

# Development Approval - CHECKLIST

## UNHOSTED - Short-term Rental Accommodation (STRA)

This checklist applies to a development approval application for Unhosted Short-Term Rental Accommodation (STRA). Refer to the Short Term Rental Information Sheet for further information.

Assessment No.:		Property address:	
Date:			

Information in the checklist is required at the time of lodgement. A complete application enables the City to process it as quickly as possible.

### APPLICATION REQUIREMENTS

Requirements	When is it required?	Included	Office
<b>Application Form</b> <ul style="list-style-type: none"> <li>Complete Application for Development Approval Form (signed by all owners) <i>see additional information below</i></li> </ul>	Always		
<b>Checklist</b> <ul style="list-style-type: none"> <li>Copy of checklist confirming application completeness</li> </ul>	Always		
<b>Covering letter / justification</b> <ul style="list-style-type: none"> <li>Describe the development,</li> <li>Explain the current and intended use of the site</li> <li>Justification how the proposed use meets City of Albany Holiday Accommodation Policy</li> </ul>	Always		
<b>Management Plan</b> – <i>see additional information below attached</i>	Always		

### SITE PLAN

Requirements	When is it required?	Included	Office
<b>Site information</b> <ul style="list-style-type: none"> <li>Show existing buildings</li> <li>Number of parking bays on site (with dimensions of bays)</li> <li>Manoeuvring/reversing bays</li> <li>Large vehicle parking where relevant (ie boats)</li> <li>Location of crossover(s)</li> </ul>	Always		
<ul style="list-style-type: none"> <li>Show any proposed internal and external changes and modifications to the existing development and structures.</li> </ul>	As applicable		

### FLOOR PLAN AND ELEVATION DRAWINGS

Requirements	When is it required?	Included	Office
<b>Floor Plan and elevation information</b> <ul style="list-style-type: none"> <li>Room layout, annotated</li> <li>Show location of smoke alarms – <i>see additional information below</i></li> </ul>	Always		
<ul style="list-style-type: none"> <li>Show any proposed internal and external changes and modifications to the existing development and structures.</li> </ul>	As applicable		

### ADDITIONAL INFORMATION

Requirements
Development Application Form
Management Plan
Smoke Alarm Information
City of Albany Policy – Holiday Accommodation

# Application for Development Approval – FORM

This form is required for all development (planning) approvals.

Owner Details			
Name:			
ABN (if applicable):			
Address:			
Home telephone:		Work telephone:	
Mobile:		Fax:	
Email address:			
Contact person for correspondence:			
<i>*Signatures of all land owner(s) or authorised signatory for a Company is to be as per the City's rates records</i>			
Signature:		Date:	
Signature:		Date:	

**The signature of the owner(s) is required on all applications.** This application will not proceed without that signature(s). For the purposes of signing this application, an 'owner' includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).

Applicant Details <i>*if different from the owner</i>			
Name:			
ABN (if applicable):			
Address:			
Home telephone:		Work telephone:	
Mobile:			
Email address:			
Contact person for correspondence:			
The information and plans provided with this application may be made available by the local government for public viewing in connection with the application (Please note that the 'Yes' box is required to be selected for the application to proceed).			<input type="checkbox"/> YES <input type="checkbox"/> NO
Signature:		Date:	

## Property Details

Lot No:		House/Street No:		Location No:	
Diagram or Plan No:		Certificate of Title Vol. No:		Folio:	
Title encumbrances (e.g. easements, restrictive covenants):					
Street name:				Suburb:	
Nearest street intersection:					

## Proposed Development

Nature of development:	<input type="checkbox"/> Works	<input type="checkbox"/> Use	<input type="checkbox"/> Works and Use
Is an exemption from development claimed for part of the development?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No	
* If yes, is the exemption for:	<input type="checkbox"/> Works	<input type="checkbox"/> Use	
Description of proposed works and/or land use:			
Description of exemption claimed (if relevant):			
Nature of any existing buildings and/or land use:			
Approximate cost* of proposed development: (*market value)			\$
Estimated time of completion:			

