

# DB 4 – Holiday Accommodation

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## 1 Objectives

Holiday Accommodation development needs to be compatible and integrated with surrounding land use and the natural and built environment. The challenge for the Shire, developers and holiday accommodation operators is to achieve (and maintain) a delicate balance between tourism, the environment, and protecting the amenity of surrounding residents and holiday accommodation occupants.

## 2 Definitions

In this policy, unless the context otherwise requires –

### 2.1 Business

means the operation of Holiday Accommodation.

### 2.2 Council

means the Council of the Shire of Bridgetown-Greenbushes.

### 2.3 Holiday Accommodation

means accommodation which, by way of trade or business or for the purposes of any trade or business, is held out as being available or is made available for holiday purposes for occupation by persons other than the proprietor.

### 2.4 Proprietor

means the owner or occupier of the land on which holiday accommodation/business is situated.

### 2.5 Unit

means a cabin or chalet.

## 3 Policy

### 3.1 Site Requirements

Development for Holiday Accommodation shall conform to the following site requirements:

- (a) A site area of not less than 2 hectares;
- (b) The site shall in the opinion of the Shire contain tree cover adequate to provide visual screening and privacy and the Shire may require as a condition of Planning Approval additional planting in order to provide increased screening of the proposed development from surrounding properties;
- (c) Public road access shall in the opinion of the Shire be adequate for the use which may be reasonably anticipated. Unless otherwise determined by Council all public road access to Holiday Accommodation within the Bridgetown Townsite shall be constructed to a sealed standard;
- (d) Site conditions of topography and soil shall be such as to ensure in the opinion of the Shire adequate effluent disposal and site drainage as a result of the development, and that the site is not susceptible to erosion;

- (e) Sites shall be located to avoid potential conflict with normal farming operations on adjoining or nearby properties; and
- (f) Developments should not contribute to a concentration of similar land use activities that would alter the established character of the surrounding area.

### **3.2 Scale of Development**

- (a) The Shire may permit up to five units per lot. Developments proposing greater than five units will require rezoning to the Special Use Zone under the relevant Town Planning Scheme.
- (b) It should not be anticipated that Planning Approval will automatically be granted to all applications to develop holiday accommodation.
- (c) Notwithstanding sub-clause 3.2(a), Council may refuse an application to develop up to five units of holiday accommodation and direct the applicant to initiate a rezoning to the relevant Town Planning Scheme. The basis of such a decision by the Council would be that the proposed development may raise significant environmental or social issues requiring specialist input from government agencies, greater community consultation, binding conditions of development under the Town Planning Scheme, and assessment with regard to the strategic planning of the locality.

### **3.3 Development Approval**

Planning Approval under the relevant Town Planning Scheme will be required prior to any development of holiday accommodation being commenced. The Shire, in considering the granting of Planning Approval, may seek public comments from adjoining or nearby land owners/residents.

### **3.4 Development Requirements**

- (a) The minimum distance between the external walls of any building and another on the land shall be 10 metres for the purposes of privacy and amenity.
- (b) Suitable car parking facilities (minimum 2 bays per unit) shall be provided in close proximity to each unit.
- (c) Sufficient area for on-site manoeuvring of vehicles is to be provided to ensure all vehicles exit the property in forward gear.
- (d) Every habitable room intended for sleeping purposes contains not less than 14m<sup>3</sup> of air space for every person to be accommodated within.
- (e) Developers are encouraged to design and construct units having regard to disability access and mobility.
- (f) All development is to be designed and finished to blend into the landscape of the area.
- (g) All units must be provided with a source of potable water suitable for habitable purposes.
- (h) Where the proposed development accommodates more than six persons, annual registration as a lodging house will be required.

### **3.5 Classification of Units**

A person shall not construct a unit of holiday accommodation unless it conforms to one of the following types:

- (a) A cabin – a unit constructed with cooking, toilet, ablution or laundry facilities provided as a communal facility and having a minimum floor area of 9.2m<sup>2</sup> and a maximum of 40m<sup>2</sup>. [Amended 24.11.05]
  - (i) the communal toilets, ablutionary, laundry and other facilities required for the abovementioned unit are to be to the number and nature prescribed by the Caravan Parks and Camping Grounds Act 1995.

