

<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 an Application for Planning Permit and a Building Self-assessment Form.

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

#### Application for Planning Permit

The Application for Planning Permit 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 Application for Planning Permit 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"> <li>• General Residential Zone</li> <li>• Inner Residential Zone</li> <li>• Low Density Residential Zone</li> <li>• Rural Living Zone</li> <li>• Environmental Living Zone</li> <li>• Village Zone.</li> </ul>	The following applies: <ul style="list-style-type: none"> <li>• guests are accommodated within an existing building;</li> <li>• the building has a gross floor area not more than 300m<sup>2</sup> set aside for visitor accommodation use; and</li> <li>• all other requirements in the planning scheme are met that are necessary for a 'Permitted' use.</li> </ul>
<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 Application for Planning Permit 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 where the visitor accommodation use will occupy more than 300m<sup>2</sup> gross floor area, 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 the *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 the property is used or intended to be used as visitor accommodation:

- Owner occupiers of dwellings or residential premises of more than four bookable rooms, or
- investment properties or shacks less than 300m<sup>2</sup> (not occupied by the owner).

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.

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

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# APPLICATION FOR PLANNING PERMIT CHANGE OF USE TO VISITOR ACCOMMODATION

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## 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 use has a gross floor area of not more than 300m<sup>2</sup>; 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 use has a floor area of not more than 300m<sup>2</sup>, 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.

Owner(s):

**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:

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

The  consents to the making of this permit application.

General Manager:

<b>Section D: If the application involves land owned or administered by the Crown</b>	
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The application must be signed by the Minister or relevant delegate responsible for the land and accompanied with written permission.

<b>Declaration (to be completed for all applications)</b>	
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I declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Applicant: 

<i>Name: [print]</i>	<i>Signed</i>	<i>Date</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>

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**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.

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**Planning Application Checklist**

The Planning Authority requires the following to assess this Planning Application, with all documentation provided as required by the planning authority:

- (a) Completed Planning Application Form - all relevant sections filled in and signed by land owner (if required) 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](http://www.thelist.tas.gov.au) ).
- (c) Either:
  - (i) a basic floor plan of the existing building(s) to scale, including identification of the gross floor area for the proposed change of use to visitor accommodation, or
  - (ii) a signed declaration by the applicant confirming the area of the existing building(s) for the proposed change of use to visitor accommodation has a gross floor area<sup>1</sup> of not more than 300m<sup>2</sup>
- (d) Payment of the prescribed fee (up to \$250.00).

Failure to provide the required information may result in your application not being able to be accepted or processed.

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<sup>1</sup> Or floor area in the case of the Sullivans Cove Planning Scheme 1997.

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# BUILDING SELF-ASSESSMENT FORM

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## Director's Determination – Short or Medium Term Visitor Accommodation

### Section 20(1)(e) of *Building Act 2016*

This Building Self-assessment form must be completed in the following situations where the property is used or intended to be used for visitor accommodation, and a fee is being charged for such use:

- Owner occupiers of dwellings or residential premises of more than four bookable rooms, or
- investment properties or shacks less than 300m<sup>2</sup> (not occupied by the owner).

The completed form must be lodged with the relevant Permit Authority.

To:  Permit Authority  
 Address  
  Suburb/postcode

#### Owner / Occupier details:

(Only an owner or occupier may complete this form)

Owner / Occupier:   
(Delete one not applicable)

Postal Address:   Phone No:

Email address:

#### Address of Property used or intended to be used for Visitor Accommodation:

Street Address:

Certificate of Title Reference No.

#### Owner / Occupier Declaration:

I/we, as the owner / occupier of the property, declare that the property meets the following minimum building requirements, as set out below:

	<i>Name: [print]</i>	<i>Signed</i>	<i>Date</i>
Owner/Occupier: (Delete one not applicable)	<input type="text"/>	<input type="text"/>	<input type="text"/>

#### Occupancy Permit:

(Must tick one)

The owner or occupier is to declare that –

(a) an occupancy permit has been issued, the building is fit for occupation consistent with that permit, and the maximum number of occupants stated on the permit will not be exceeded;

OR

(b) an occupancy permit was not required (as the building was constructed / altered before 1994).

<b>Plumbing:</b>	
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(Must tick (a) or (b) and (c) or (d))

The owner or occupier is to declare that –

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

OR

(b) the building is connected to an on-site wastewater management system that:

- is in good working order and will be maintained to perform to the same standard as it was designed:
  - has a land application distribution area designed, installed and in good serviceable condition;
  - the maximum number of occupants of the premises the system is designed for is not exceeded;
  - there is a maintenance contract in place for the servicing of the system.

(c) the building is connected to a reticulated drinking water supply system;

OR

(d) a private drinking water supply (including from a tank, well, dam, etc.) is provided for the premises that meets Australian Drinking Water Guidelines.

<b>Essential Building Services:</b>	
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(Must tick one)

The owner or occupier is to declare that –

(a) regarding Essential Building Services, 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 installed and maintained in accordance with manufacturer's instructions:

- a smoke alarm with a 10-year non-removable lithium battery, or
  - a hard wired smoke alarm (and are interconnected where there is more than one alarm fitted);
- (a) if any storey of the premises contains a bedroom –
- (i) in every corridor, or hallway, situated in the storey, that is associated with a bedroom; and
  - (ii) if there is no corridor, or hallway, situated in the storey, that is associated with a bedroom, between that part of the premises containing the bedroom and the remainder of the premises; and
- (b) in any other storey of the premises that does not contain a bedroom.
- If multistorey buildings are let for visitor accommodation:
    - i. emergency evacuation listing is provided; and
    - ii. have exists that are clearly marked and mapped for the visitor.