

# LUP 4 – Bed & Breakfast Accommodation Policy

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## 1 Policy

### 1.1 Interpretation

Bed & Breakfast accommodation shall be restricted to a maximum four bedrooms for guest purposes (maximum eight adults). Developments in excess of 4 bedrooms will require rezoning to the Special Use Zone and Council approval to initiate such a rezoning should not be assumed as a formality. Additional specific standards and conditions may be imposed on such developments at the rezoning stage.

***Accommodation outlets catering for more than six patrons will be classified as a Lodging House under the Health Act 1911.***

### 1.2 Appearance of Dwelling

The use of bed & breakfast accommodation shall be incidental to the predominant use and nature of the dwelling. The appearance of the dwelling shall remain residential and shall not impact adversely on surrounding properties.

Separate "wings" or additions for guest rooms only will not be permitted under this classification. Guest rooms shall be contained within the domestic dwelling. Development of separate "wings" may result in the proposal being classified as either a motel or holiday accommodation units.

### 1.3 Minimum Standards for Bed & Breakfast Accommodation

#### (i) Bedrooms

- (a) Maximum 4 bedrooms for guest purposes (maximum 8 adults).
- (b) No guest bedroom shall have openings to any other bedroom or facilities not for use of guests.
- (c) Rooms to be suitably furnished for number of guests approved by the Shire.
- (d) Rooms to be kept clean at all times and supplied with clean linen.
- (e) Rooms to be provided with lockable door.
- (f) Guest bedrooms for guest purposes only.

#### (ii) Bathrooms/WC

- (a) Bathrooms to be either shared facility for guests only or private en-suite facility off bedrooms, or a combination of both.
- (b) Bathroom/WC to have impervious surfaces and shall be kept clean at all times.
- (c) Hot water shall be capable of being provided at all times.
- (d) Minimum facilities to include bath and/or shower, hand basin and WC.
- (e) Any shared bathroom and WC to be provided with lockable doors.

NOTE: Upgrading of plumbing, including septic disposal system, may be required if existing domestic system inadequate.

#### (iii) Kitchen

- (a) Kitchen to be kept clean and tidy at all times.
- (b) Floor areas to be smooth and impervious.
- (c) Suitable facilities for the hygienic preparation, storage and cooking of food shall be provided to cater for the maximum number of guests likely to be accommodated (dependent upon room numbers).

- (d) Preparation of meals to be responsibility of domestic residents and self-service cooking by guests is not permitted. The preparation of tea and coffee and like by guests is permitted.

#### **1.4 Annual Inspection**

The Shire's Manager Health & Building Assets shall conduct a minimum of one inspection of premises per year. Continued Shire approval is subject to the results of such inspections (refer the Shire's Schedule of Fees).

#### **1.5 Change of Ownership**

Shire approval will not be forfeited in the event of change of ownership of the premises. However notification to the Shire of the intentions of any new owners of these establishments is recommended to enable Shire records to be updated.

#### **1.6 Cessation of Use**

Any lapse in use of greater than 12 months will result in fresh approval being required for the renewal of operations.

#### **1.7 Fees**

New Bed & Breakfast establishments receiving Shire approval will be liable for a registration fee, imposed by the Shire. Planning approval will be subject to this registration fee being paid and upon payment the Visitors Centre and other interested parties will be advised of the new establishment.

#### **1.8 Registration Licence**

Upon Shire approval being granted a registration licence in the form of a Planning Approval will be granted by the Shire specifying the maximum number of guests permitted at any one time plus any other Shire imposed conditions.

Any building extensions or alterations to increase the number of guest rooms will require the annual licence to be modified to reflect increase in maximum number of guests permitted.

#### **1.9 Carparking**

Any application for Bed & Breakfast Accommodation shall demonstrate that adequate guest carparking facilities can be provided on the lot and close to guest rooms. No on-street carparking will be permitted for guest vehicles.

