

	<p style="text-align: center;"><b><i>Private Tourist Accommodation Procedure</i></b> <i>Procedure No. ENVPR 07</i></p>	<b>Version No:</b>	2
		<b>Responsible Officer/s:</b>	Team Leader - Development Services
		<b>Classification:</b>	Administration
		<b>Issued:</b>	25 July 2016
		<b>Next Review:</b>	<b>September 2025</b>

## 1. Overview

The following is an information document, intended to provide guidance for persons wishing to establish and operate private tourist accommodation within the area of the District Council of Grant.

## 2. Definitions

***Bed and breakfast establishment*** any dwelling in which a resident at the site provides paid accommodation and home-style hospitality on an overnight or short-term basis, usually to the traveling public, that may include the provision of breakfast.

***Short stay accommodation*** the use of a single house, group dwelling or multiple dwellings for the purposes of providing temporary accommodation to any person or persons on a short-term basis. Hosts may or may not be resident on the same site.

***Short-term basis*** a period of accommodation that does not exceed a continuous period of three (3) months by the same guest(s).

## 3. Procedure

### 3.1. Lodging an Application

The commencement of a Private Tourist Accommodation enterprise, constitutes a change of land use and will require Development Approval, pursuant to the Planning Development & Infrastructure Act 2016 and Planning Development & Infrastructure Regulations 2017. Council requires the lodgement of a Development Application for the development of private tourist accommodation.

Applicants seeking Development Approval should provide the following information:

- Scaled site plan showing the location of all buildings and structures, either existing and /or proposed, on the site, and showing vehicle access points and car parking areas
- Internal alterations (if any) to existing buildings
- Plans showing layout and use of all rooms within the building(s)
- Whether there will be permanent resident(s) on the site, including details of numbers of permanent residents and their location within the building
- Number of Guests that can be accommodated
- Private open space available for residents and guests
- In some cases the applicant will be asked to outline potential impacts on nearby sensitive land uses (eg other residences), including details of distances to adjoining residences, likely new sources of noise from the

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proposed development, and details of any loss of privacy for adjoining residents

- Details of signage including size, materials, height, location, and colours/wording
- Details of any proposed food services for guests
- Fire Safety compliance
- Code of Conduct or “House Rules”

### **3.2. Land Use**

It should be noted that this Policy does not support or encourage the establishment of two (2) or more permanent dwellings on a single parcel of land. Where an approved Private Tourist Accommodation closes and ceases to operate, then the approved use of the building/s and/or room/s shall cease. Formal Development Approval is then required for any other uses.

### **3.3. General Requirements**

The maximum number of bedrooms per site/allotment/residence, to be used for the purpose of a Private Tourist Accommodation must not exceed four (4).

The maximum number of occupants per Private Tourist Accommodation establishment shall not exceed twelve (12) at any one time, including the permanent occupant(s) of the dwelling. Where the total number of occupants will exceed the occupant capacity of the current Wastewater System, advice should be sought from Council Environmental Health Officer, as wastewater system upgrades may be required.

Self-contained facilities (eg tea and coffee making facilities, bar fridge, sink, oven/hotplate etc) may be provided subject to a relevant clause being placed on the development consent requiring removal of kitchen facilities upon cessation of the use as tourist accommodation.

Cottages and other forms of self-contained accommodation will be assessed on merit in terms of numbers of buildings and numbers of guests.


Tourist accommodation is not intended for long term occupation, and as such the maximum period of stay is restricted to three (3) months, unless otherwise agreed to by Council.

A “Code of Conduct” or “House Rules” is required to be submitted to Council as part of an application for approval of a Private Tourist Accommodation establishment. This document must detail the behaviour expected of guests in order to manage anti-social behaviour and potential conflict between guests, residents and neighbours. Upon commencement of operations, this document must be displayed in a prominent position within the premises.

### **3.4. Planning Standards**

#### **3.4.1. Parking**

All parking should be provided on the site of the development. No on-street parking is permitted. Car parking spaces should be provided at the

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rate prescribed by the Planning and Design Code (PDC), specific to the property Zoning within the PDC. All designated parking spaces must be behind the building line. Conversion of the front garden or lawn into a carpark will not be permitted.

Parking should be accessible for guests without inconveniencing neighbours, or causing any safety issues.

