

City of Albany
Policy

Local Planning Policy 1.6 Holiday Accommodation

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Policy objectives

1. To encourage good quality, well managed holiday accommodation for use by short-term visitors generally in locations that will enhance the tourism experience while minimising potential impacts on adjoining residents.

Scope

2. This Policy applies to applications for Holiday Accommodation.

Policy statement

3. This Policy has been adopted in accordance with Part 2 of *Local Planning Scheme 1*.
4. Local Government is to have due regard to the provisions of this Policy and the objectives which the Policy is designed to achieve before making its determination.

Policy provisions

Assessment of Proposal

5. Where a neighbour objects to a proposal for Holiday Accommodation, the application is to be considered in view of the following:
 - a. The proximity of the holiday accommodation to key tourism attractions such as the beach or town centre/activity centre (typically a 5 minute walk – 400m); and/or
 - b. Location within a street(s) which facilitates safe, efficient and pleasant walking, cycling and driving; and/or
 - c. Location compatible with Figure A (refer to attachment - the areas illustrated are within close proximity to the town centre and popular swimming beaches); and
 - d. A management plan designed to facilitate community concerns.

Management Plan

6. On application for Holiday Accommodation, a Management Plan shall be submitted to address matters including:
 - a. Effective on-going management;
 - i. The responsibility for appropriate on-going management rests with the proponent to ensure that visitors are responsible and do not create inappropriate impacts (including noise) to adjoining/nearby properties. Suitable on-going management can be more difficult if owners live a considerable distance from the application site. Accordingly, as part of the development application, the local government will require the proponent to outline how the site will be managed, especially if the owners do not live nearby.
 - b. The amenity of adjoining/nearby land uses;
 - ii. managing noise impacts of visitors;
 - iii. the submission of a code of conduct for guests which shall, amongst others, list what is considered acceptable and unacceptable behavior;
 - iv. outlining how the premises will be managed on a day-to-day basis (including how keys are easily available for late entry, providing onsite assistance and confirming arrangements for cleaning/waste management);
 - v. relevant site specific matters including fire management/emergency response plans for visitors and managing risks for visitors; and
 - vi. the handling of complaints (it is expected that the tenant be contacted by phone immediately and the proponent or their representative visit the property, preferably within 12 hours).

Amount of Persons Residing

7. The amount of guests residing within holiday accommodation is to comply with the following standards:
 - a. 4 square metres per person in each bedroom utilising beds;
 - b. 2.5 square metres per person in each bedroom utilising bunks; and
 - c. Maximum of 12 persons within a 'Single House' at any time.

Note: Where more than 12 guests are proposed, the premise is classified under the Health Act 1911 as a "lodging house" and will require further approval (from Environmental Health). A development application for a lodging house shall be treated as a "use not listed" under the provisions of the Local Planning Scheme.

Period of Stay

8. The maximum stay for any one person within a building approved for holiday accommodation is 3 months within any 12 month period.

Register

9. Operators must provide and maintain a register of all people who utilise the holiday accommodation during the year to Council's satisfaction.

