

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) 2022*:

Note: Clause 5.4 of Central Coast LEP 2022 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, 2019 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 2022:

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, 2019" 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

Controls for short term rental accommodation (STRA) are identified under State Environmental Planning Policy (SEPP) Housing. With respect to the Central Coast Local Government Area, the controls provided under the SEPP will not lead to an instance where a development application would be lodged for this land use (i.e. the proposal would either be exempt or prohibited development). In addition to the provision of the SEPP other considerations for STRA include but are not limited to:

- NSW Fair Trading's *Code of Conduct for the Short Term Rental Accommodation Industry*

- Strata by-laws if relevant and in place
- *Environmental Planning and Assessment Regulation* regarding minimum fire safety standards for dwellings used for STRA;
- The STRA Register - administered by the NSW State Government Planning Portal

2.7.5 BACKPACKER ACCOMODATION

Backpackers Accommodation is defined in Central Coast LEP 2022. 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 2022. The LEP identifies where Eco - Tourism is permissible with consent.

REQUIREMENTS

- a Clause 5.13 of Central Coast LEP 2022 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 2022.

REQUIREMENTS

- a Clause 1.9 (2A) of Central Coast LEP 2022 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