

17 March 2025

File ref: PLAN_49_RFI

Chief Executive Officer
City of Vincent
email: mail@vincent.wa.gov.au

Attn: Mr Callum Radecki – Urban Planner
email: callum.radecki@vincent.wa.gov.au

Dear Sir

**Re: APPLICANT RESPONSE – CHANGE OF USE APPLICATION
Lot 9 (No. 20) GROSVENOR ROAD, MOUNT LAWLEY**

This is to advise that *PLAN. (Town Planning & Urban Design)* has been recently appointed to act on behalf of Mr Stanislaw Dzieciol (the registered owner) of Lot 9 (No. 20) Grosvenor Road, Mount Lawley.

This submission is lodged as part of the Change of Use Application for the subject property which is currently under assessment by the City of Vincent (**City's Ref: 5.2024.421.1**).

The Application seeks approval for a change of use from 'Single House' to '*Unhosted Short Term Rental Accommodation*' (**Unhosted STRA**).

It is relevant to note that Mr Dzieciol formally registered the property for unhosted STRA use purposes in December 2024. The property is currently being advertised and utilised for this purpose under the 90 night (non-consecutive) exemption permitted for landowners to lease out their property without the need for planning approval to be obtained. The City was notified and confirmed its agreement for the use to commence under the STRA provisions whilst the Application was under assessment. It is important to highlight that the unhosted STRA use of this property did not commence until after the close of the advertising period for this Application. The comments received during the advertising process are therefore of a general nature, referring only to perceived impacts which might be caused by this use, rather than being specifically related to the unhosted STRA use of the subject property.

This submission includes:

1. Relevant background to the Application.
2. Summary of the proposal: Locational Characteristics.
3. A formal Planning Response to the City's Request for Additional Information as outlined in its correspondence dated 30 January 2025.

PLAN.

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4. A response to the summary of matters raised in submissions lodged during the formal advertising period.

1.0 RELEVANT BACKGROUND TO THE APPLICATION

This property is the family home of Mr Dzieciol, who grew up in the house with his Mother, Father and siblings.

Mr Dzieciol acquired the property from his siblings after the passing of his Mother, with the intention of preserving the home and keeping it in the ownership of the family. The purpose of providing this personal information is to assure the City that the property is personally significant to Mr Dzieciol and his family. The family has restored the home and takes particular care in ensuring it is booked by families and groups of visitors who will treat the home and their neighbourhood with the highest level of respect.

The restored dwelling is intentionally furnished to appeal to families and groups of people travelling together who are seeking short and extended stays in a residential home. This type of accommodation offering meets the needs of certain visitors seeking a more authentic local stay experience on a property which provides both privacy and space, with a far more relaxing neighbourhood feel, when compared to hotel stays.

The following photographs provide a selection of the images included with the current listing on Airbnb, which as mentioned above, is being advertised and used as unhosted STRA purposes in accordance with the STRA Regulations.



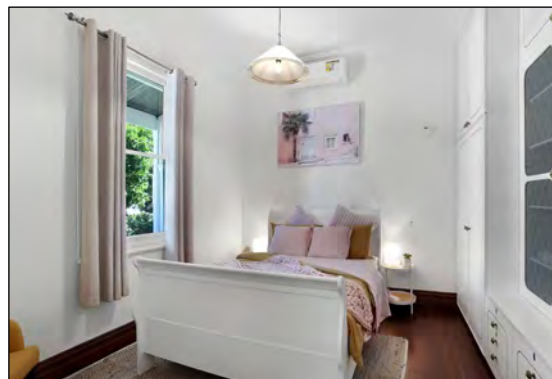
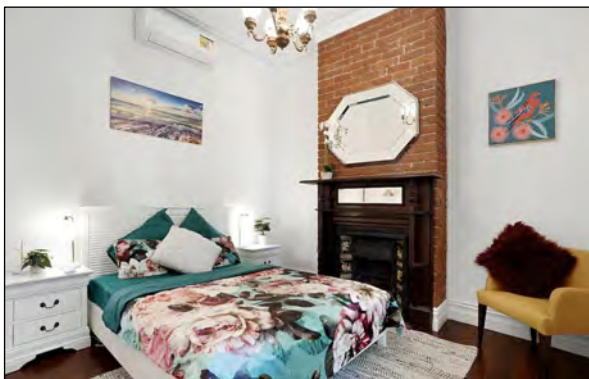
PHOTOGRAPH 1: Standing in front setback of the property looking north west towards the front façade of the restored dwelling.



