



Shire of Exmouth
Local Planning Scheme No. 4

Amendment No. 9

Summary of Amendment Details

Modify Clause 4.17.1 for Holiday Accommodation/Holiday House and insert a new Figure 11.

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT
TO LOCAL PLANNING SCHEME**

***Shire of Exmouth Local Planning Scheme 4
Amendment No. 9***

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- i. Modifying clause 4.17.1 for Holiday Accommodation / Holiday House to the following:

Holiday Accommodation and Holiday House shall not be permitted in the Skipjack Circle area as defined in Figure 11: Skipjack Circle Area.
- ii. Inserting a new 'Figure 11: Skipjack Circle Subdivision Area' into the Table of Figures.
- iii. Amending the Table of Contents accordingly.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a. The amendment is consistent with the relevant objectives of the Scheme and Local addressed by the Shire of Exmouth Local Planning Strategy;
- b. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- c. The amendment is not a basic or complex amendment.

Dated this _____ day of _____ 20__

(Chief Executive Officer)

Amendment Report

1.0 INTRODUCTION

Holiday accommodation and holiday houses are residential dwellings that are leased out for short term accommodation for a period not exceeding 3 months, and are an important aspect for the local tourism industry in Exmouth.

Over the last few years, there has been ongoing discussion in the community regarding the impact of holiday homes on neighbourhoods and the suitability of certain locations.

Clause 4.17.1 of LPS 4 reads as follows:

“Holiday Accommodation and Holiday House shall not be permitted in the Skipjack Circle Subdivision.”

The purpose of the amendment is to define the Skipjack Circle area by inserting a Figure (11) into LPS 4.

2.0 BACKGROUND

The permanent residential population within Exmouth is approximately 3,000 people. Anecdotal evidence suggests that during peak times, visitor numbers have swelled to approximately 15,000 in 2020-21, which has also been due to the travel restrictions and increased visitations during the COVID-19 pandemic.

There is high demand for holiday homes within the Shire of Exmouth, from both visitors and landowners alike. This needs to be balanced with the amenity of neighbouring properties. If not properly managed, holiday homes may result in excessive noise late in the evening, excessive vehicles and trailers being parked on the road verge and excess rubbish in bins from large numbers of guests.

Exmouth is currently experiencing a housing crisis. Land sales have significantly increased and property constraints have delayed new land releases.

The town relies heavily on temporary seasonal workers to support the tourism industry. These seasonal workers require access to housing, but the increasing popularity of the town as a tourist destination has proven problematic for the supply of suitable housing. The high number of dwellings now rented out on a short-term basis has led to a shortage for seasonal workers, and for local residents who rely on rental accommodation. This has given rise to large occupant numbers in shared accommodation, people living in cars or camping illegally, which in turn has given rise to environmental and other issues.

Currently the Skipjack Circle subdivision area is defined as all the coloured lots, (as shown in Figure 1 below), however, the boundary is not currently implemented through an appropriate planning document.



Figure 1. Current Skipjack Circle Subdivision Area.

This area was identified in the Shires previous Local Planning Policy 6.12 – Holiday Accommodation. The LPP 6.12 was rescinded by Council at the Shires 28 February 2019 Ordinary Council Meeting, as the provisions of the existing policy were included in LPS 4. The map however, was not included into LPS4.

There are currently 16 lots along the northern side of Skipjack Circle which are outside of the area to which previous Policy 6.12 applied. The proposed amendment seeks to amalgamate these lots into the defined Skipjack Circle area, thereby restricting un-hosted holiday houses and holiday accommodation from being approved.

Location

Skipjack Circle is Exmouth’s northern most residential area located 1km to the north-west of the Exmouth Town Centre.

The subject land is almost entirely built out. Land to the north and east is Department of Defence landholdings. Land on the opposite side of Skipjack Circle to the south west is residential and reserved public open space to the south east.

Infrastructure

The subdivision area is connected to reticulated scheme water and sewerage. Underground power is also provided.

3.0 STATE & REGIONAL PLANNING CONTEXT

State Planning Policy 6.3 - Ningaloo Coast

The amendment is broadly consistent with State Planning Policy 6.3 - Ningaloo Coast (SPP 6.3), which aims to facilitate sustainable development and consolidate development within the townsite.

Gascoyne Regional Planning and Infrastructure Framework

The amendment supports several of the strategic goals identified within the Gascoyne Regional Planning and Infrastructure Framework. The proposed amendment will enable economic and social opportunities for seasonal workers and longer-term renters, helping Exmouth with being a top destination where people want to live and work.

4.0 LOCAL PLANNING CONTEXT

Shire of Exmouth Local Planning Strategy

The Shire's Local Planning Strategy (Strategy) recognises the importance of tourism in Exmouth, however, notes that the type of accommodation, location and impacts need to be considered.

The Strategy also notes that holiday accommodation and holiday houses are an important component in the overall mix of accommodation but that due to their nature of use, conflicts relating to land use inevitably occur. Therefore, they require regulation and appropriate consideration.

