

<p>Office Use Only</p> <p>[insert council branding and contact details]</p> <p>Application no.</p> <p>Date received:</p> <p>Fee:</p> <p>Paid:</p>
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Guidance Information

Visitor Accommodation Use in Existing Buildings - Standard Application Package

The Standard Application Package has been approved by the Minister for Planning and Local Government to provide a simple pathway for seeking approval for the use of existing homes or buildings for Visitor Accommodation as prescribed below.

The Standard Application Package comprises a Planning Application Form and a Building Self-assessment Form.

Completed forms must be lodged with the relevant planning/permit authority.

Planning Application Form

The Planning Application Form relates to *Interim Planning Directive No.2 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, issued by the Minister for Planning and Local Government under section 12A(2)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, and effective from 1 July 2017.

The Planning Application Form applies to the change of use of an existing building where it is 'Permitted' as set out below:

Planning Scheme	Proposed Use	'Permitted' if:	
Interim planning schemes	Change of use to Visitor Accommodation	Located within the: <ul style="list-style-type: none"> • General Residential Zone • Inner Residential Zone • Low Density Residential Zone • Rural Living Zone • Environmental Living Zone • Village Zone. 	The following applies: <ul style="list-style-type: none"> • guests are accommodated within an existing building; • the building has a gross floor area not more than 300m²; and • all other requirements in the planning scheme are met that are necessary for a 'Permitted' use.
<i>Sullivans Cove Planning Scheme 1996</i>	Change of use to Visitor Accommodation or Bed and Breakfast Establishment	Activity Area 1.0 Inner City Residential (Wapping)	

The Planning Application Form does not apply if:

- the use is exempt from requiring a planning permit, as set out in the table below and in Interim Planning Directive No.2:

Planning Scheme	Exempt Qualification	
Interim planning schemes	Visitor Accommodation use in a dwelling (including an ancillary dwelling) if...	(i) the dwelling is used by the owner or occupier as their main place of residence, and only let while the owner or occupier is on vacation or temporarily absent; or (ii) the dwelling is used by the owner or occupier as their main place of residence, and visitors are accommodated in not more than 4 bedrooms.
<i>Flinders Planning Scheme 2000</i>	Visitor Accommodation use in a dwelling unit is exempt from requiring a planning permit, if...	
<i>Sullivans Cove Planning Scheme 1996</i>	Bed and Breakfast Establishment and Visitor Accommodation uses in a dwelling are exempt from requiring a planning permit, if...	

- the use requires a 'discretionary' planning permit under the planning scheme. For example, a change of use to Visitor Accommodation in an existing building greater than 300m², or other planning scheme provisions apply requiring discretionary assessment, such as off-street parking, bushfire planning, heritage, or non-residential use standards in zones (e.g. external lighting requirements).

Applicants should use the standard Council planning application form.

- other uses or if any development (not otherwise exempt) are proposed, in addition to the change of use to Visitor Accommodation.

Applicants should use the standard Council planning application form.

Building Self-assessment Form

The Building Self-assessment Form is mandated under *Director's Determination – Short or Medium Term Visitor Accommodation*, issued by the Director of Building Control under section 20(1)(e) of the *Building Act 2016*, and effective from 1 July 2017.

This Determination applies only to existing dwellings or residential premises where a fee is being charged for the use of short or medium term visitor accommodation.

The Building Self-assessment Form must be completed in the following situations where existing dwellings or residential premises are used or intended to be used as visitor accommodation:

- the dwelling or residential premises is used by the owner or occupier as their main place of residence and it has more than four bookable rooms, or
- the dwelling or residential premises is not used by the owner or occupier and it less than 300m².

The Building Self-assessment Form requires the owner or occupier to declare that the property meets the minimum building standards with respect to an occupancy Permit, plumbing, and essential building services.

There are no requirements under the *Building Act 2016* for owners or occupiers of a dwelling or residential premises used or intended to be used for short or medium term visitor accommodation, if the property is their main place of residence and has four or less bookable rooms.

If building work is required as part of converting the dwelling or residential premises to visitor accommodation:

- the owner may need to take into account the Access to Premises Standard requirements; and
- if the property is in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for the property.

The Determination and the Building Self-assessment Form apply, irrespective of the planning requirements. The planning and building requirements are mutually exclusive.