- (b) A chalet – a detached self-contained unit including cooking, toilet and ablution facilities, with optional self contained laundry facilities, and having a minimum floor area of 40m<sup>2</sup> and a maximum of 120m<sup>2</sup>. [Amended 24.11.05]
- (i) the abovementioned unit must be provided with –
- 1 a kitchen sink and facilities for the preparation and cooking of food;
  - 2 a bath or shower;
  - 3 a closet pan and washbasin; and
  - 4 clothes washing facilities, comprising at least one washing machine and wash tub (if this facility is detached from the main building, it must be set aside for the shared use of the occupants of the units only).

### **3.6 Fire Safety**

- (a) The proprietor shall provide not less than one dry chemical powder type fire extinguisher and one fire blanket in accordance with Australian Standard A2444, within each unit. In this regard a fire blanket is only required where cooking facilities are provided (excluding microwave oven).
- (b) The proprietor shall maintain in proper working order and condition, all fire extinguishers in accordance with the requirements of the Australian Standards AS1851 “Maintenance of fire protection equipment – Portable fire extinguishers and fire blankets”, and shall arrange with FESA, or any person approved by that agency for the periodical inspection and testing of all extinguishers.
- (c) Smoke alarms and emergency lighting activated by required smoke alarms must be located as marked in red on the approved plan, and installed in accordance with Building Codes of Australia (BCA) Part 3.7.2 and AS 3786 for Class 1b buildings, to the satisfaction of the Shire of Bridgetown-Greenbushes. Smoke alarms are required to be connected to the consumer mains power and installed by licensed electrical contractors. A sticker developed by FESA in conjunction with the National Electrical Communications association (NECA)) must be placed in the meter box or switchboard servicing the dwelling by the licensed electrical contractor to record the date the mains powered smoke alarms were installed.
- (d) The proprietor shall at all times maintain the land free of debris and material that is a fire hazard, and shall not permit the lighting of outdoor fires other than in appropriate barbecues and in accordance with the Shire of Bridgetown-Greenbushes Firebreak Order and approved Fire Management Plan where applicable.

### **3.7 Water Supply**

- (a) Where the reticulated water supply fronts a development site connection to all units will be required.
- (b) Where reticulated water supply is not available to the development site, rain water storage tanks may be used, with a minimum size of 45,000 Litres per unit, with the sharing of water tanks between units permitted subject to 45,000 Litres per unit being maintained.

Note: It is recommended that stored rain water be treated (eg. chlorination) in line with the “Guidelines for Drinking Water Quality (NHMRC) and tested annually to ensure a safe potable water supply.

### **3.8 Maximum Length of Occupancy**

Except with the prior approval in writing of the local government:

- (a) A person shall not occupy a unit of holiday accommodation, or more than one unit in the same approved development; and
  - (b) The proprietor shall not permit any one unit, or units of holiday accommodation to be occupied by the same person;
- for an aggregate period of more than three months in any consecutive twelve months.

### 3.9 Short Term Rental of Residential Dwellings

The short term rental of residential dwellings to single parties shall not be classified as Holiday Accommodation. Council considers such a use as merely another form of landlord – tenant rental.

## 4 Applicable Legislation and Documents

<b>Act</b>	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies <i>Planning and Development Act 2005</i>
<b>Regulation</b>	<i>Planning and Development Regulations 2009</i>
<b>Local Law</b>	N/A
<b>Shire Policies</b>	N/A
<b>Related Documents</b>	Town Planning Schemes 3 and 4
<b>Related Procedure</b>	N/A

## 5 Administration

<b>Original Adoption Date</b>	30 September 1999
<b>Last Reviewed</b>	28 April 2022
<b>Scheduled Reviewed Date</b>	27 April 2023