Shire of Exmouth Local Planning Scheme No. 4 (LPS4)

The area is zoned Residential, with a predominant r-code density of R17.5, with the exception of an R30 pocket to the south of the existing park on Snapper Loop.

The following aims of the Scheme are relevant to this proposal:

- (c) facilitate planning for the appropriate balance between economic and social development, public health, conservation of the natural environment, and improvements in lifestyle and amenity; and
- (d) define the uses and types of development to be permitted on land within the Scheme Area; and
- (e) control and regulate the development of land, erection and demolition of buildings, and the carrying out of works.

Tourism Planning Guidelines

The Tourism Planning Guidelines are aimed towards assisting with the tourism components of local planning strategies. However, the guidelines note the conflicts that can arise between permanent residents and tourists.

Planning Bulletin 99: Holiday Homes Guidelines

The objectives of WAPC's Planning Bulletin 99 – Holiday Homes Guidelines (PD 99) is to establish clear guidelines for the short stay use of residential homes for tourism accommodation, to ensure that they occur in appropriate locations and that all new holiday home rental accommodation is in accordance with relevant legislation, local planning schemes, policies, and managements plans.

The guidelines furthermore set out recommendations for certain conditions in relation to development approvals, such as the provisions of a management plan, fire and emergency response plan and approval period. These and other conditions controlling short-term accommodation are already included under section 4.17 of the LPS 4.

The amendment has been prepared having due regard to this guideline.

Draft Position Statement: Planning for Tourism and guidelines

The draft document aims to provide clear and consistent guidance on the definition and treatment of short-term rental accommodation to:

- Complement existing local planning frameworks.
- Encourage a consistent approach to managing and regulating short-term rental accommodation amongst local governments.
- Provide greater clarity for short-term rental accommodation providers and the broader community.

The following policy objective is relevant to the amendment:

- Ensure land use impacts between tourism activities and other land uses (including residential areas) are appropriately managed.

Further expanding on the current Tourism Planning Guidelines and PB 99, the draft policy provides guidance on the location of short-term accommodation. Short-term rental accommodation should be located in tourism amenity areas, in close proximity to social, cultural and leisure attractions. This also includes the need to mitigate impacts on surrounding land uses, and minimise adverse interface issues between residential and short-term accommodation uses.

The proposed amendment will remove the current interface issue between the lots on south side of Snapper Loop that are outside of the existing Skipjack Circle subdivision area, and is considered a logical solution. The area is in the northern most part of town, and there are other areas available closer to the town centre, Town Beach and Marina with access to services that are more suitable for short-term accommodation.

5.0 PROPOSAL

The proposed amendment seeks to provide clarity and define the skipjack circle subdivision area by inserting a Figure (11) into LPS 4.

The land uses Holiday Accommodation and Holiday Houses would not be permitted on land identified in the proposed Figure 11 below.

Holiday houses and holiday accommodation approvals are approved on an annual basis.

6.0 JUSTIFICATION

A number of approvals have been granted for Holiday House and/or Holiday Accommodation for lots on the southern portion of Skipjack Circle (outside of the current boundary). There have been a number of complaints relating to the use of these properties as short term accommodation.

It is considered that in the current climate of the housing crisis it would be beneficial to reduce the number of dwellings available for short-stays/holiday rentals and to increase opportunities for longer term rentals.

Currently, residents on the southern portion of Snapper Loop are directly impacted to the rear of their properties by the use of dwellings on Skipjack Circle for holiday houses/accommodation.

Extending the area to include all lots to the north of Skipjack Circle will be orderly and proper planning and will alleviate some of the tensions surrounding holiday homes and holiday accommodation in the area.

Under the proposed amendment, the closest possible interaction will be separated by more than 20m, across the Skipjack Circle Road reserve.

Notwithstanding the proposed amendment, landowners would still be able to provide hosted bed and breakfast accommodation. This is defined as short term accommodation for up to four adults (or one family) in a maximum of two guest bedrooms. This is considered low-scale and incidental to the permanent residential uses, as the host resides on the property and can manage guests and deal with any issues.

Amendment type

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a. The amendment is consistent with the relevant objectives of the Scheme and Local addressed by the Shire of Exmouth Local Planning Strategy;
- b. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- c. The amendment is not a basic or complex amendment.

7.0 CONCLUSION

This amendment seeks to remove any doubt by clearly identifying the extent of the Skipjack Circle area in a cogent manner, for where holiday homes are not considered appropriate. This will assist with the housing crisis and ultimately reduce land use conflicts between short-term guests and permanent residents in the area.

Figure 11 - Skipjack Circle Area



COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the ____ day of _____, 2022.

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the ____ day of _____, 2022, proceed to advertise this Amendment.

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the Shire of Exmouth at the Ordinary Meeting of the Council held on the ____ day of _____, 20__ and the Common Seal of the Shire of Exmouth was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

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**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

FORM 6A - CONTINUED

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....