

Local Planning Policy 7

Short Stay Accommodation



September 2018

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. In considering an application for planning approval, the local government must have due regard to the relevant Local Planning Policies.

1. Introduction

The purpose of this policy is to provide guidance on the appropriate location, scale, use and management of short stay accommodation in the Shire. This policy is created under the Deemed Provisions of Local Planning Scheme No. 1.

2. Scope

Land zoned 'Chalet & Camping' and 'Tourism' is not within the scope of this policy.

3. Objectives

1. Short stay accommodation is located and managed so as to prevent inappropriate impacts upon the amenity of surrounding areas.
2. Short Stay accommodation is sited, sized and designed to be consistent with the character of the surrounding area.
3. The primacy, affordability and use of the residential areas of the Shire for residential purposes is maintained.
4. Short stay activity is appropriately managed so as not to cause nuisance or annoyance to the owners of adjoining or nearby properties.
5. Small, purpose built affordable accommodation such as single bedroom and ancillary dwellings remain available for affordable and long term accommodation.

4. Interpretations

"Coastal Settlements" means Gracetown, Prevelly, Gnarabup, Augusta townsites and Molloy Island as well as land zoned 'Leeuwin Naturaliste Ridge Landscape Amenity', Leeuwin Naturaliste Ridge Conservation' and 'Southern Ocean Foreshore Protection' in the Scheme.

"Person" means (for the purposes of calculating occupancy), a guest of over two years of age.

5. Policy Provisions

HOLIDAY HOMES

- HH1. Holiday Houses and Holiday Houses (Large) are to be:
- Located in coastal settlements;
- Or
- Located in urban areas where:
 - The property is located in whole or in part within the permitted area as shown on Policy Plan 1; or
 - Within 50m of a Village Centre zone in other inland settlements;

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Or

- Located in areas of the Shire which are outside of the permitted area shown on Policy Plan 1 where the property comprises an area of not less than 1ha.

HH2. Holiday Houses within grouped dwellings may be permitted on properties developed at a density of R30/40 or lower.

HH3. The 24 hour contact details of the manager of the Holiday House / Holiday House (Large) are to be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire.

BED AND BREAKFAST

BB1. The owner/occupier of a bed and breakfast must reside within the property at all such times as the dwelling is being used for short stay accommodation.

BB2. Rooms available for short stay guests must be located within the main dwelling on the property and not within an ancillary dwelling on the same lot.

GUESTHOUSE

G1. The location of Guesthouses is to be as per HH1.

G2. Guesthouses will only be approved where they are designed and managed such that:

- The accommodation of management and staff is ancillary to the accommodation of guests;
- The design of the development is distinct from a residential dwelling in that the primary use of floor area is for the accommodation of guests and associated common facilities such as dining and recreation spaces;
- The guesthouse has a designated reception area; and
- All accommodation and common areas are under one roof, or tightly clustered and linked together (as distinct from chalets).

SINGLE BEDROOM DWELLINGS

SB1. Single bedroom dwellings are not to be used for short stay accommodation purposes.

ANCILLARY DWELLINGS

AD1. Ancillary dwellings are not to be used for short stay accommodation.

AD2. Ancillary dwellings may be utilised for permanent accommodation by the owner of the property, simultaneously with use of the primary dwelling for holiday house use.

GENERAL - AMENITY

GA1. Complaints and objections received in relation to the existing or proposed use of the property for short stay accommodation will be taken into consideration when determining applicable development applications.

GA2. Sufficient information is to be supplied to allow a comprehensive assessment of potential impacts upon the local amenity.

GENERAL - DESIGN/LAYOUT

GD.1 One parking bay per bedroom is to be provided together with bays for the use of permanent residents and (where applicable) staff. In the case of grouped dwellings, a total of two bays will be accepted and guest numbers will be limited accordingly.

GD2. A reticulated water supply is provided and/or minimum 120,000 litre rainwater tank (plus provision for firefighting) as determined by the Local Authority.

GD3. Existing or proposed on site effluent disposal systems are to be sized according to the intended number of guests, or the number of guests reduced accordingly.

GD4. Decks and balconies are located away from the bedrooms of neighbouring dwellings and, if located close to living and dining areas of neighbouring dwellings, suitable screening is provided.

- GD5. There is a visible distinction between the area to be used by the guests, areas of common property and adjoining grouped dwelling areas.
- GD6. Each bedroom of the dwelling accommodates a maximum of two persons at any one time.

GENERAL – FIRE

- GF1. Short stay accommodation proposed in a Bushfire Prone Area may require a Bushfire Attack Level Assessment, Bushfire Management Plan or Statement and an Emergency Evacuation Plan.
- GF2. Bushfire Management Plans for a Holiday House outside of a residential built up area are to be prepared by accredited bushfire consultants and will be referred to the Department of Fire and Emergency Services for comment.
- GF3. Short stay accommodation proposed in areas with a Bushfire Attack Level Assessment rated at BAL-40 or FZ are unlikely to be granted planning approval.

GENERAL – MANAGEMENT

- GM1. Proposals are to be accompanied by:
- A plan which details the way in which the use will be managed. This will need to ensure that where management is 'off site' there is a manager or a contactable employee that permanently resides no greater than a 35 minute drive from the site; and
 - A set of House Rules which apply to the site.
- GM2. Amplified music may only be played outside between the hours of 10am and 10pm.

6. Planning Mechanisms

Development approvals issued for Holiday Houses and Holiday Houses (Large) granted under this policy shall initially be for a one year period unless the Local Government determines otherwise.