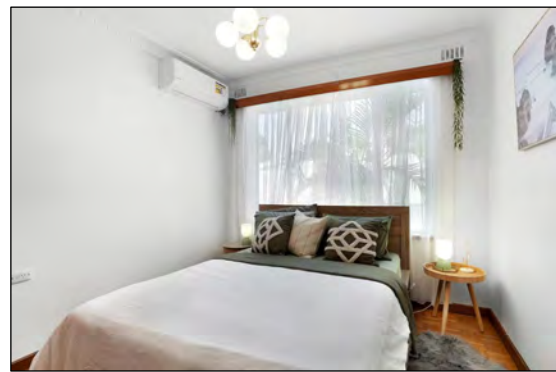
PHOTOGRAPH 2: The living and dining room, which is furnished to present for use as a family stay or for a group of adults travelling together.



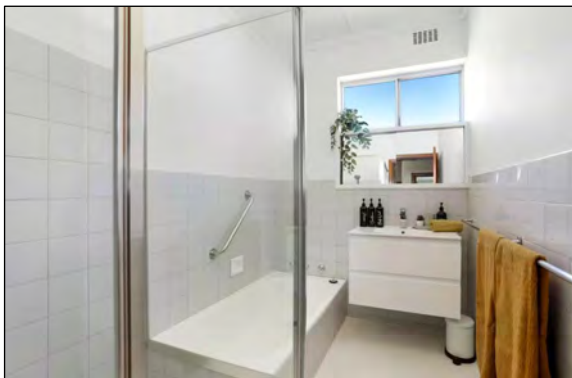
PHOTOGRAPH 3: The kitchen, which similarly presents as a family home.



PHOTOGRAPH 4: The master bedroom and first bedroom, which again is furnished to appeal to families.



PHOTOGRAPH 5: The second and third bedrooms providing for additional separate bedrooms for families.



PHOTOGRAPH 6: The bathroom and laundry rooms.

This property is located at the doorstep of the thriving commercial main street of the Beaufort Street Town Centre. It is ideally located to attract families visiting Perth who seek a stay in a house (not a hotel) which has direct access to both day and night entertainment and shopping activities, together with the full range of convenience goods and services.

This property is also well suited for this type of accommodation due to the high frequency bus transportation service which runs along Beaufort Street, connecting visitors to the City Centre and all of the other tourist attracting sites and venues across the Perth Metropolitan Region.

The specific locational characteristics of this property are further described below.

2.0 SUMMARY OF THE PROPOSAL: LOCATIONAL CHARACTERISTICS

The City's correspondence dated 30 January 2025 includes statements which refer to consideration of the locational context criteria of the City's *Local Planning Policy – Short Term Accommodation (LPP - STA)*.

This section of the submission provides a description of the locality in order to establish the locational context within which the subject property is situated. It is necessary to define the locational context of this area in order to properly consider the proposed use against the relevant criteria of LPP – STA. The defined locational context allows for a position to be formed as to whether the use might in anyway create an adverse impact on the existing amenity of this particular area. The amenity impacts which are considered in relation to the Application include any possible

issues associated with the use of the property in terms of traffic, parking, and noise contributing factors.

