

LPP 4.3 HOLIDAY HOMES

1.0 Policy Objectives

- 1.1 Provide clear guidance regarding the assessment of applications for development approval for Holiday Homes;
- 1.2 Identify circumstances in which Holiday Homes will be supported, and circumstances in which holiday homes may be supported, given more detailed consideration; and
- 1.3 Balance the interests of residents, Holiday Home owners and the community as a whole.

2.0 Background

- 2.1 Holiday Homes which are utilised on a commercial basis (i.e. rented out to paying guests) require a development approval to be issued under the Local Planning Scheme. These policy provisions provide guidance to Shire staff, as well as to applicants, landowners and the community, in relation to the Shire's exercising of discretion in making decisions on Holiday Home applications pursuant to the Local Planning Scheme No. 5.

3.0 Application

- 3.1 The policy applies throughout the Shire of Collie.
- 3.2 This policy only applies to Holiday Homes that are being made available for short stay rental purposes for commercial gain. Holiday Homes utilised only for personal use are excluded from this policy.

4.0 Legal Status

- 4.1 These policy provisions are adopted pursuant to Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2 (Deemed Provisions) clause 4;
- 4.2 If there is a conflict between this local planning policy and the Scheme, then the Scheme shall prevail;
- 4.3 This policy has due regard to, and should be read in conjunction with state planning policies;

5.0 Policy Statement

5.1 Location of Holiday Homes

- 5.1.1 The Holiday Home is located within an existing, lawful dwelling; other than a dwelling approved as an ancillary dwelling or caretaker's dwelling in the Rural 1, Rural 2 or Light and Service Industry Zones; or
- 5.1.2 In all other Zones, the Holiday Home has direct frontage to a public road and/or public open space and has a minimum of 350m² exclusively for the use of the dwelling; or

- 5.1.3 The Holiday Home is within a Grouped/ Multiple Dwelling, written support has been received by the local government from the majority of owners of properties in the complex or development within which the Holiday Home is to be located (excluding the owner of the site subject of the application, unless the applicant owns all of the properties in the complex or development); or alternatively
- 5.1.4 Council may approve the Location of a Holiday Home if it is satisfied that approval of the Holiday Home is not likely to have a significant impact on the amenity of adjoining and nearby residents, after advertising the proposal in accordance with 9.4.2 of the Scheme.

5.2 *Utility Servicing*

- 5.2.1 The Holiday Home is connected to reticulated water, or provided with a 120,000 litre rainwater tank for the exclusive use of the Holiday Home; and
- 5.2.2 The Holiday Home is located within the Shire’s kerbside refuse collection area; and
- 5.2.3 The Holiday Home is connected to reticulated sewerage, or there is an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants; or alternatively
- 5.2.4 Council may approve the Holiday Home if it is satisfied that there is an adequate supply of potable water; and adequate refuse collection or disposal service available.

Note: In areas not serviced by reticulated sewerage, it should not be assumed that an existing on-site effluent disposal system approved for a single house will have sufficient capacity for the proposed number of occupants without the need for upgrading. Advice should be sought from the Shire’s Environmental Health staff prior to lodging an application for development approval.

5.3 *Car Parking*

- 5.3.1 The Holiday Home will have constructed on-site car parking bays, consistent with the size and maneuverability criteria set out in the Residential Design Codes of Western Australia, (but with no more than two tandem bays arranged one behind) and in accordance with the following rates:

Maximum number of occupants	Minimum number of car parking bays required
1-3	1
4-6	2
7-8	3
9-10	4
11-12	5

Or alternately;

5.3.2 Council may approve the Holiday Home if it is satisfied that the Holiday Home has a minimum of two constructed on-site car parking bays and, where additional car parking bays would be required to comply with 5.3.1 above, at least the equivalent number of cars could park in adjacent or nearby public car parking, or in visitor car parking bays within a unit complex or similar; and

5.3.3 Where a Holiday Home is located in the 'Town Centre' or 'Mixed Use' Zone, Council may approve the Holiday Home if it is satisfied that the Holiday Home will not have a noticeable impact on the availability of public car parking within the locality.

5.4 *Dwelling Design*

5.4.1 The Holiday Home is an existing, lawful dwelling; or

5.4.2 If the Holiday Home is not an existing, lawful dwelling, the Holiday Home will meet all of the relevant design standards and requirements that would apply to a new dwelling on the land, including the requirements of the Local Planning Scheme (including the *Residential Design Codes of Western Australia*), all relevant Local Planning Policies, and all relevant Structure Plan, Activity Centre Plan and Local Development Plan provisions.

5.5 *Maximum Occupancy*

5.5.1 The maximum number of occupants within a Holiday Home complies with the following standards:

- (a) There is 5.5 square metres per occupant in each bedroom utilising beds; and
- (b) There is 3.5 square metres per occupant in each bedroom utilising bunks; and
- (c) There is sufficient bedroom space to accommodate the maximum number of occupants consistent with (a) and (b) above.

5.5.2 Bedrooms in a Holiday Home are provided in accordance with the following rates:

Maximum number of occupants	Minimum number of bedrooms required
1-2	1, or studio
3-4	2
5-8	3
9-12	4

5.5.3 Bathrooms and toilets in a Holiday Home are provided in accordance with the following rates:

Maximum number of occupants	Minimum number of bathrooms/toilets required
1-6	1 bathroom and 1 toilet
7-12	1 or 2 bathrooms and 2 toilets

5.6 *Bush Fire Management*

5.6.1 The Holiday Home is not on land identified as being in a bushfire prone area by an order made under section 18P of the Fire and Emergency Services Act 1998, therefore no assessment is required; or

5.6.2 The Holiday Home will meet all of the relevant design standards and requirements that would apply to a dwelling on land identified as being in a bushfire prone area by an order made under section 18P of the Fire and Emergency Services Act 1998 and will meet all of the relevant design standards and requirements for a minor vulnerable development described in the WAPC Guidelines for Planning in Bushfire Prone Areas, including but not limited to the following -

- (a) A Bushfire Management Plan and Bushfire Emergency Evacuation Plan developed consistent with the Guidelines for Planning in Bushfire Prone Areas ('vulnerable land use') has been submitted; and
- (b) The building has been constructed to the determined BAL requirement and associated Deemed to Satisfy solution pursuant to AS3959-2009 (Construction of building in bushfire-prone areas);

6.0 **Variation of Development Requirements**

In exercising any discretion the local government should ensure that the variation will not contravene the following provisions of the Scheme.

- (a) purpose and objectives of this Local Planning Policy;
- (b) section 1.6 The Aims of the Scheme;
- (c) section 4.2 Objectives of the Zones; and
- (d) section 10.2 Matters to be Considered by Local Government.

7.0 **Definitions**

Ancillary Dwelling means self-contained dwelling on the same lot as a single house which may be attached to or integrated with or detached from the single house.

Caretaker's Dwelling means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant.

Dwelling	means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by: <ul style="list-style-type: none"> • A single person; • A single family; or • No more than 6 persons who do not comprise a single family;
Grouped Dwelling	means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictates otherwise, and includes a dwelling on a survey strata with common property.
Holiday Home	means a residential building used to provide accommodation for short-stay guests, rather than permanent residency, and excluding those uses more specifically defined elsewhere
Multiple Dwelling	means a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but: <ul style="list-style-type: none"> • Does not include a grouped dwelling; • Includes any dwellings above the ground floor in a mixed use development.
Single House	means a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.

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