#### **1.10 Guest Lounge Room**

The Shire would encourage a guest lounge room although this is not a mandatory requirement.

#### **1.11 Standard Conditions of Approval**

Bed & Breakfast Accommodation may be approved subject, but not limited to, the conditions stipulated below:

1. Although approved as a Bed & Breakfast the proposed development will require annual approval as a Lodging House.
2. This approval permits the use of four (4) bedrooms of the proposed dwelling use for the purpose of bed and breakfast. The bed and breakfast is to have a maximum number of guests not exceeding eight (8) adults at any one time.
3. Changes to the number of bedrooms used for the bed and breakfast will require the lodgement of a new development application.

4. Car parking is to be marked and signposted to provide a minimum of one car bay for each bedroom used for bed and breakfast.
5. Sufficient area for on-site manoeuvring of vehicles is to be provided to ensure all vehicles exit the property in forward gear.
6. Guest bedrooms are to be for guest purposes only.
7. Bathroom/WC facilities are to have impervious surfaces and shall be kept clear at all times.
8. Hot water shall be capable of being provided at all times.
9. Kitchen is to be kept clean and tidy at all times.
10. Kitchen floor areas are to be smooth and impervious.
11. Suitable facilities for the hygienic preparation, storage and cooling of food shall be provided to cater for the maximum number of guest to be accommodated.
12. Preparation of meals is to be the responsibility of the domestic residents and self-service cooking by guests is not permitted. The preparation of tea and coffee and the like by guests is permitted.
13. Sufficient area for on-site manoeuvring of vehicles is to be provided to ensure all vehicles exit the property in forward gear.
14. Smoke alarms and emergency lighting activated by required smoke alarms must be located as marked in red on the approved plan, and installed in accordance with Building Codes of Australia (BCA) Part 3.7.2 and AS 3786 for class 1b buildings, to the satisfaction of the Shire of Bridgetown-Greenbushes. Smoke alarms are required to be connected to the consumer mains power and installed by licensed electrical contractors. A sticker developed by FESA in conjunction with the National Electrical Communications association (NECA)) must be placed in the meter box or switchboard servicing the dwelling by the licensed electrical contractor to record the date the mains powered smoke alarms were installed.

Advice Note: In relation to Condition 1, the Bed and Breakfast is subject to a minimum of one inspection per year by Council's Building/ Health Department. Continuation of planning approval is subject to the results of such inspections.

Advice Note: Any lapse in use of greater than 12 months will result in fresh approval being required prior to the renewal of operations.

Advice Note: The bed and breakfast is to comply with all relevant requirements of the Building Code of Australia, in particular access for people with mobility and visual impairment.

All applications for Bed & Breakfast Accommodation require Shire approval.

NOTE: The Shire will seek public comment through direct nearby landowner consultation for all Bed & Breakfast Accommodation applications. Applicants should note that final approval should not be assumed prior to these consultation measures being implemented.

## 2 Applicable Legislation and Documents

Act	<p>Part 5 <i>Planning and Development Act 2005</i> – Local planning schemes</p> <p>s.6.7.1 Shire of Bridgetown-Greenbushes Town Planning Scheme 3 and s 7.6.1 Shire of Bridgetown-Greenbushes Town Planning Scheme 4 – In order to assist in the implementation of the Scheme, the Council may make Town Planning Scheme Policies relating to one or more of the aspects of the control of development and land use.</p>
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	<i>Health Act 1911</i> <i>Public Health Act 2016</i>
<b>Regulation</b>	N/A
<b>Local Law</b>	N/A
<b>Shire Policies</b>	N/A
<b>Related Documents</b>	Building Codes of Australia (BCA) Part 3.7.2 and AS 3786 for class 1b buildings
<b>Related Procedure</b>	N/A

### 3 Administration

<b>Original Adoption Date</b>	25 July 1996
<b>Last Reviewed</b>	26 November 2020
<b>Scheduled Reviewed Date</b>	30 June 2023