

Short Stay Accommodation

Guidelines

Holiday houses are a component of the short stay accommodation sector and are an important aspect of the Western Australian tourism industry.

It is recognised that, in certain locations, the renting of residential houses for short stay accommodation is a legitimate way in which alternative, short stay tourism accommodation can be provided. With this being said, the improper use of holiday houses can cause land use conflict such as impacts on residential amenity. These guidelines are designed to provide a reasonable balance between the use of holiday houses and neighbourhood amenity.

Application

These guidelines apply to:

- A lodging house
- A short term hostel
- Serviced apartments
- A recreational campsite
- Holiday accommodation
- Chalet
- Bed and breakfast
- Other short stay accommodation

Short stay accommodation means accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period, and includes lodging houses and holiday accommodation (short term rental accommodation or STRA).

Lodging house means any premises used for lodging or boarding of more than 6 persons, exclusive of the family of the keeper thereof, for hire or reward; but the term does not include:

- a) premises licensed under a publican's general licence, limited hotel licence, or wayside-house licence, granted under the Licensing Act 1911; or
- b) residential accommodation for students in a non-government school within the meaning of the School Education Act 1999; or
- c) any building comprising residential flats; or
- d) any dwelling.

Holiday accommodation or short term rental accommodation (STRA) describes a dwelling used for guest accommodation and includes a bed and breakfast, chalet, cottage or holiday house.

Registration Requirements

Accommodation can generally be classified as either a lodging house or holiday accommodation. Once approved by planning, lodging house annual registration is with the Shire of Murray. Registration of holiday accommodation known as short term rental accommodation (STRA) is once-off with the Shire of Murray, then annually through the Department of Local Government, Industry Regulation and Safety (LGIRS). **Once off approval from the Shire of Murray is required for you to proceed with your LGIRS application.** The remainder of this guideline applies to holiday accommodation. For lodging houses, please refer to the Shire of Murray Guidelines for Lodging Houses.

Note for Dwellingup and the immediate surrounding localities such as Teesdale, additional requirements apply as per the Shire's local planning policy (LPP) for STRA. Please contact Planning with any queries on the LPP.

Holiday Accommodation / short term rental accommodation (STRA)

Although annual registration is not required, the Shire of Murray Local Laws still require as a once-off the following information to be provided to the Shire of Murray for records and operational purposes, and for an approval number to be issued by the Shire which is needed for your LGIRS application for STRA accommodation:

- Site plan of property
- Floor plan of the accommodation
- Management Plan
- Emergency Response and Fire Management Plan
- Code of Conduct for Lodgers
- Complaints management procedure
- Check-in and check-out procedures (eg booking, key collection and drop-off)
- Waste management procedures (eg cleaning and rubbish collection)

It is the responsibility of the keeper of the short stay rental accommodation to ensure that they implement their management plans and procedures for their accommodation.

Annual registration of short stay accommodation is with LGIRS and the Shire of Murray can request that LGIRS revoke a registration, if accommodation is not being managed effectively and responsibly, so that it does not cause nuisance or adversely affect the amenity of the locality.

Objective

- To provide guidance for persons seeking to establish and register short stay accommodation with LGIRS
- To encourage good quality, well managed short stay accommodation that does not compromise the amenity or cause nuisance in the locality or to owners and residents of adjoining or nearby properties
- To protect the residential amenity of adjoining/nearby properties and minimise the negative impacts that may be caused by the transient nature of the occupation such as excess noise, antisocial behaviour, potential increased demand for car parking, sense of loss of security or poor property appearance and maintenance
- To support a diverse accommodation base within the Shire of Murray

Management Plan

The management plan should address matters including:

1. Effective on-going management with the responsibility for appropriate on-going management resting with the applicant to ensure that visitors are responsible and do not create inappropriate impacts (including noise) to adjoining/nearby properties;
2. Nomination of a local manager/caretaker within the vicinity of the property. Where properties are remote, alternative arrangements for a manager/caretaker are to be proposed. The 24 hour contact details of the manager/caretaker or a contactable employee of the manager/caretaker are provided;
3. Details of how nuisance issues such as noise will be addressed by the manager/caretaker;
4. An Emergency Response and Fire Management Plan which shall be prepared prior to the commencement of use and include:
 - a) Escape route maps from the building and/or property;