## Office use only

Assessment No.:		Zone:	
Other applicable information:			
Development type:	A / D / P / I	Description:	
Acceptance Officer's initials:		Date received:	

## Cashier

## Reception receipt stamp

Application No:		
Receipt No:		
Amount:		
Signature:		
Date:		

# Development Approval - MANAGEMENT PLAN

## UNHOSTED Short-term Rental Accommodation (STRA)

This Unhosted Short-Term Rental Accommodation Management Plan has been developed to ensure that the main issues essential for management of rental accommodation has been considered and implemented.

For further information on planning requirements, contact Planning Services on 08 6820 3040 or by email [planning@albany.wa.gov.au](mailto:planning@albany.wa.gov.au).

### 1. Property Details

Property Address:			
Applicant Name:		Phone:	
Email:			
Plan prepared by:			

### 2. Location

Describe the location of the property in relation to Albany’s key tourist attractions e.g. beach, shopping, town centre, ANZAC Centre etc. Also, describe the amenities of the property in relation to its location e.g. quiet street, footpaths for walking and cycling, within walking distance too, etc.

### 3. Property Management

Managers Name:			
Phone*:		Secondary Phone:	
<i>* must be contactable by nearby residents &amp; guests 24 hours a day</i>			
Email:			
<p>The manager will, at all times, maintain a register of all people who utilise the short-term rental accommodation during the year and ensure that the maximum stay for any one person within the accommodation is 3 months within any 12-month period.</p> <p>Management will meet guests at the property to ensure that guests are settled in. When late arrival is expected (after 6pm), the keys to the property will be left in a lock box at the front door and the code to the lock box will be sent to the preferred contact number provided at the time of booking.</p>			

## 4. Terms and Conditions of Occupancy

### 4.1. Definitions

*Booking* - means the period for which a guest has paid to stay at the property

*Property* - means (address) and all its fixtures, fittings and equipment

*Management* - means the owners and managers of the property

*Guests* - means all the persons who stay overnight in the property during the booking.

*Visitor* - means a person a guest permits to visit the property during the booking

*Infant* - means baby under 12 months of age

### 4.2. Acceptance

- a) Payment of the deposit constitutes acceptance of the terms and conditions.
- b) Check-in time is not before 2pm on the arrival date and check out time is not later than 10am on departure date.
- c) Late departure is subject to prior arrangement and availability and extra charges may apply.
- d) Guests must notify management of expected arrival time and a mobile contact number at least 10 days before arrival.
- e) Check-in/check-out and key collection/return procedure will be notified.

### 4.3. Payment

- a) A non-refundable deposit will be taken from the guests' credit card at the time of making the booking.
- b) Payment in full must be received no later than 30 days prior to arrival (non-refundable).

### 4.4. Cancellation or variation

In the event of a change or cancellation of a booking, management should be contacted immediately.

- a) A variation of the booking which reduces the number of nights stay will be treated as a cancellation of the booking in respect of those nights
- b) A variation of the booking which reduces the number of guests will be treated as a cancellation of the booking in respect of those guests
- c) An administration charge will be charged for any variation or cancellation

Deposit and final payments are non-refundable in the event of a cancellation. Refunds (if applicable) will be made through the chosen payment method at the time of booking. If management is able to re-let the property for the period cancelled a further refund may be made less administration charges, commissions and expenses.

### 4.5. Minimum nights stay policy

We have a minimum nights stay policy of:

*No refund will be made for a variation to the extent that it breaches our minimum nights stay policy.*

### 4.6. Security bond

A bond payment is required one week prior to your arrival, this will be debited from your credit card. It will be refunded once the property has been inspected and deemed left in a similar state to your arrival. We agree to ensure this occurs within 7 working days of your departure.

