying letter detailing compliance with the conditions of the original Planning Approval.

Policy Application Area

In accordance with Table No. 1- Zoning and Land Use Table of Local Planning Scheme No. 23, bed and breakfast establishments are able to be considered in the following zones:

- Residential – “P” use: the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.
- Tourist Residential, Central Area, Country Town, Rural-Residential, Rural Smallholdings, Agriculture-General – “D” use: the use is not permitted unless the local government has exercised its discretion by granting planning approval.
- Tourist – “A” use: the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.

Development Requirements

The following development requirements apply to bed and breakfast establishments:

- Maximum number of six (6) guests at any one time, with the total occupancy of the dwelling not to exceed twelve (12) persons.
- One (1) car parking bay per guest bedroom being provided on-site in addition to the car parking requirements for the dwelling.
- Depending on the location of the guest car parking, may be a need to provide sufficient area for on-site manoeuvring such that vehicles can leave the site in forward gear.
- Access to guest car parking areas shall be flood-free and accessible by 2 wheel drive vehicles.
- Signage shall not exceed 0.2 square metres in area.
- For sites that are unsewered, the existing effluent disposal system may need to be upgraded to cater for the increased usage.
- Bathroom and toilet facilities are to be provided for guest use only, with access to such not requiring entrance to another separate bedroom.
- The bed and breakfast establishment is to comply with all the relevant requirements of the Building Code of Australia and the *Health Act 1911* (as amended), particularly in relation to the aspects of fire safety and food preparation areas.
- An approval of a bed and breakfast establishment is valid for 12 months only and shall be subject to an annual renewal. The purpose of the annual renewal is to ensure that the operations are complying with the conditions of approval; where operations are not compliant, approval may be withheld.
- Approvals are not capable of being transferred or assigned to a different property or person.