- b) Location of smoke alarms;
 - c) Contact details of property manager, police and fire brigade;
 - d) Fire blanket in kitchen area; and
 - e) Fire extinguishers as determined by the Building Code of Australia.
5. A code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed with advertisement of the holiday house and in a prominent position within the premises;
 6. Control of anti-social behaviour and the potential conflict between guests and permanent residents of the area, detailing the expected behaviour of guests and control of noise;
 7. Waste management details outlining cleaning of the building(s), putting bins out, and removal of animal manure if applicable;
 8. The provision and management of adequate car parking;
 9. The amenity of adjoining/nearby land users;
 - a) Managing noise impacts of visitors;
 - b) Outlining how the premises will be managed on a day-to-day basis;
 - c) Relevant site specific matters including fire management/emergency response plans for visitors and managing risks for visitors; and
 - d) The handling of complaints (it is expected that the tenant be contacted by phone immediately).

Building Code of Australia Requirements

In accordance with the Building Code of Australia, a dwelling (a Class 1a building) that is to be used as a boarding house may be classified as a Class 1b building, if individual rooms are allocated to separate groups that do not know each other, and therefore the following provisions will generally apply:

- Provision of hard wired smoke alarms on every storey and within every bedroom and passageway; and
- Evacuation lights in paths of exit.

A single dwelling used for holiday accommodation for groups that know each other is considered to be a Class 1a building, and therefore hardwired smoke alarms are required as for a normal house, in between bedrooms and the remainder of the house (generally in a hallway).

The onus is on the applicant to ensure that the requirements of the Building Code of Australia are complied with.

Signage

Any signage associated with the holiday house requires planning approval of the Shire of Murray and is not approved with any registration of short stay accommodation.

Templates to assist with applications

If applicants complete the details in Appendix A, B, and C, together with the relevant site plan, floorplan and code of conduct, the application will be complete. Alternatively, applicants may choose to create their own management plan addressing the criteria in this package if they wish.

Appendix A – Management Plan (Complete or submit your own)

Property and Registration Holder Details	
Property Address	
Name of Registration Holder (ie. Property Owner)	
Residential Address	
Contact Number	
Email	

Manager/Caretaker's Details	
<i>*the nominated manager/caretaker will have day to day management of the holiday house and specifically respond to complaints within a reasonable timeframe (eg 2 hours)</i>	
Name of Manager/Caretaker	
Residential Address	
Contact Number (All-Hours) preferably mobile phone	
Email	
Contact information can be provided to adjoining landowners upon their request	☐ Yes ☐ No

Management Details	
Number of guest bedrooms	
Maximum number of guests proposed to be accommodated (eg 2 per bedroom, plus 2)	
Will pets be accommodated? If so, how will these be secured.	
Location and number of car parking spaces available to guests inside the property	
Detail the method of guest booking, how it is advertised and how guests contact details are collected	
Detail the method of key collection / drop off	
Detail the cleaning and service arrangements	
Detail rubbish disposal arrangements, including who will put bins out	

Duties of Manager/Caretaker

- Display the code of conduct which details the expected behaviour and obligations of guests in a prominent position within the holiday house;
- Liaise with guests for the occupancy and vacation of the premises;
- Ensure complaints are responded to efficiently and appropriately;
- Ensure guests are aware of noise restrictions and that anti-social behaviour will not be tolerated;
- Ensure the correct maximum number of people staying overnight is in accordance with the approval conditions;
- Ensure records are kept of guest's names, last address, dates of stay and contact details;
- Ensure the premises is registered with the LGIRS with renewal of registration as required;
- Ensure guests are aware of the Emergency Response and Fire Management Plan;
- Ensure the premises is clean and maintained to a high standard;
- Ensure bed linen is clean and maintained to a high standard;
- Ensure bed linen is clean and replaced upon guest vacation;
- Ensure rubbish and recycling bins are put out and collected as required.

Other Comments on Management

Appendix B – Code of Conduct
(Accept as is ☐ [tick] or delete / amend as required, or submit your own) Code

of Conduct

The following code of conduct governs guest behaviour and use of the property. All guests and visitors to the property agree to follow the code of conduct at all times.

Guests:

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

No more than [number] guests are allowed unless otherwise arranged.

No 'schoolies' or young groups under the age of 25 years unless otherwise arranged.