Any damage, loss or expense incurred by management as a result of your breach of these Terms & Conditions will be charged against the bond.

#### 4.7. Unavailability

If the property becomes unavailable for your occupancy due to unforeseen circumstances (eg. Fire, storm, damage etc) management will inform you immediately and any moneys paid will be refunded in full.

#### 4.8. Linen, Towels & Servicing

Linen, pillows, blankets and towels are supplied. Upon departure linen must be left where supplied in the bedrooms or bathroom. Additional linen may be hired by contacting Management. Beach towels are not included.

#### 4.9. General Conditions

- a) Guests must comply with all applicable House Rules and all instructions from management concerning occupancy, property, health, safety and quiet enjoyment of the Property and neighbours.
- b) Guests are responsible for damage, breakages, theft and loss of the Property and any part of it during their stay. You must notify us of this immediately. Management may recover from you repair or replacement costs.
- c) Only the guests nominated and agreed in the Booking may stay in the Property over-night. If any other guests stay, extra charges may apply or the agreement may be terminated without refund.
- d) Primary booker / guest must be 25+ years of age
- e) Disturbance to our neighbours, including excessive noise is prohibited and may result in termination and eviction without refund and extra charges may be made for security and other expenses.
- f) Before departure, all food must be removed from fridges, all rubbish put in the appropriate council rubbish bins provided, and crockery and cutlery washed and packed away. The Property must be left in a clean and tidy condition.
- g) Extra cleaning charges may be incurred for the cleaning of dirty dishes, washing machine, dishwasher, emptying the fridge, removal of excessive rubbish etc. Should the cleaning fee be more than the usual cost for cleaning the property, the additional costs ~~which~~ will be deducted from the security bond.
- h) All furniture and furnishings must be left in the position they were in when you arrived.
- i) The property should be vacated on time and secured. All windows and doors are to be locked. All keys must be returned to Management or as otherwise directed.
- j) You are responsible for the safekeeping and replacement of accommodation keys. Duplicated keys will be provided at an additional charge.
- k) Smoking is not permitted indoors.
- l) All vehicle parking must be contained on-site and not on the verge or roadside.

## 5. Code of Conduct for Guests and Visitors

### 5.1. General Requirements

- a) Guest and visitors must comply with all house rules, by-laws and instructions from management during their stay; and
- b) Guests must notify the manager of any disputes or complaints from neighbours as soon as is practicable.

### 5.2. Number of Guests

Maximum of people that may occupy the property at any time:

### **5.3. Noise and Residential amenity**

- a) Guests and visitors must not create noise which is offensive to occupiers of neighbouring properties, especially between 10pm-8am.
- b) Offensive noise is prohibited and may result in termination of permission to occupy the property. Eviction, loss of rental paid and extra charges for security and other expenses which may be deducted from the bond under the Terms & Conditions; and
- c) Guests and visitors must not engage in anti-social behaviour and must minimize their impact upon the residential amenity of neighbours and local community.

### **5.4. Visitors**

- a) Guests are responsible for ensuring the limits set on visitor numbers are complied with at all times; and
- b) Guests are responsible for ensuring that visitors comply with the Code of Conduct.

### **5.5. Gatherings or functions**

- a) The property is not a “party house” and any such activities, including parties and functions are strictly prohibited.
- b) Any use of the property must not conflict with residential amenity.

### **5.6. Parking**

Guests and Visitors are to comply with parking regulations and other requirements set out below and show consideration to neighbours and other vehicles.

- a) No verge area should be used for vehicle parking.
- b) Parking shall be contained within the site in the designated areas.
- c) Large vehicle parking (ie boats, caravans) shall be contained on-site. Where large vehicles are permitted as part of the booking, a parking plan showing designated areas (on-site) must be provided.

### **5.7. Garbage and recycling**

Guests and visitors are to dispose of garbage and recycling in accordance with the usual practice of the property (as set out below) in the allocated bin, and excess rubbish not be left in public or common areas. Garbage and recycling arrangements at the property are as follows;

- a) Please follow the City of Albany guidelines regarding recycling and waste (see attached info sheet).
- b) Management will ensure that the correct bins are put out for collection on the correct days.

