

Scenic Rim Planning Scheme 2020

Tourist Accommodation - June 2023

What is Tourist Accommodation?

Under the Scenic Rim Planning Scheme 2020 ([Planning Scheme](#)) tourist accommodation falls within several land uses including *Home based business, Tourist park, Short-term accommodation, Resort complex, Nature-based tourism, Party house* and *Hotel*.

This fact sheet, however, only includes information about how the Planning Scheme and other regulations relate to the provision of smaller scale tourist accommodation types being:

- bed and breakfast or farm stay (*Home based business*);
- *holiday homes (Short-term accommodation)*;
- *cabins (Short-term accommodation)*;
- camping grounds, holiday cabins, motor home, campervan and caravan parks (*Tourist park*);
- *Party house*; and
- *Nature-based tourism*.

What is NOT Tourist Accommodation?

Tourist accommodation does **not** include:

- a boarding house, hostel, monastery or off-site student accommodation (these are defined as *Rooming accommodation* within the Planning Scheme);
- *A Relocatable home park*;
- *Domestic boarding* which involves residential accommodation conducted by a permanent resident of a *Dwelling house* who accommodates up to three boarders;
- *Community residence, Non-resident workforce accommodation, Rural worker's accommodation*; or

- the traditional rental of a dwelling (i.e. through a General Tenancy Agreement (Form 18a)).

These types of residential accommodation are for longer term residents, and not tourists or travelers.

What tourist accommodation development options do I have?

Bed and Breakfast or Farm Stay

This accommodation type is defined in the Planning Scheme as *Home based business* and can be conducted from a *Dwelling house* or *Dual occupancy*. The bed and breakfast or farm stay must:

- be conducted by a permanent resident of the *dwelling*;
- have at least one bedroom excluded from use by guest;
- be contained within a single building under the same roof (and not a separate building to the *dwelling*);
- accommodate a maximum number of six guests using a maximum of three bedrooms; and
- accommodate a guest for no more than 14 consecutive nights.

Holiday Home

This accommodation type is defined in the Planning Scheme as *Short-term accommodation*. *Short-term accommodation* is the use of premises for providing accommodation of less than 3 consecutive months to tourists or travelers.

A *holiday home* is a type of *Short-term accommodation* use that:

1. accommodates an individual or a single group of persons;
2. is conducted within an existing self-contained *dwelling*;
3. visitors have the right to occupy the whole of the dwelling; and
4. does not involve any shared facilities (for example bathrooms or kitchen facilities).



Cabins

This accommodation type is defined in the Planning Scheme as *Short-term accommodation*.

Short-term accommodation is the use of premises for providing accommodation of less than 3 consecutive months to tourists or travelers. It can also include (where ancillary) a manager's residence, office, or recreation facilities for the exclusive use of guests.

Please also see *Nature-based tourism* (opposite) if the accommodation has a strong focus on environmental values.

Camping Grounds, Holiday cabins, Motor Homes, Campervan and Caravan Parks

This type of accommodation is defined in the Planning Scheme as a *Tourist park*.

Tourist park is the use of a premises for holiday accommodation in caravans, self-contained cabins, tents or other similar structures. It can also include (where ancillary) amenity facilities, a food and drink outlet, a manager's residence, offices,

recreation facilities for the use of occupants and their visitors, or staff accommodation. It does not include *Short-term accommodation* and a long term accommodation caravan park.

Party House

A *Party house* means a premises containing a dwelling that is used to provide, for a fee, accommodation or facilities for guests if—

1. guests regularly use all or part of the premises for parties (bucks parties, hens parties, raves, or wedding receptions, for example); and
2. the accommodation or facilities are provided for a period of less than 10 days; and
3. the owner of the premises does not occupy the premises during that period.

A Party house is considered **inconsistent development** in all zones of the Planning Scheme, which means it is not a supported use anywhere within the Scenic Rim Region.

Nature-based tourism

Nature-based tourism is the use of premises for a tourism activity, including accommodation for tourists, for the appreciation, conservation or interpretation of -

1. an area of environmental, cultural or heritage value; or
2. a local ecosystem; or
3. the natural environment.

Examples of nature-based tourism include environmentally responsible accommodation facilities such as cabins, huts, lodges and tents.

Proposals for *Nature-based tourism* accommodation must be able to clearly demonstrate the important environmental values that it is based upon, which distinguishes it from more generalised accommodation types like *Short-term accommodation* and *Tourist park*.

Refer **Schedule 1 Table SC1.1.2 - Use Definitions** of the Planning Scheme for further details regarding the above defined uses.

Is Council approval required?

Refer to your relevant zone under **Section 5.5 Categories of Development and Assessment - Material Change of Use** to see whether planning

approval is required.

No, you will not need planning approval - if

- your proposal is identified as **Accepted development subject to requirements** in **section 5.5** and all acceptable outcomes of the relevant code can be met; OR
- Your proposal is identified as **Accepted**; OR
- your proposal is for a temporary use (see below for further detail).

Yes, you will need planning approval - if

- your proposal is identified as **Accepted development (subject to requirements)** in **section 5.5** and it does not meet all the acceptable outcomes of the relevant code. Your proposal will then be **Code assessable**, but only for the outcomes that are not met; OR
- your proposal is identified as **Code assessable** or **Impact assessable** in **section 5.5** of the planning scheme.



What if an Overlay applies to my Property?