Noise/Nuisance:

All guests and visitors agree to not cause or permit nuisance at the property. This includes excessive noise, disruptive or anti-social behaviour. Strict regulation with noise regulations must be adhered to at all times and respect to adjoining/nearby residents shown at all times. Noise levels must not have a discernible impact on neighbours after 10.00pm. Disturbance to neighbours from excessive noise and offensive behaviour is prohibited.

Parties or functions are strictly prohibited. A refundable damage bond of [amount] is required at the time of your booking, and may be deducted for any damage or breach of terms and conditions.

Vehicle Parking:

All guests and visitors agree to use the parking spaces provided and to not park on lawn or garden areas on the property or on the street verge or street itself outside the property unless otherwise agreed. Visitors and guests agree not to park any additional vehicles on the property in excess of the parking spaces provided and to not cause any access issues for adjoining/nearby residents.

Shire Regulations:

All guests and visitors agree to comply with all Shire regulations at all times including noise and fire limitations.

Premise Condition and Cleanliness:

All guests and visitors agree to leave the premise in a clean and tidy condition upon vacating, with all fittings and chattels in their original condition and position at the beginning of their stay. Guest are to advise the manager/caretaker of any damage or disrepair within 24 hours of this occurring. Any damage repairs or excessive cleaning that is attributable to your stay will be paid for by you.

Fires:

All guests and visitors agree not to allow candles, open fires or the similar burn unsupervised within the premises. No open fires are permitted outside at any time. Barbeque facilities may be provided and used in a safe manner. Smoking is not permitted in the property.

Rubbish Disposal:

All guests and visitors agree to contain their rubbish in the bins provided. Guests are responsible for the putting out and collection of the bins where their stay coincides with collection dates.

Keys:

At the conclusion of the agreed stay, guests are to lock the premises, close all windows and return the keys to the manager/caretaker. Any lost or damaged keys will be replaced at the guest's expense.

Termination of Accommodation:

If guests or visitors are found to have contravened the code of conduct, depending on the degree of the contravention, a verbal warning may be issued or the accommodation booking immediately terminated. In the case of a verbal warning, if the contravention is not rectified immediately, the accommodation booking will be immediately terminated with 2 hours' notice to vacate the premises. No refunds will be made.

Problems or Complaints:

In the case of any problem or complaint, you must inform Management at your earliest opportunity so that Management has the opportunity to rectify the situation as soon as possible.

Appendix C – Emergency and Fire Management Plan (Complete or submit your own)
(it is recommended you also provide this information to your guests)

Property Details	
Property Address	
Nearest Road Intersection	
Local Government Area	Shire of Murray
Land line telephone number of premises <i>If a land/fixed telephone is connected</i>	
Is there mobile phone/data coverage available and which telcos?	
Does the building have an operational smoke alarm outside the bedroom(s)	

Emergency Contacts and Information	
National Emergency Service Number <i>Police, Ambulance, Fire</i>	000
State Emergency Service Assistance <i>Non-emergency</i>	132 500
Emergency Information <i>Phone and website</i>	1300 657 209 www.dfes.wa.gov.au
Radio frequency of the official local emergency radio broadcaster	ABC Radio
Possible Evacuation Point eg nearby oval / park	

Nearest Hospital Information (24hr Emergencies)	
Name	
Address	
Distance from Holiday House	
Telephone Number	

Bushfire Brigade Information (if relevant eg outside of town site or settlement)	
Name of local brigade if relevant	
Local fire emergency contact number , otherwise 000	

Bushfire season preparation	
Make sure visitors know what to do in a bushfire	Keep property access clear and easily trafficable
Prepare firebreaks / reduce vegetation in bushfire season	Tree pruning – remove lower branches for fire truck access, check powerlines are clear
Move woodpile and stack timber away from building	Clear roof and gutters from leaf litter and debris
Prepare an emergency evacuation kit and place in an accessible area	Check first aid kits, fire extinguishers are current, serviceable and accessible

Site Specific Emergency Matters	
Any site specific emergency situations that may occur that guests should be made aware of?	
☐ Flooding ☐ Bush Fire ☐ Mosquitoes	☐ House Fire ☐ Snakes ☐ Other

Other Matters

Optional attachments to the Emergency Response and Fire Management Plan:

- Map of locality clearly showing an emergency evacuation point that you feel may be suitable for your property and primary route for vacating the area – noting that the route must lead to a main arterial road; and
- Floor plan showing location of smoke alarms, fire blanket if applicable, fire extinguishers if applicable, external taps/hose locations, and paths of exit.

(it is recommended you also provide this information to your guests)