### **5.8. Security**

Whenever guests are absent from the property, all windows must be closed and doors locked to maintain security and prevent rain and water damage.

### **5.9. Smoking**

Smoking/vaping is not permitted indoors.

### **5.10. Pets**

Pets are not permitted on the property.

### **5.11. Damages and breakages**

Damages and breakages must immediately be reported to the Manager.

### 5.12. On departure arrangements

Arrangements for keys, security, dishwashing, rubbish etc are:

### 5.13. Compliance

- a) Breach of these House Rules is a breach of the Terms and Conditions of occupancy.
- b) Management reserves the right to terminate permission to occupy and to evict from the property, guests or visitors who refuse to follow these house rules or who cause a nuisance.

Procedure for termination:

### 5.14. Complaints handling

Guests have an obligation to report any problems or incidents promptly as follows;

- a) Guests with formal complaints should in the first instance approach management.
- b) If the complaint cannot be resolved amicably and immediately, the complaint will be recorded in writing. This record will indicate;
  - Date and time received;
  - Name and designation (eg guest, neighbour, council, police);
  - Contact details of complainant;
  - Nature of complaint;
  - Action taken and by whom and when; and
  - Outcome and/or further action required.

## 6. Site Specific Constraints

Site Specific Constraints (i.e no large vehicles permitted, steep driveway etc):



## 7. Emergency response plan

### 7.1. Property Emergency Contact

In the event of an emergency relating to the property, please call :	
Property Address:	
Manager name:	
Phone number:	

### 7.2. Medical Emergency

In case of a medical emergency;
dial 000 and request an Ambulance <i>Provide the following information:</i> <ul style="list-style-type: none"><li>• Address</li><li>• Number and location of victim(s)</li><li>• Nature of injury or illness</li><li>• Hazards involved</li><li>• Nearest entrance</li></ul>

### 7.3. Fire Emergency

In case of a medical emergency;
dial 000 and request the Fire Department <i>Provide the following information:</i> <ul style="list-style-type: none"><li>• Address</li><li>• Evacuate the building and move to a safe area</li><li>• Wait for assistance.</li></ul>

Signature:	Date:

# Smoke alarms in dwellings for sale, rent or hire

**Western Australia's smoke alarm laws require owners to have compliant smoke alarms in dwellings that are subject to transfer of ownership, rent or hire.**

## Smoke alarm requirements

The Building Regulations 2012 requires that the smoke alarms:

- are installed in the dwelling in accordance with the Building Code of Australia (Building Code) applicable at the time of installation of the alarms;
- are not more than 10 years old and have not reached their expiry date;
- are in working order; and
- are permanently connected to the mains power supply.

## Installing smoke alarms

The Building Code requires smoke alarms to be installed on or near the ceiling as follows:

- a minimum of 300mm away from the corner junction of the wall and ceiling; and
- between 500mm and 1500mm away from the high point and apexes of the ceiling if the room has a sloping ceiling.

This is to avoid a smoke alarm being positioned in a dead air space, where trapped hot air prevents smoke from reaching the alarm.

Where it is not possible to install a smoke alarm on the ceiling, it may be installed on the wall and located a minimum of 300mm and a maximum of 500mm off the ceiling at the junction with the wall.

## Location of smoke alarms

The location of smoke alarms will depend on the dwelling's Building Code classification.