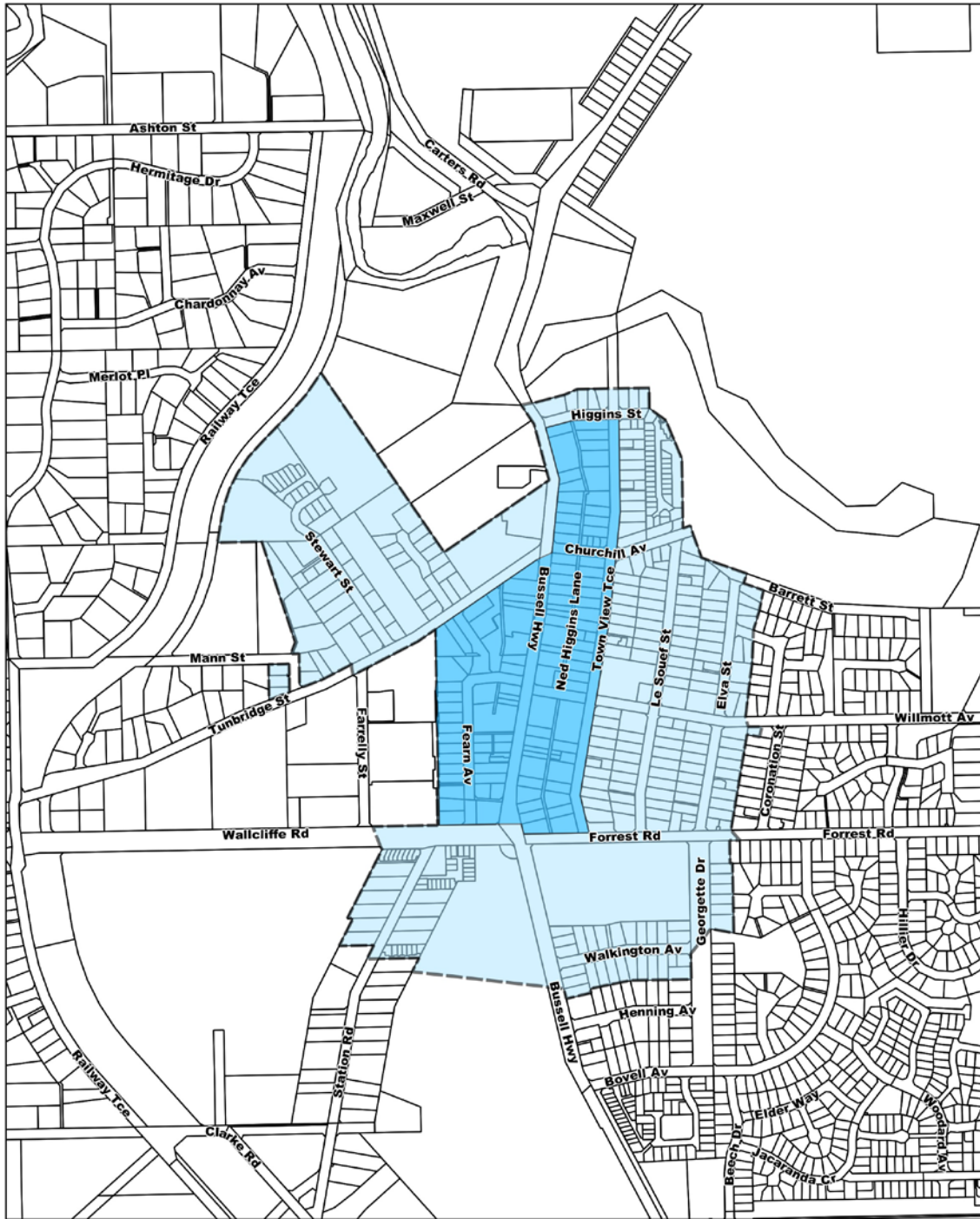
Such approvals may be renewed in the form of a new application for planning. In determining an application for renewal, the Local Government will consider the nature of any comments made regarding the operation of the activity and any other information available relating to the adverse impact of the activity on the amenity of neighbors' and the surrounding area.

Where complaints have been made, issues relating to impact on amenity have been verified or other non-compliance with the planning approval has occurred, approval to the renewal application is unlikely to be granted.

Where the Local Government is satisfied that the holiday house or holiday house (large) has been appropriately managed, an approval of the renewal application for a period of up to three years may be granted followed by a further five year approval period for subsequent renewals.

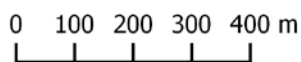
Applications for renewal where approvals have been issued under previous versions of this policy (LPP7) will be considered notwithstanding that locational criteria (HH1-3) may not be able to be met.

Margaret River Holiday House Policy Map



Legend

- Town Centre (LPS1)
- Permissible Area



SHIRE of AUGUSTA
MARGARET RIVER

SHORT STAY ACCOMMODATION

Document and version control table

Strategic outcome	Clearly defined areas for growth renewal and protection		
Responsible Directorate	Sustainable Development		
Authority of original issue	Council		
Date of original issue	13 June 2012		
Contact officer	Planning Services		
Date of next review	2021		
Document No.	N163229	File No.	GOV/38
Version	Date issued	Brief description	
1.0	13 June 2012	Initial Issue	
2.0	24 February 2016	Reviewed – Adopted by Council on 24 August 2016	
3.0	12 September 2018	Reviewed – Adopted by Council on 12 September 2018	