Short Term Rental Accommodation

Local Planning Policy 7

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy (LPP) – 7 Short Term Rental Accommodation.

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.

Objectives

1. Short term rental accommodation (STRA) is located and managed so as to prevent inappropriate impacts upon the amenity of surrounding areas;
2. Short term rental 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 dwellings remain available for affordable and long term accommodation

Application of this Policy

Land zoned 'Tourism' is not within the scope of this policy.

Interpretations

"Coastal Settlements" means the Gracetown, Prevelly and Gnarabup townsites and those areas within Augusta shown on Policy Map 1 as being within the 'Permissible Area'

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

Policy Provisions

UNHOSTED SHORT TERM ACCOMODATION

HH1. Unhosted Short Term Rental Accommodation) is 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 Map 2; or
  - Within 50m of a -Neighborhood Centre or Local Centre zone in other inland settlements;

Or

- Located in areas of the Shire which are outside of the permitted area shown on Policy Map 2 where the property comprises an area of not less than 1ha;

Or

- Located in areas identified for Holiday House use by an applicable endorsed Structure Plan

HH2. Unhosted Short Term Accommodation 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 Unhosted STRA are to be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire.

GUESTHOUSE (Tourist and Visitor Accommodation)

G1. 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 unhosted Short Term Rental Accommodation.

ANCILLARY DWELLINGS

AD1. Ancillary dwellings are not to be used for unhosted Short Term Rental Accommodation

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

GD1. One parking bay per bedroom is to be provided together with bays for the use of permanent residents and staff (where applicable).

GD2. In the case of grouped dwellings, guest numbers will be limited to 4 guests/one family – subject to 2 bays being provided

GD3. A reticulated water supply is provided and/or minimum 120,000 litre rainwater tank (plus provision for firefighting) as determined by the Local Authority.

GD4. 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.

GD5. 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.

GD6. Where applicable - there is to be a visible distinction between the area to be used by guests, areas of common property and adjoining grouped dwelling areas.

GD7. Each bedroom accommodates a maximum of two persons at any one time.

GENERAL – FIRE

GF1. Short term accommodation proposed in a Bushfire Prone Area as defined by Department of Fire and Emergency Services (DFES), requires a a Bushfire Emergency Evacuation Plan (BEEP).

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 unhosted STRA shall initially be for a one year period unless the Local Government determines otherwise.

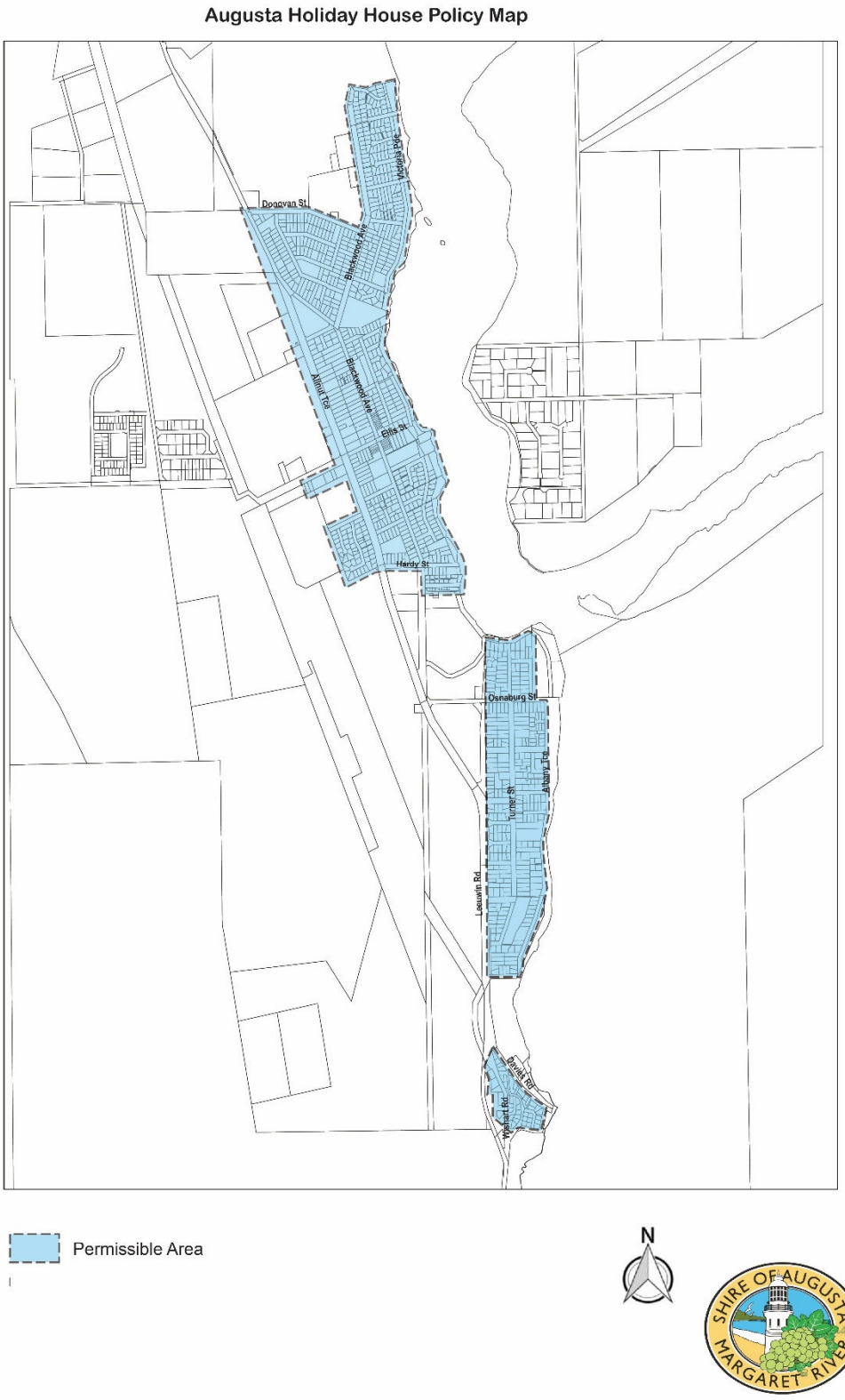
Where the Local Government is satisfied that the unhosted STRA has been appropriately managed, an approval of the renewal application for a period of up to three years may be granted followed by a further five year approval period for subsequent renewals.