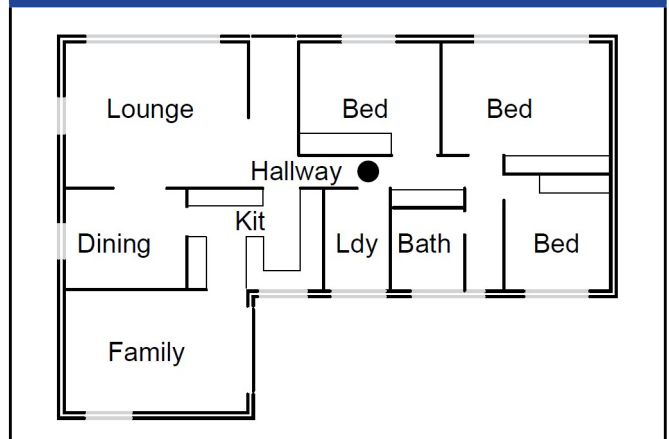
## Class 1a building

A Class 1a building is a single dwelling. Examples include: a detached house, row house, town house, terrace house or villa unit.

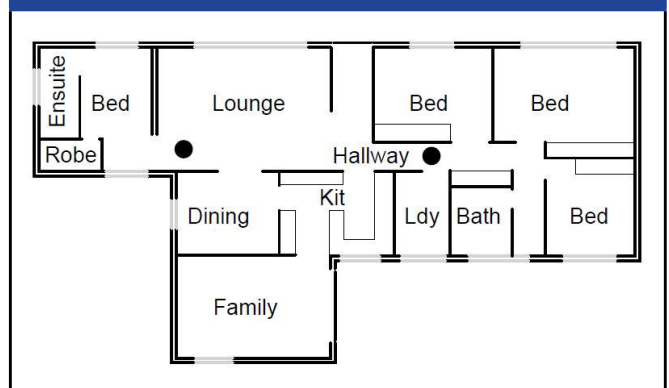
In a Class 1a building smoke alarms must be located in:

- any storey containing bedrooms, every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building; and
- each other storey not containing bedrooms (even if those storeys consist of only carparking, bathrooms, laundries and the like).

**Diagram 1 – Class 1a: Smoke alarm location where bedrooms grouped.**



**Diagram 2 – Class 1a: Smoke alarm location where bedrooms are separated.**



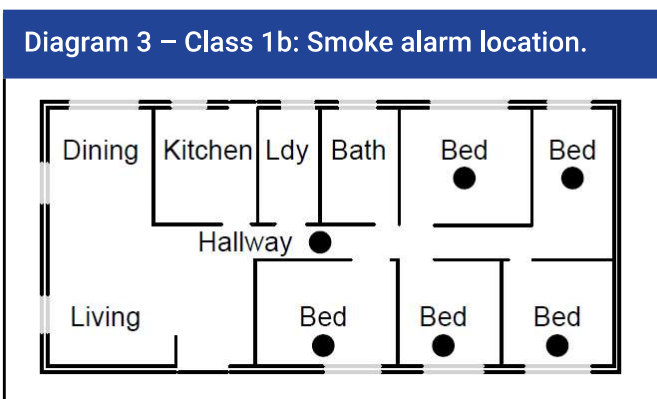
## Class 1b building

A Class 1b building includes:

- A small boarding house, guest house, hostel or the like, that ordinarily accommodates no more than twelve people.
- Four or more single dwellings located on one allotment and used for short-term holiday accommodation, such as cabins in a caravan park or farm stay.

Smoke alarms in a Class 1b building must be located in:

- the same locations required for a Class 1a building; and
- every bedroom.



## Class 2 building

A Class 2 building is a building that contains two or more sole-occupancy units such as apartments.

In general, the location of smoke alarms inside the apartment or unit is similar to the requirements for a Class 1a building.

## Class 4 building

A Class 4 building is a single dwelling in a non-residential building if it is the only dwelling in the building.

In general, the location of smoke alarms inside the dwelling is similar to the requirements for a Class 1a building.

## Park homes

Smoke alarms are required in park homes or similar dwellings that are subject to transfer of ownership, rent or hire.

## Types of smoke alarm

Smoke alarms must comply with Australian Standard 'AS 3786 – Smoke alarms using scattered light, transmitted light or ionization.'