Overlays of the Planning Scheme may influence the category of assessment of a land use. For example, an overlay may increase the category of assessment from **Accepted development** to **Code assessable**.

The best way to check whether a property is affected by an Overlay is to view the ePlan and Mapping available on Council's website or to talk to one of our planners.

If your property is affected by an overlay, please refer to section **5.10 Categories of Development and Assessment - Overlays**, to determine whether the overlay influences a development's category of assessment for Reconfiguring a Lot. Planning approval will be needed if the proposal is:

- **Accepted development (subject to requirements)** and the proposal does not meet all the acceptable outcomes; OR
- **Code assessable**.

Tourist Accommodation Codes

Part 5 of the Planning Scheme identifies all the relevant codes applicable to your proposal. The following codes are just the key codes related to the different types of tourist accommodation and can be used to see (at a glance) if your proposal can meet these acceptable outcomes for development that is **Accepted development (subject to requirements)**:

| Activity | Code |
|--|---|
| Bed and breakfast | Home Based Business Code: Table 9.3.8.3.1 Criteria for Acceptable and Assessable Development |
| <i>Short term accommodation</i> (e.g. Cabins) & <i>Nature-based tourism</i> | Tourism Use Code: Table 9.3.17.3.1 Criteria for Acceptable and Assessable Development |
| <i>Tourist park</i> (e.g. Camping grounds, holiday cabins, motor home, campervan and caravan parks): | Tourist Park Code: Table 9.3.18.3.1 Criteria for Acceptable and Assessable Development |

*It is important to note that the above is not a comprehensive list and other codes listed in **Part 5** of the Planning Scheme still apply.*

Also, parts of the Planning Scheme refer to an important administrative term - *tourist accommodation site*. A *tourist accommodation site* is an area where an individual caravan, cabin, tent, recreation vehicle, motor home, campervan or similar structure is or can be erected or placed, and is occupied by a maximum of 8 persons. This term is used in the Planning Scheme to help determine the level of assessment and outline the requirements for a proposal (for example, maximum number of accommodation sites allowed on a property).



Temporary Uses

A *Temporary use* means a use that—

1. is carried out on a non-permanent basis; and
2. does not involve the construction of, or significant changes to, permanent buildings or structures.

Section 1.7.1 Temporary Uses provides examples of temporary uses and includes a *Tourist Park* in the following circumstances:

- If in the Rural Zone and for a maximum period of 20 days per calendar year:
 1. for no more than 7 camp sites to a maximum of 20 persons; and
 2. the camp sites are located not less than 200 metres from a dwelling not on the development site; OR
- If in conjunction with a below use and for a maximum period of 14 days per calendar year:
 1. *Educational establishment*; or
 2. *Place of worship*; or
 3. *recreational activity*.

If your proposal complies with the above circumstances, planning approval is not required. Please note however other approvals (for example Local Laws) will be required for a *Tourist park*. If you believe your use is still only a *Temporary use* despite not complying with the above example, please contact one of our planners to discuss.

Can I rent out my property for Tourist Accommodation?

Yes under the following circumstances:

If the Planning Scheme allows you to have tourist accommodation in that zone and all the appropriate approvals (planning and non-planning) are obtained. Please refer above to *Is council planning approval required?* Council also has other non-planning approvals that are required, which are outlined in the below section *What other approvals are required?*

No, if the following circumstances apply:

Renting out other structures such as caravans, sheds and unapproved buildings is **not permitted**.

What other approvals are required?

Depending on the type of tourism accommodation and its associated activities, other approvals may be required including:

- *Tourist parks* of any size (whether permanent or temporary) will require Local Law approval;
- A food licence for preparing or manufacturing food for sale;
- Licencing for operating a shared accommodation facility;
- Other Local law approvals;
- Reclassification of a building, or part of a building that is to be used, e.g. for a Home based business.
- Building and/or plumbing approval for any proposed structural changes to buildings.

Contact Council's Regulatory Services department to discuss the additional (non-planning) approvals that may be required.

Related information

The *Home based business* and the *Dwelling houses and secondary dwellings* fact sheets can be found on the Scenic Rim Planning [Fact Sheets – Scenic Rim Regional Council](#)

Doing business in the Scenic Rim

Scenic Rim Regional Council is committed to supporting local business and new entrants to the market.

Our Regional Prosperity team can assist you to navigate the information you need to start a new business, expand your existing business or relocate your business to the Scenic Rim. We encourage projects and proposals which support a sustainable and prosperous economy and align with both the Scenic Rim Regional Prosperity Strategy 2020-25 and the Planning Scheme.

For more information on how Council can support you to set up or grow your business, contact the Regional Prosperity Team on 07 5540 5111 or email prosperity@scenicrim.qld.gov.au.

Infrastructure charges may apply

Payment towards the extra demand generated by your new development on the trunk infrastructure network is generally required. The infrastructure charges are levied in accordance with the Charges Resolution which can be found at [Infrastructure Charges – Scenic Rim Regional Council](#).

Further information about Infrastructure Charges is available in the *Infrastructure Charges* fact sheet.

Talk to a Planner

Council's Planners are available for confidential discussions to help you navigate the Planning Scheme and how it affects you. Call 07 5540 5111 or alternatively email mail@scenicrim.qld.gov.au to make an appointment.

For more information

The Planning Scheme and mapping is available to view on Council's website [Scenic Rim Planning Scheme – Scenic Rim Regional Council](#).

Hard copies of the Planning Scheme and mapping are also available for viewing at Council's Customer Service Centres.