

LOCAL PLANNING POLICY 5.25

TITLE:	HOLIDAY HOUSE
ADOPTED:	28 September 2023
REVIEWED:	OMC 30 May 2024 – Pages 10 –16
ASSOCIATED LEGISLATION:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Local Planning Scheme No7 (LPS7)
ASSOCIATED DOCUMENTS:	
REVIEW	Director Development Services
RESPONSIBILITY:	
DELEGATION:	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
APPLICATION:	This policy applies to the LPS7 area.

Objectives:

1. To support Holiday House land uses while managing the social impacts of this use.
2. To establish development standards for Holiday House land uses to avoid off-site impacts and maintain the desired amenity of the zone.
3. To provide for the safety of users who may be less familiar with the dwelling and surrounding environment.
4. To establish minimum management obligations for the operation of Holiday House's to ensure their compatibility with the desired amenity and objectives of the zone.

Definitions:

“Holiday House Standard” means a single dwelling on one lot used to provide short term accommodation for no more than six people but does not include a bed and breakfast.

“Holiday House Large” means a single dwelling on one lot used to provide short-term accommodation for more than six people but less than twelve people accommodation at any one time and does not include a bed and breakfast.

“Residential built-out area’ a lot that has access to reticulated water and is within or contiguous with, an urban area or town (or similar).

Policy:

1 Dwelling Requirements

1.1 The Holiday House is within an existing lawful dwelling and has:

a. Legal access to a public road.

1.2 For a Holiday House, within a Grouped or 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 House 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).

1.3 Bedrooms and car parking in a Holiday House are provided in accordance with the following rates:

Number of Occupants	Minimum Number of Bedrooms	Number of Car Parking Bays
1-2	1 bedroom or studio room	2
3-4	2	2
5-8	3	3
9-12	4	4

Note: the Local Planning Scheme establishes that the maximum number of occupants in a Holiday House, regardless of the number or size of bedrooms, is 12. The Shire has no discretion to approve Holiday Houses with maximum occupant numbers higher than those limits.

2 Management of Holiday Houses

2.1 Every application for a Holiday House land use must be accompanied by a Management Plan which as a minimum, incorporates the following:

- a. Nomination of a manager of the Holiday House and their contact details. The approved manager must reside or have their office within 15 minutes driving distance of the Holiday House.
- b. The hours the manager can be contacted which as a minimum must be between 9am and 5pm Monday to Saturday (excluding public holidays) and 9am to 12pm on Sunday and public holidays.
- c. Details on how the premises will be managed on a day-to-day basis (including how keys are easily available for late entry, providing on-site assistance to occupiers of the Holiday House and confirming arrangements for cleaning (including garden/waste management)).
- d. Control of noise and other disturbances;
- e. Control of anti-social behaviour;
- f. A complaints procedure which as a minimum establishes that any complaints from adjacent residents are responded to as soon as reasonable and practicable and within a maximum of 12 hours;
- g. A code of conduct for guests, which must be displayed within the Holiday House, and as a minimum incorporates the following:
 - i. Maximum number of guests permitted to stay in the Holiday House;
 - ii. Rules for use of outdoor areas to minimise noise and amenity impacts on adjacent properties;
 - iii. Management of visitors to the site;
 - iv. Parking controls, including that guests and any visitors must park on site; and
 - v. The use of amplified music.

It will be a condition of development approval that the owner/operator must comply with the management plan at all times.

- 2.2 A sign must be erected on-site and clearly visible from the street that has the current manager's name and contact details (Standards pertaining to sign dimension are as per the Local Planning Policy 5.10).

3 Public Consultation

- 3.1 An application for a Holiday House land use will be advertised for public comment for a minimum comment period of 21 days. The owners of properties adjoining the application site and those on the other side of any street immediately opposite will be consulted in writing.

4 Holiday House in Bushfire Prone Areas

- 4.1 Where a holiday house is proposed in a bushfire prone area and is in a residential built-out area, it will be deemed minor development under State

Planning Policy 3.7 – Planning in Bushfire Prone Areas, subject to the submission of an acceptable:

4.1.1 Simplified Emergency Evacuation Plan; and

4.1.2 Simplified Bushfire Management Plan.

Note: a template for the preparation of the above, can be [accessed here](#).

4.2 Where a holiday house is proposed in a bushfire prone area and is not a residential built-out area, it must satisfy State Planning Policy 3.7 – Planning for Bushfire Prone Areas.

5 Term of Approval

5.1 Development approvals for a Holiday House shall be limited to a maximum period of 24 months, after which the further renewal of the approval by the local government is required. **This is the responsibility of the applicant and the local government will not automatically re-issue approvals.**

6 Shire Register of Approved Holiday Houses

6.1 The Shire will maintain a register of approved holiday houses which will be made available on the Shire's website and will include the following information:

- a) Property address;
- b) Approved Manager and contact details;
- c) Maximum number of guests approved;
- d) Approval term.

SHIRE OF BROOME LOCAL PLANNING SCHEME No. 7 (LPS7) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.