Smoke alarms complying with this Standard can be either photoelectric or ionisation. The difference is in the smoke sensing technology used, which affects how the device reacts to a fire.

The Department of Fire and Emergency Services recommends the use of photoelectric smoke alarms.

## Nuisance alarms

Smoke alarms are extremely sensitive and may detect smoke and moisture created by common household activities such as burnt toast, steam from a bathroom or starting a car inside a private garage.

To reduce the likelihood of nuisance alarms, it is preferable that smoke alarms are not located near cooking appliances and bathrooms. However, if it is necessary to locate alarms in these positions, the type of alarm may need consideration as there are alarm types that may be more suitable in certain locations.

In a private garage associated with a Class 1 dwelling, the Building Code permits the use of any other alarm deemed suitable in accordance with Australian Standard AS 1670.1, provided smoke alarms complying with AS 3786 are installed elsewhere in the dwelling.

## Interconnection

The Building Code requires smoke alarms to be interconnected where more than one smoke alarm is installed in the dwelling. This provides a common alarm so that if one alarm in the dwelling activates, the other alarms automatically activate.

However, the interconnection of smoke alarms for dwellings subject to transfer of ownership, rent or hire is not required for a dwelling that was constructed on an application for a building permit made before 1 May 2015.

## Who can install smoke alarms?

A licensed electrical contractor is required to connect or disconnect mains powered smoke alarms.

## Are battery powered smoke alarms allowed?

A battery powered smoke alarm is only permitted where there is no hidden space in which to run the necessary electrical wiring for the required mains powered smoke alarm and there is no appropriate alternative location. For example, where the ceiling is concrete, or the dwelling has a flat roof with no ceiling space.

Local government approval for a battery powered smoke alarm is not required in this circumstance. Installation of a battery powered smoke alarm in other circumstances may require local government approval.

Where a two-storey home is permitted the use of a battery powered smoke alarm, the owner must not, for the sake of convenience, install a battery powered smoke alarm on the upper floor ceiling where there is sufficient roof space to run the electrical wiring for the mains powered alarm.

## Requirement to maintain smoke alarms

The lessor or owner of a dwelling that is subject to rent or hire is responsible for maintaining smoke alarms so that each smoke alarm:

- is in working order;
- is permanently connected to the mains power supply, or where the use of a battery powered smoke alarm is permitted, the alarm has a 10-year life battery that cannot be removed;
- has not reached its expiry date if one is provided on the alarm; and
- is not more than 10 years old if no expiry date is provided on the alarm.

## Keeping smoke alarms in working order

It is recommended that owners refer to the smoke alarm manufacturer's instructions or the [Department of Fire and Emergency Services website](#) for specific advice about maintaining smoke alarms.

## Smoke alarms in home security systems

The laws require smoke alarms to be permanently connected to the mains power supply. Smoke alarms that are powered through a home security system may not comply because some home security systems can be disconnected by the occupier at the power point.

While the home security system may be on 240-volt from the mains power supply, a feed of 12-volt from the home security system to the smoke alarm would not comply with the requirement for the smoke alarm

to be permanently connected to the 240-volt mains power supply.

## Exemption for proposed demolition

If the proposed buyer of a dwelling intends to demolish it and has given the vendor a declaration of intended demolition (statutory declaration) prior to the transfer of ownership, then smoke alarms are not required.

The proposed buyer is making a statutory declaration that they intend to demolish the dwelling within six months from the date of transfer of ownership.

If the property is not demolished within the six months following transfer, the new owner must then install all required smoke alarms.

## Penalties apply for non-compliance

Local governments have powers under the *Building Act 2011* to take enforcement action where compliant smoke alarms are not installed or maintained in accordance with the Building Regulations 2012.

