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Chief Executive,
Busselton City Council,
Locked Bag 1,
BUSSELTON, 6280, WA.

HOLIDAY HOME REGULATORY FRAMEWORK-PORT GEOGRAPHE SAR AREA
SHORT TERM UNHOSTED HOLIDAY HOUSES

Dear Mike,

The Port Geographe Land Owners Association represents land owners and residents in the Special Area Rate zone of Port Geographe. We are interested in preserving the quality of life for residents and improving the SAR zone.

We have studied available published information including your Directions Paper particularly your Proposed Review to the Holiday Homes Regulatory Framework and through the Committee gathered input concerning previous and anticipated effects on the SAR zone.
For a area zoned residential, unhosted holiday homes are a business use and should be regarded as a nonconforming land use and subject to strict rules as would any other business operating in a residential area. In order to preserve the residential character of the neighbourhood, the number of unhosted holiday homes should be limited.

It is our view that a much stricter set of rules is required for the approval of new unhosted holiday homes and in the operation of existing holiday homes.

NEW APPROVALS
It is the permanent residents that provide the character and community support of a neighbourhood. Short term holiday guests come and go, contributing little and on some occasions cause a nuisance through excessive noise, litter and restricting access.
We recommend as follows:

- The number of unhosted holiday homes approved not to exceed 10% of the number of houses in a street that is zoned residential. This is necessary to preserve neighbourhood values. This limit would not apply to land zoned for resort use such as the units near The Deck.
- New unhosted holiday homes in land zoned residential, to have a minimum separation from another unhosted holiday home of 5 Lots.
- Where houses/townhouses/villas share a common driveway, not more than one unhosted holiday home in the group unless all owners in the group and immediate neighbours approve. This is necessary to reduce the risk of resident's access being blocked and to avoid placing an unreasonable burden on some residents.
- The land areas listed in "Opportunity 2" will be doubled and the maximum number of occupants plus guests not to exceed 7 in any circumstance. In the Port Geographe SAR zone.
- The addition of a requirement limiting the number of occupants and guests to 2 times the number of onsite parking spaces.

GENERAL REQUIREMENTS

More general requirements to be applied to both new and existing unhosted holiday homes should include the following:

- Specify the minimum font size for the manager contact phone number to be visible from the street at unhosted holiday homes.
- A sign with Manager contact details also to be visible from the canal (for canal Lots).
- Reduce the maximum time for response by the manager to 2 hours the term response.
- Define the term ”response”. An automatically generated email or text message is not a satisfactory response. Attendance by the Manager at the premises to which a complaint relates is a response.
- A monetary penalty to be set and applied where the Manager does not respond in the specified time.
- Specify the minimum age and qualifications of the Manager.
- Detail the Council contact for the lodgement of complaints. A Council Officer to be on-call at all times to deal with noise complaints.
- Registration fees are set at a level that funds a Council Officer to be on call, make noise measurements and enforce responses to complaints.
- Specify the procedure including the number of complaints required for registration of an unhosted holiday home to be automatically suspended/cancelled.
- No animals of any kind in unhosted holiday homes (not just dogs). An exception for support animals such as guide dogs.
- Managers lodge a bond with the Council to cover the cost of cleaning up litter left by occupants and guests in public areas (including the use of divers in canals) and neighbouring properties.
- State Government noise regulations to be strictly enforced by the Council.
- Except for the period of 1 December to 1 January (Christmas lights), there is a limit on the brightness of lights (say 3000 Lumens) focused and reflecting of canal and marina water.
- The Code of Conduct to be displayed with a font size of not less than 28 at not less than two prominent locations in the holiday home.
- For a property advertised on-line a link to the Code of Conduct be required. This way persons looking at a holiday rental will be aware of requirements before they arrive on site.

PAST PROBLEMS

Past problems with unhosted holiday homes in Port Geographe include:

- Excessive noise extending into the early hours of the morning. Noise travels a long way over water when there is little wind.
- Cars parked outside the rented property.
- Bright lights reflecting off the water in canals.
- Litter in the streets and adjacent properties.
- Food containers and trash thrown into the canals.

We would be pleased to meet and discuss the matter particularly in setting up special regulations for the Port Geographe SAR zone.

Yours sincerely,
Grahame Gallagher,
Secretary- PGLOA

08.09.2021