

Planning Information Sheet

Short Stay Accommodation

Short stay accommodation within the Shire of Capel is categorised into three main types. These types are defined as **Holiday House**, **Holiday Accommodation** and **Bed and Breakfast**. This information sheet is intended to help those interested in seeking approval for these activities and has information necessary to support your application.

Frequently Asked Questions

What is Holiday Accommodation?

Holiday Accommodation is defined in the Shire's Local Planning Scheme No.8 as:

"2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot."

What is a Holiday House?

A Holiday House is defined in the Shire's Local Planning Scheme No.8 as:

"a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast."

What is a Bed and Breakfast?

A Bed and Breakfast is defined in the Shire's Local Planning Scheme No.8 as:

"a dwelling –

- (a) Used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and*
- (b) Containing not more than 2 guest bedrooms."*

(Note: The above land use definitions will likely change soon as part of a review of State Government town planning regulations. Definitions will likely refer to "Hosted" and "Un-hosted" accommodation in future.)

What approvals are required?

Holiday Accommodation, "Holiday House" and "Bed and Breakfast" are discretionary uses in several of the zones within the Shire, including the "Residential" zone. As noted above, these definitions will likely change to "Hosted" and "Un-hosted Accommodation". At present, this means that a Development Approval is required before the business can begin operation. The development approval process will require the Shire advertising the application to neighbouring properties.

If you are intending to provide food, additional approvals may be required from the Shire's Environmental Health Team to ensure food preparation and safety requirements are met.

How do I apply?

A Development Application form and information packages are available from the Shire's website; [Development Approval \(capel.wa.gov.au\)](http://capel.wa.gov.au) or available to be picked up from the Shire's Administrative Office at 31 Forest Road, Capel during office hours.

What matters do I need to consider in preparing an application?

There are several important planning considerations to be aware of when preparing an application. The following will provide a good starting point and help to ensure that the planning process is not delayed due to information not being provided with your application.

Bush Fire Planning

If your property is located within a Bushfire Prone Area, it will be necessary to engage a suitably qualified bushfire practitioner to prepare a Bushfire Management Plan that will include an Emergency Evacuation Plan. State Government Planning have introduced these requirements to safeguard your guests in the case of a fire event.

To find out whether your property falls within, or partially within, a designated Bushfire Prone Area the Map of Bushfire Prone Areas is available on the Department of Fire and Emergency Services website; [Map of Bush Fire Prone Areas \(slip.wa.gov.au\)](http://slip.wa.gov.au). If the Map of Bush Fire Prone Areas covers only a small portion of your property, the entire property is still considered to be a Bushfire Prone Area.

Further information on fire management is also available on the Shire's information sheet; [Planning Information Sheet \(capel.wa.gov.au\)](http://capel.wa.gov.au)

If your property is located within Peppermint Grove Beach, significant proportion of the town is identified as being bushfire prone. This will require a suitably qualified bushfire consultant to address fire risk considerations, noting the limited accessibility to the town (one road access).

Effluent Disposal

If your property is not connected to reticulated sewerage, it will be necessary to ensure that the existing septic system has capacity to accommodate guest numbers. The size of the septic system will limit potential guest numbers that can be accommodated. It is suggested to contact the Shire's Health Team, within Development Services, prior to lodgement of the Planning Application to establish capacity. Additional information on Frequently Asked Questions and Answers is attached.

Management Plan

It will be essential to prepare a Management Plan to support an application. The Management Plan requirements are detailed in the Shire's Local Planning Policy 6.16 Short Stay Accommodation.

A key element that requires addressing in a Management Plan relates to [noise impacts](#).

Noise from music, a loud TV or stereos must comply with permitted levels in the Environmental Protection (Noise) Regulations 1997. There is no exemption in the regulations and permitted levels are at their lowest from 10pm onwards. The Management Plan is to advise guests that parties are not permitted. Exceeding prescribed noise levels will not be tolerated and ongoing noise complaints may result in cancellation of approvals.

Local Planning Policy 6.16 Short Stay Accommodation

This Policy guides how applications will be assessed. To assist in preparing your application read the Policy thoroughly and address all relevant aspects. The Policy provides a template for a Management Plan which all applicants are strongly encouraged to use as a guide for preparing your application.

Car Parking

Guest parking is an important consideration. All parking is to be located on the property to minimise disturbance to local amenity and safety.

What information do I need to support my application?

- Completed Development Application form
- Bushfire Management Plan (if located within a Bushfire Prone Area)
- Management Plan that addresses elements listed in Local Planning Policy 6.16 Short Stay Accommodation
- Site plan that includes the floor plan of the property
- Car Parking Plan (showing location and number of bays)

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Effluent Disposal Questions and Answers

Can the maximum number of occupants be increased and balanced by periods of no occupants to meet the onsite effluent system size?

*The Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 dictates a usage per person based on estimated average daily wastewater generated by shower/ toilet/ washing machine etc. This volume per person is also defined for holiday home usage to reflect the difference from residential usage (a reduction to use 140L per person rather than 180L per person). The effluent disposal system must be sized to meet the potential maximum. **The concept of averaging is not supported by the Department of Health.***

Does it make a difference if there are adults and children?

The Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 dictates a usage per person based on estimated average daily wastewater generated by shower/ toilet/ washing machine etc. It does not differentiate or define adult/ child.

Can I apply to upgrade the onsite effluent system?

If the current system is a single system ie one leach drain, then application 'Application to Construct or Install an Apparatus for the Treatment of Sewage' can be made to upgrade to a dual system to meet current residential standards. Approval will be based on assessment of proposed wastewater load and meeting relevant requirements such as setbacks.

Why is my application being referred to the Department of Health?

When a new system is proposed for greater than 8 person the application will need to be assessed by the Department of Health and application of the Government Sewerage Policy 2019. This will involve further constraints if the location is deemed sewage sensitive (such as Peppermint Grove Beach) and will need to include submission of a 'Site and Soil evaluation'.

Can the current system operation be taken into account?

No. Often successful function cannot be determined and this does not negate the current legislative requirements.

Can the drainage system be under the driveway?

The Department of Health does not support leach drains to be installed in trafficable areas. This is to prevent vehicles from damaging pipes, compacting the soil and compromising evaporation. Consideration may be given to trafficable products in some locations other than driveways.