Car Parking

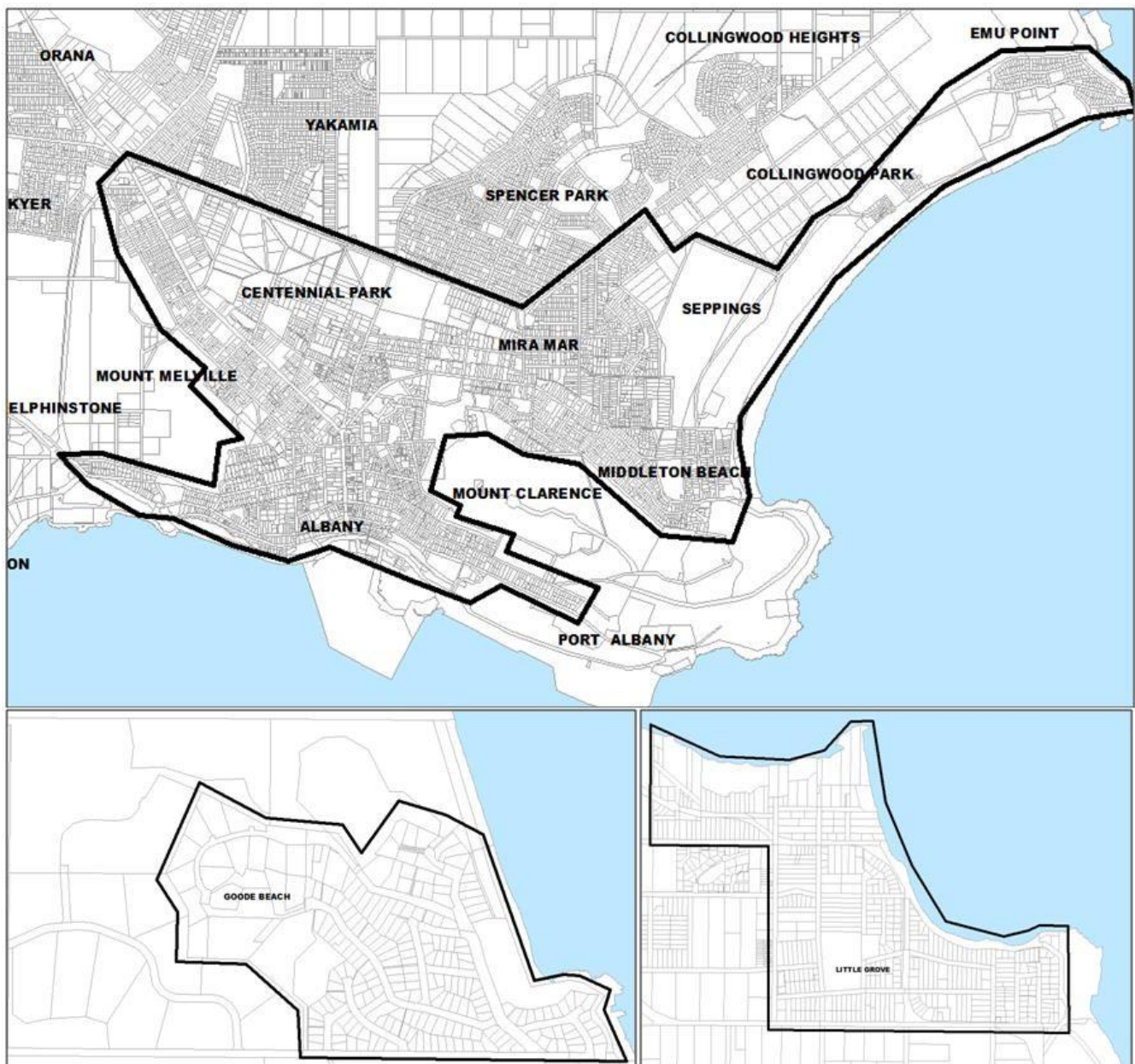
10. At a minimum, 2 on-site car parking bays are to be provided per 6 guests (4 car-parks/12 guests).
11. Tandem parking may be permitted for a maximum of one vehicle behind another vehicle.
12. All car parking is to be contained on-site and no verge area should be used for car parking.
13. It is common for holiday makers to have a boat, trailer, caravan etc. and there should be additional space allocated for such. All vehicle access (including crossovers) and car parking areas are to be sealed and drained to the approval of the local government.

Note: A new proprietor wishing to continue the use of the site for holiday accommodation will need to provide an updated management plan.

Except as otherwise provided in the Scheme, a 'Single House' does not require development approval of the Local Government.

Reverting holiday accommodation back to permanent accommodation ('Single House') does not require the approval of the Local Government.

Figure A – Preferred Areas for Holiday Accommodation



Note: The provisions contained within this Local Planning Policy do not supersede or overrule any State Planning Policy made under Part 3 of the Planning and Development Act 2005.

Please contact the City of Albany Planning Team to discuss which State Planning Policies may be applicable to your proposal.

Policy Review Position and Date

14. This policy is to be reviewed by the document owner every two years.

Legislative and Strategic Context

15. This Policy relates directly to the following element of the *Community Strategic Plan "Albany 2023"*: to advocate, plan and build friendly and connected communities.

Zoning/Location

16. Holiday Accommodation' is not permitted in the 'Residential', 'Caravan and Camping', 'Regional Centre', 'Rural Small Holding' and 'Rural Village' zones unless the Local Government has exercised its discretion by granting development approval.

17. 'Holiday Accommodation' is not permitted in the 'Yakamia Creek', 'General Agriculture' and 'Priority Agriculture' zones unless the Local Government has exercised its discretion by granting development approval after giving special notice in accordance with clause 9.4 of the *Local Planning Scheme 1*.
18. 'Holiday Accommodation' is permitted in the 'Tourist Residential' and 'Hotel/Motel' zones providing the use complies with requirements of the Scheme.

Associated Documents

19. *Local Planning Scheme 1 (LPS1)*
20. *Residential Design Codes (R Codes)*
21. *The Western Australia Planning commission (WAPC) Planning Bulletin 99 (Holiday Home Guideline)*

Definitions

22. Holiday Accommodation: means any land and/or building providing accommodation and recreation facilities for guests/tourists on a short-term commercial basis and may include a shop or dining area incidental to the function providing limited services to patrons.
23. Short Stay: means that no person is to stay more than three months in any 12 month period.

Note: Holiday Accommodation is not the same as 'Bed and Breakfast'.

Bed and breakfast/farmstay means a dwelling, used by a resident of the dwelling, to provide accommodation for no more than six guests away from their normal place of residence on a short-term commercial basis within the dwelling and may include the provision of meals.