LOCAL PLANNING POLICY NO.14 – Holiday Homes

Background

Holiday homes are private residential dwellings that are leased out for short term accommodation for a period not exceeding three (3) months. Holiday homes are a small but growing aspect of the tourism industry in the Shire of Ravensthorpe and have long been an important part of local and Western Australian lifestyle and culture.

The informal development of this section of the tourist accommodation market has meant that holiday homes have so far operated with minimal regulation, resulting in an uncertain legal & insurance environment, issues of inequity with other service providers and increased potential for land use conflict. Community concerns about holiday homes often relate to the behaviour of tenants, rather than being associated with the use per se. In addition there has been concern that some holiday homes are not maintained to a satisfactory standard, which in turn reflects negatively on the Shire's tourism industry.

The Western Australian Planning Commission (WAPC) has prepared Planning Bulletin 99 - 'Holiday Homes Guidelines' that sets out the WAPC's position in relation to the planning and regulation of holiday homes in Western Australia. The bulletin provides guidance to local governments when dealing with issues associated with holiday homes in the local government planning framework. This policy is consistent with the recommendations of this Bulletin.

The Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme) does not list 'holiday home' as a specific use class or defines 'holiday home'. Council has determined that the land use 'holiday home' shall be treated as a 'Use Not Listed' and considered in the 'Residential', 'General Agriculture', 'Rural Conservation' and 'Rural Small Holding' zones subject to advertising for public comment prior to a determination of an application.

Objectives

The objectives of this Policy are:

- To establish clear guidelines for the short stay use of holiday homes for tourism accommodation.
- To ensure that the predominant residential nature and character of neighbourhoods is retained.
- To minimise negative impacts of holiday homes on the amenity of adjoining residents.
- To encourage the provision of good quality, well managed holiday homes.

Definitions

Holiday home means a single house, which might also be used for short stay accommodation for no more than ~~six~~ twelve people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).

Short stay means that no person is to stay for more than three months in any 12 month period.

Property Manager means a person or company responsible for the day to day administration of the holiday home and may be the landowner.

LOCAL PLANNING POLICY NO.14 - Requirements

1. Exemptions from Planning Approval

a. This policy does not apply to houses used by absentee landowners for their own holidays but only to houses rented out for commercial gain.

2. General Requirements

a. Holiday homes are generally considered an acceptable land use in the 'Residential', 'General Agriculture', 'Rural Conservation' and 'Rural Small Holding' zones, subject to appropriate management measures being put in place.

b. The holiday home may only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.

~~c. A minimum of two car parking bays are to be provided on-site for up to two bedrooms used for holiday accommodation. One additional car parking space is required on site per additional bedroom.~~

c. Car parking bays are to be provided on-site at a rate of one bay per two adults accommodated.

~~d. The 24 hour contact details of the manager of the holiday home shall be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire.~~

e. The applicant is to provide a copy of the approved Property Management Plan to adjoining landowners/occupiers as identified by the Shire.

f. On-site holiday home signage is not permitted with the exception of a $0.2m^2$ nameplate (i.e. identifies the name of holiday home if relevant).

g. Business Directional Signs are not permitted for holiday homes.

h. The use of grouped or multiple dwellings will generally not be supported for holiday home accommodation given the potential impacts on adjoining residents, unless all owners are in agreement.

3. Special Application Requirements

a. A Property Management Plan is required to be submitted and approved by the Shire. Matters that need to be addressed in the Property Management Plan include:

   a. Details of the appointed property manager;

   b. Details of the maximum number of adults to be accommodated at any one time.

   c. Details of how bookings are to be made;

   d. Duties of the property manager;

   e. In relation to the appointment of a Property Manager, the following is applicable:

      - is a person/company that will have day-to-day management of the holiday home; and
      - will specifically respond to complaints pertaining to guest behaviour made before 1am within a two hour timeframe; and
      - in relation to any other complaints will respond, within a reasonable timeframe but in any event within 24 hours.

f. Fire and emergency plan arrangements (i.e. location of smoke alarms, fire blankets, exit lighting, fire extinguishers, external taps/garden hoses, a fire evacuation route leading to the nearest main road and emergency information details); and

g. A Code of Conduct for guests.

To ensure consistency in Property Management Plan details, a proforma Property Management Plan is attached to this Policy.

4. Renewal & Approval Period

a. All initial planning approvals for holiday homes shall be granted for a one year period unless the local government determines otherwise.

b. In determining an application for renewal, the Shire 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 neighbours and surrounding area.

c. 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 of the renewal application is unlikely to be granted.

d. Where the Shire is satisfied that the holiday home has been appropriately managed an approval of the renewal application for a period of up to three years may be granted.

Note:
Property Managers are fully responsible for the holiday home and to ensure there is minimal impact on the amenity of neighbouring properties. This provides a degree of certainty to operators, while also enabling the Shire flexibility to terminate approval of non-compliant operators, particularly where valid complaints are received, conditions of approval are not being complied with and/or there are concerns relating to the holiday home operations.