**Disclaimer** – The information contained in this document is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

### Building and Energy

Department of Energy, Mines, Industry Regulation and Safety

**1300 489 099**

8.30am – 4.30pm

Level 1 Mason Bird Building

303 Sevenoaks Street (entrance Grose Avenue)

Cannington Western Australia 6107

M: **Locked Bag 100, East Perth WA 6892**

W: [www.demirs.wa.gov.au/building-and-energy](http://www.demirs.wa.gov.au/building-and-energy)

E: [be.info@dmirs.wa.gov.au](mailto:be.info@dmirs.wa.gov.au)

### Regional Offices

Goldfields/Esperance (08) 9021 9494

Great Southern (08) 9842 8366

Kimberley (08) 9191 8400

Mid-West (08) 9920 9800

North-West (08) 9185 0900

South-West (08) 9722 2888

National Relay Service: 13 36 77

Translating and Interpreting Service (TIS): 13 14 50

This publication is available in other formats on request to assist people with special needs.



City of Albany  
**Policy**

# **Local Planning Policy 1.6 Holiday Accommodation**

<b>Document Approval</b>			
<b>Document Development Officer:</b>		<b>Document Owner:</b>	
Manager Development Services (MPBS) Coordinator Planning Services		Chief Executive Officer (CEO) Executive Director Infrastructure, Development and Environment	
<b>Document Control</b>			
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<b>Version</b>	<b>Author</b>	<b>Version Description</b>	<b>Date Completed</b>
Draft v0.1	Senior Planning Officer	Initial Draft - Advertised	27/07/2014
1.0	Council	Adopted by Council – 2014 Report Item PD005	2014
Draft V1.01	Coordinator Planning Services	Draft Amendment	2020
2.0	Council	Adopted by Council at OCM 25/02/2020 Report Item DIS194.	25/02/2020
2.1	Coordinator Planning Services	Minor administrative changes <ul style="list-style-type: none"> <li>• Use of new policy template.</li> <li>• Addition of note advising the Local Planning Policy does not supersede or overrule any State Planning Policy (page 6)</li> </ul>	17/02/2023
2.2	Coordinator Planning Services	Minor Administrative changes - Use of new policy template. Updated to align with Local Planning Scheme No.2 OCM: 23/07/2024 Item: DIS402	19/09/2024

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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. 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

4. Where a neighbour objects to a proposal for Holiday Accommodation, the application is to be considered in view of the following:
  - 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
  - Location within a street(s) which facilitates safe, efficient and pleasant walking, cycling and driving; and/or
  - Location compatible with Figure A (refer to attachment - the areas illustrated are within close proximity to the town centre and popular swimming beaches); and
  - A management plan designed to facilitate community concerns.

### Management Plan

5. On application for Holiday Accommodation, a Management Plan shall be submitted to address matters including:
  - a) Effective on-going management;
    - 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;
    - managing noise impacts of visitors;
    - the submission of a code of conduct for guests which shall, amongst others, list what is considered acceptable and unacceptable behavior;
    - 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);
    - relevant site specific matters including fire management/emergency response plans for visitors and managing risks for visitors; and
    - 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