#### 3.4.2. Signage

One sign is permitted on the property to indicate the availability of tourist accommodation at the site, and may include the name of the accommodation, and name and, telephone number of the proprietor.

In residential and township areas, the sign should not exceed 0.36 square metres in area, and should be in a style in keeping with the architectural features of the house and visual character of the area.

In rural and semi-rural areas, the sign should not exceed one (1) square metre in area, and should be designed and placed so as not to detract from its surroundings.

No sign should be internally or externally illuminated, unless consent is granted by Council, through the Development Application processes.

### 3.5. **Health and Building Standards**

The premises and furnishings are to be kept clean and free from vermin.

No animals are allowed in a guest room, dining room or kitchen. However, guide dogs for the visually impaired are acceptable within a dining room or guest room only.

Toilet and Bathroom facilities are required for guests, separate from those used by the permanent residents of the house, and without the need to enter another separate bedroom. Carpet is not permitted in bathrooms.

The kitchen used for the preparation or storage of guests' food must be clean, hygienic, in a serviceable condition, and be well maintained. The kitchen must generally comply with the requirements of the Food Act 2001 and Food Regulations 2017 and Food Standards Code. Private kitchen facilities may be provided for guests. This may include tea/coffee making facilities, bar fridge, sink, and small hotplate/oven.

The provision of disabled accessibility must be considered, to ensure that adequate access is available from the patron parking to and within the accommodation facility.

### 3.6. **Fire Safety**

#### 3.6.1. General

The National Construction Code (formerly the Building Code of Australia) specifies varying requirements, depending on individual buildings and use, for smoke detectors, emergency lighting, and access/egress.

#### 3.6.2. Locks

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Deadlocks requiring an internal key release must not be used on doors to guest rooms or external doors. Locks provided to guest rooms must be able to be opened from the inside by a single-handed action without the need for a key. There must also be no bars or restrictions to egress from windows. Instructions for action in the event of a fire must be placed in a prominent position in each guest room or self-contained building.

### **3.7. Inspection**

An authorised Officer of Council may inspect the premises at any time with reasonable notice to the operator, to determine that satisfactory standards are observed and to ensure compliance with this Policy.

### **3.8. Compliance with Other Legislation**

#### **3.8.1. Alcohol**

If you are considering providing alcoholic beverages for your guests you should discuss this with the Office of the Liquor and Gambling Commissioner (OLGC). You may not sell or serve alcohol without the permission of the OLGC.

#### **3.8.2. Business Name**

You will need to register your business name with the Office of Consumer and Business Affairs.

#### **3.8.3. Taxation**

You should contact the Australian Taxation Office about registering for an Australian Business Number (ABN) and for information about the Goods and Services Tax (GST). A Private Tourist Accommodation establishment is a small business; therefore you should consult a tax agent or accountant to find out about the tax laws for small business.

#### **3.8.4. Insurance**

You should have Public Liability Insurance for at least \$5 to \$10 million. Domestic home and contents insurance will not cover your paying guests should there be an accident.


### **3.9. Registration**

Operators of Private Tourist Accommodation establishments are encouraged to register their business with The Lady Nelson Visitor and Discovery Centre and with the Port MacDonnell Community Complex at Port MacDonnell.

An Accommodation Register of approved Private Tourist Accommodation establishments will be maintained at the Council Office, and will be available for inspection by the public during normal office hours.

## **4. Responsibilities**

The Team Leader - Development Services will be responsible for the implementation and monitoring of this Procedure.

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## 5. References / Other Documents

### 5.1. Legislation

National Construction Code

*Planning Development & Infrastructure Act 2016*

*Planning Development & Infrastructure Regulations 2017*

*Food Act 2001*

*Food Regulations 2017*

*South Australian Health Act 2011*

*Food Standards Code*

### 5.2. Council Policies / Procedures

Private Tourist Accommodation Policy

## 6. Review

This Procedure shall be reviewed by the District Council of Grant Management Team at a minimum, once within every four (4) year Council term (or on significant change to legislation or other matters which could affect this procedure).

Action	Date	Minute Reference
Adopted by Management Team	25 July 2016	
Minor formatting amendments	4 May 2020	Governance Officer
Amended	8 September 2021	TI Dev Services
Amended	16 February 2022	Management Team