A longer approval term (3/5 years) will not be applied in the following instances:

(i) Substantiated complaints have been received by the Shire during the previous period of approval which impact the amenity of the neighbouring properties;
(ii) A renewal application has not been received prior to the expiry of the previous approval;
(iii) Changes have been made to management arrangements or guest numbers over the course of the approval or as part of the renewal application;
(iv) The use has not commenced operation.

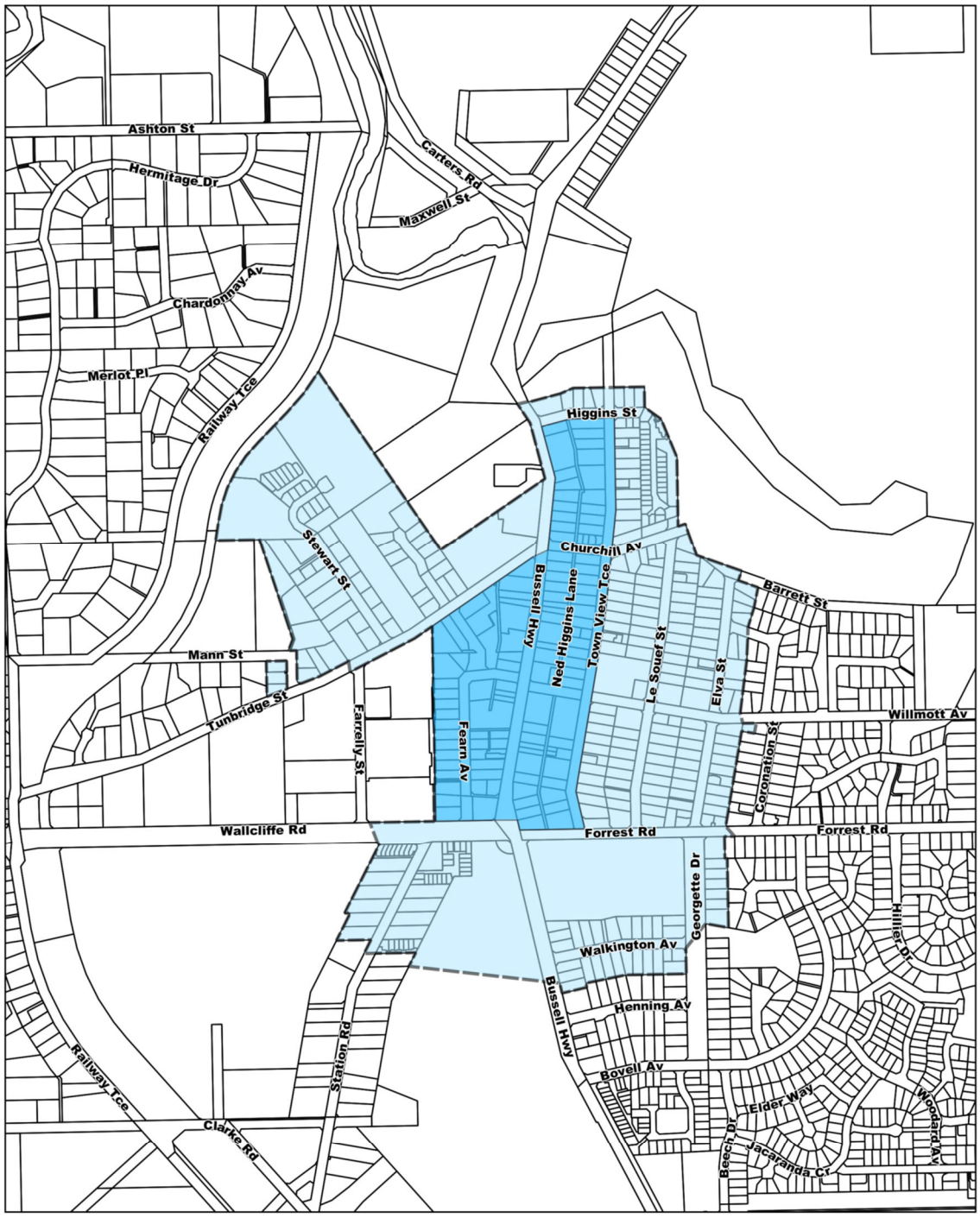
Applications for renewal where approvals have been issued under previous versions of this policy (LPP7) will be considered notwithstanding that locational criteria (HH1-3) may not be able to be met.

Policy Map 1


Augusta Holiday House Policy Map
Donegan St
Blackwood Ave
Allnutt Ter
Ellis St
Hardy St
Osnaburg St
Albany Rd
Turner St
Leeuwin Rd
Bayview Rd
Wallcliffe Rd
Permissible Area
N
SHIRE OF AUGUSTA MARGARET RIVER

Policy Map 2

Margaret River Holiday House Policy Map



Document and version control table			
Responsible Directorate	Development and Infrastructure		
Contact officer	Planning Department		
Adopted / approved by:	Council		
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