6. 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

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

### Register

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

### Car Parking

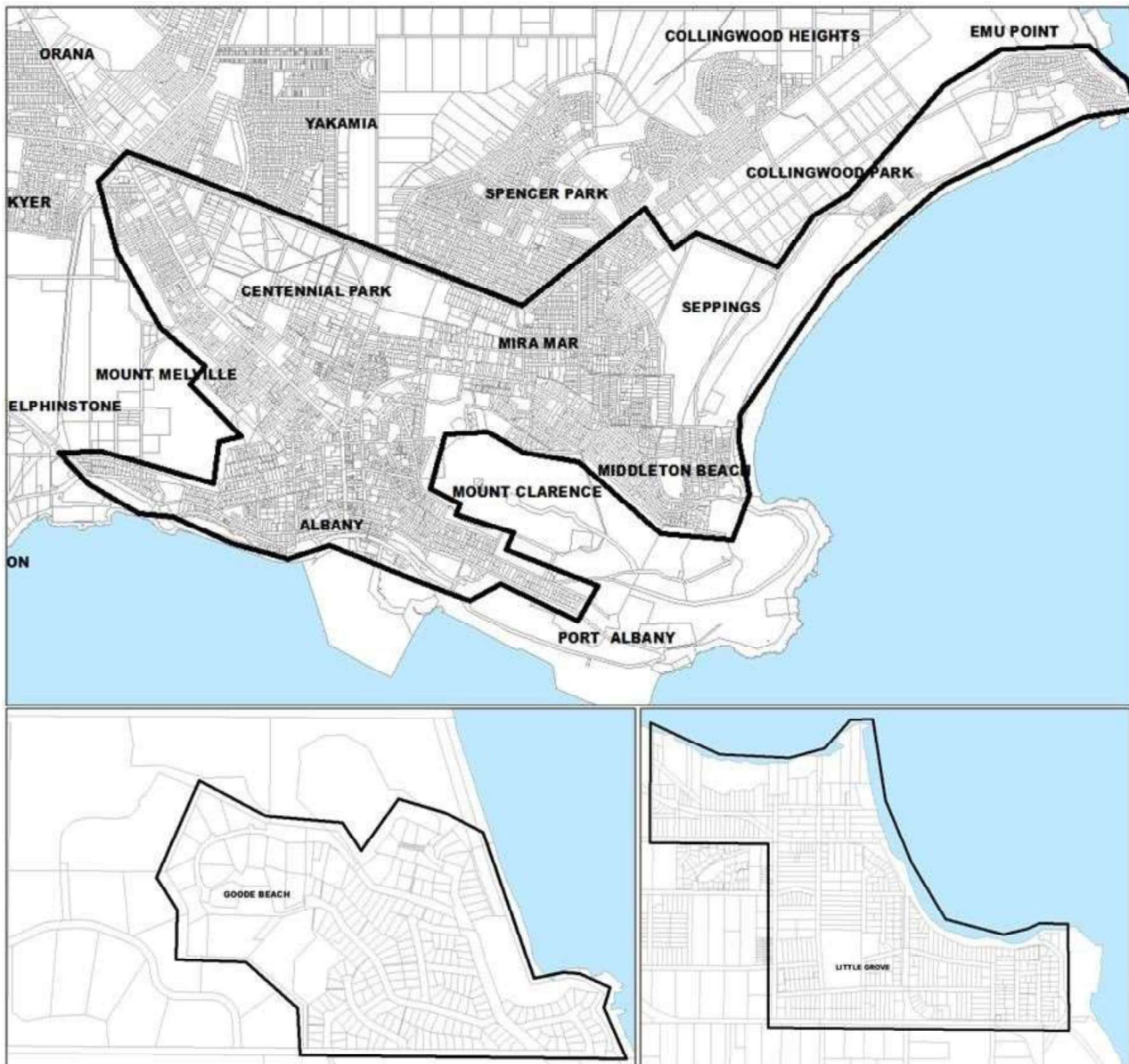
9. At a minimum, 2 on-site car parking bays are to be provided per 6 guests (4 car-parks/12 guests).
10. Tandem parking may be permitted for a maximum of one vehicle behind another vehicle.
11. All car parking is to be contained on-site and no verge area should be used for car parking.
12. It is common 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.*

### Review

13. This policy was adopted on 23 July 2024. This policy should be reviewed every two years or earlier if required.

### Legislative and Strategic Context

14. The policy operates within the following framework of legislation.

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- City of Albany Local Planning Scheme No.2.

## Associated Documents

15. Related strategies, procedures, references, guidelines or other documents that have a bearing on this policy and that may be useful reference material for users of this policy, follow:
- *State Planning Policy 7.3 - Residential Design Codes (R Codes)*
  - *The Western Australia Planning Commission (WAPC) Planning Bulletin 99 (Holiday Home Guideline)*

## Definitions

16. **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.
17. **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.*