HOLIDAY HOME
PROPERTY MANAGEMENT PLAN

PROPERTY ADDRESS:

PROPERTY MANAGER DETAILS:

Name: _____

Address: _____

Telephone Number:

Email:

Details of where bookings are made:

Internet (please specify):

Property Manager:

Other (please specify):

NOTE: In relation to the nominated Property Manager, the following is applicable:

- **Is a person/company that will have day-to-day management of the holiday home; and**
- **Will specifically respond to complaints pertaining to guest behavior made before 1am within a two hour timeframe; and**
- **In relation to any other complaints will respond, within a reasonable timeframe but in any event within 24 hours.**

DUTIES OF PROPERTY MANAGER

General Information: The Property Manager will supply readily visible in the kitchen or living area of the home the Code of Conduct, the Property Management Plan and the Fire and Emergency Plan (including the Fire Evacuation Route). Other duties include:

- Liaise with tenants for the occupancy and vacation of the premises;
- Ensure the correct maximum number of people is staying overnight in accordance with planning approval conditions;
- Ensure the premise is registered with the Shire of Ravensthorpe as a Holiday Home provider;
- Ensure guests are aware of the Code of Conduct;
- Ensure guests are aware of the Fire and Emergency Plan;
- Maintain a register of all people who utilise the premise, available for inspection by the Shire of Ravensthorpe upon request;
- Ensure the premise is clean and maintained to a high standard;
- Ensure rubbish and recycling bins are put out and collected as required.

DATE:

HOLIDAY HOME
FIRE AND EMERGENCY PLAN

PROPERTY ADDRESS:

FIRE SAFETY INFORMATION:

The following floor plan of premises clearly identifies the location of:

- Hardwired smoke alarms;
- Fire blanket (in kitchen);
- ~~Exit Lighting (if required);~~
- Fire Extinguishers; and
- External Taps/Garden Hose Locations; and
- A fire evacuation route leading to the nearest main road; and

Please attach a floor plan for each level of the premise with the above clearly located and identified.

The above information is to be clearly displayed in accordance with the Property Management Plan.

EMERGENCY CONTACT DETAILS:

FOR ALL EMERGENCIES DIAL 000

Property Manager:	
Ravensthorpe Police:	9838 1004
Hopetoun Police:	9838 3724
Shire of Ravensthorpe:	9839 0000
Ravensthorpe Hospital:	9838 2211

EMERGENCY PROCEDURE:

In the event of a fire or emergency, evacuation information may be broadcast or available from the following sources:

ABC Radio:	558AM
DFES:	http://www.dfes.wa.gov.au/alerts/Pages/default.aspx 1300 657 209
Shire of Ravensthorpe:	www.ravensthorpe.wa.gov.au

HOLIDAY HOME
CODE OF CONDUCT

PROPERTY ADDRESS:

The following Code of Conduct governs tenant behavior and use of the property. The tenant agrees to follow the guidelines below, for themselves and any visitors they allow at the property:

TENANTS: A responsible adult (over 18 years of age) shall be on site at all times when children are present. No unauthorised people are permitted to stay overnight.

NOISE AND NUISANCE: The tenants agree not to cause or permit nuisance at the property. This includes excessive noise, disruptive or anti-social behavior. Noise should generally cease after 9pm Sunday through Thursday and 10pm Friday and Saturday.

VEHICLE PARKING: The tenants agree to use the parking spaces provided and not to park on lawn or garden areas on the property, or on the street verge or street itself outside the property. The guests agree not to park any additional vehicles on the property in excess of the parking spaces provided.

SHIRE REGULATIONS: The tenants agree to all Shire regulations, including noise and fire limitations.

FIRES: The tenants agree not to allow any candles, open fires or similar burn unsupervised within the premise. No open fires are permitted outside at any time. Barbeque facilities may be provided and used in a safe manner.

RUBBISH DISPOSAL: The guests agree to contain all their rubbish in the bins provided. Tenants are responsible for the putting out and collection of the bins where your stay coincides with collection days.

TERMINATION OF ACCOMMODATION: If tenants are found to have contravened any of the above Code of Conduct responsibilities a verbal warning will be issued. If the contravention is not rectified immediately the accommodation booking may be terminated with 2 hours notice at the Property Managers discretion. No refunds will be made.

FIRE EVACUATION ROUTE

Map of Locality
(Insert).

The map of the property is to clearly show (or detail) the nearest Emergency Evacuation Point.

The primary route used to evacuate the locality in the event of an Emergency which must lead to a main road.

PROPERTY ADDRESS:

LEGEND

Subject Property

Roads to be used in the first instance for Emergency Evacuation

FLOOR PLANS OF PREMISE

PROPERTY ADDRESS:

UPPER FLOOR PLANS
(Insert).

LOWER FLOOR PLANS
(Insert).

LEGEND

Hardwired smoke alarms Fire blanket (in kitchen)

~~Exit Lighting (if required)~~

Fire Extinguishers

You are here.