APPLICATION FOR PLANNING PERMIT CHANGE OF USE OF TO VISITOR ACCOMMODATION

Section 58 of *Land Use Planning and Approvals Act 1993*

To: *Planning Authority*

The Proposal:

(Must tick one)

Interim Planning Schemes:

Change of use to Visitor Accommodation, where guests are accommodated in existing buildings and the gross floor area is not more than 300m²; and the land is within one of the following zones:

- General Residential;
- Inner Residential;
- Low Density Residential;
- Rural Living;
- Environmental Living
- Village.

Sullivans Cove Planning Scheme 1997:

Change of use to Bed and Breakfast Establishment or Visitor Accommodation, where guests are accommodated in existing buildings and the gross floor area is not more than 300m², and the land is within the Activity Area 1.0 Inner City Residential (Wapping).

Description:

Brief description of the proposed change of use, including whether the whole or part of the building(s) are to be used:

Applicant: Who is making the application?

Applicant Name:

Business /
Company Name:

Postal Address:

Phone
No:

Email address:

The Land: Detail address and title particulars of the land for the proposed change of use

Street Address:

Certificate of Title
Reference No.

Describe the way the land is used now:

The Owner: Owner's name and address, if land is not in applicant's ownership

(If more than one owner, all names and addresses must be provided)

Owner Name:

Business / Company Name:

Postal Address:

Phone No:

Email address:

The Applicant: Is the applicant the owner of the land?

(Must tick one)

Yes - please complete Section A below.

No - please complete Section B below, and if relevant Sections C and D.

Section A: Owner's Verification

I/we am/are the owner(s) of the land. I/we have seen this application.

Owner(s): *Name: [print]* *Signed* *Date*

Section B: Applicant's Verification

I/we, the applicant declare that the owner /each of the owners of the land have been notified of the intention to make this application.

Applicant: *Name: [print]* *Signed* *Date*

Section C: If the application involves land owned or administered by a council

The consents to the making of this permit application.

General Manager: *Name: [print]* *Signed* *Date*

Section D: If the application involves land owned or administered by the Crown

Consent must be included with the application.

Declaration (to be completed for all applications)

I declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Applicant: *Name: [print]* *Signed* *Date*

Personal Information Protection Statement

As required under the *Personal Information Protection Act 2004*

1. Personal information is managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by the individual to whom it relates, on request to the relevant planning authority.
 2. Information can be used for other purposes permitted by the *Local Government Act 1993* and regulations made by or under that Act, and, if necessary, may be disclosed to other public sector bodies, agents or contractors of the relevant planning authority.
 3. Failure to provide this information may result in your application not being able to be accepted or processed.
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Planning Application Checklist

The Planning Authority requires the following to assess this Planning Application, with all documentation able to be uploaded as part of the application in the prescribed electronic format:

- (a) Completed Planning Application Form - all relevant sections filled in and signed by land owner and applicant.
 - (b) A copy of the current certificate of title for all land to which the permit sought is to relate (available from Service Tasmania or from www.thelist.tas.gov.au).
 - (c) Either:
 - (i) a basic floor plan of the existing building(s) to scale, including the gross floor area for proposed change of use to visitor accommodation, or
 - (ii) a signed declaration by the applicant confirming the existing building(s) for the proposed change of use to visitor accommodation has a gross floor area no more than 300m².
 - (d) Payment of the prescribed fee (up to \$250.00).
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Plumbing:	
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(Must tick one)

(a) the building is connected to a reticulated sewerage system;

OR

(b) the building has an Accredited On-site wastewater management system (Oswms) that:

- (i) is in good working order and will be maintained to perform to the same standard as it was designed;
- (ii) has a land application distribution area designed, installed and in good serviceable condition;
- (iii) the maximum number of occupants of the premises the system is designed for is not exceeded;
- (iv) there is a maintenance contract in place for the servicing of the system; and
- (v) the premises:
 - a. is connected to a reticulated drinking water supply system; or
 - b. is provided with a private drinking water supply (including from a tank, well, dam, etc.) that meets Australian Drinking Water Guidelines.

Essential Building Services:	
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(Must tick one)

(a) the building has an approved essential maintenance schedule, and fire safety features are maintained in accordance with Part 7 (regulations 72 to 78) of the *Building Regulations 2016*;

OR

(b) the building is not required to have an approved essential maintenance schedule, but the following fire safety features are maintained in accordance with manufacturer's instructions:

- (i) hardwired smoke alarms, that are interconnected where there is more than one alarm; or a smoke alarm with a sealed 10-year battery;
- (ii) smoke alarms fitted as per the National Construction Code, in any hallways outside bedrooms, at least one smoke alarm on each storey and on the lowest point of the ceiling; and
- (iii) properties within multistorey buildings have exits that are clearly marked and mapped for the visitor.