Locational context

This particular location is immediately adjacent and with a direct connection to the section of Beaufort Street described in the advertised *Beaufort Street Town Centre Planning Framework* as the 'Uptown' Sub-Precinct. This Sub-Precinct is described in the Framework as being an area of Beaufort Street which is '**a vibrant hub for entertainment, hospitality and culture, anchored by landmark venues such as The Elford and RTRFM. Its elevated position offers views across the surrounding suburbs, reinforcing its role as a destination for locals and visitors. Future development will build on the existing character, enhancing street-level activity and creating a dynamic atmosphere.**' (*Emphasis added.*)

The locational context of the property includes the geographical features listed below, with the boundaries of this area being as defined in [Figure 1](#).



FIGURE 1: Locational context boundary as defined by red line.

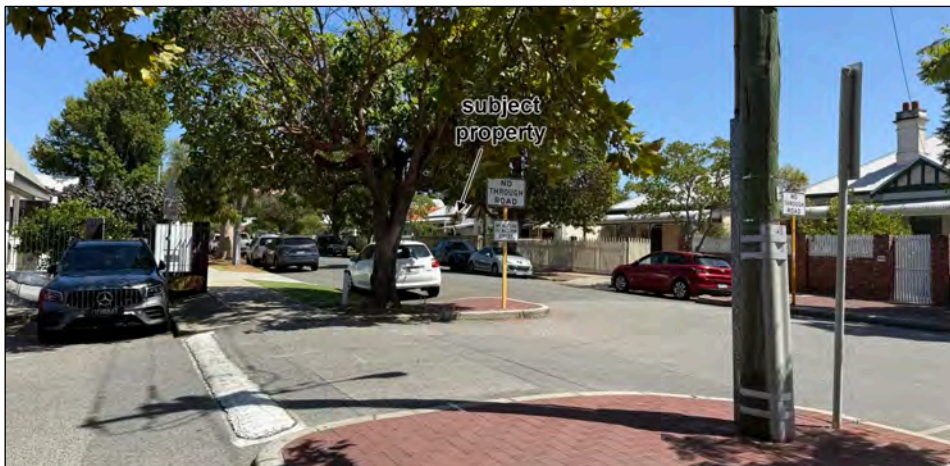
Source: google maps.

Geographical features of the location:

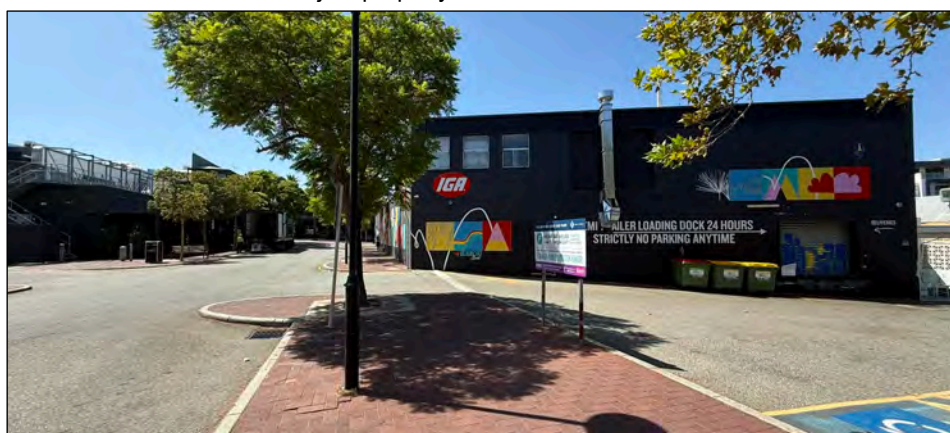
1. The direct connection and interaction of this property with the commercial uses operating at the eastern end of Grosvenor Road at its intersection with Beaufort Street, which area forms part of the 'Uptown Sub-Precinct' of the Beaufort Street Town Centre.
2. The residential and non-residential land uses fronting Grosvenor Road on both sides of the access road, extending from the intersection at Beaufort Street (in the east) to the raised median in the west which prevents traffic from travelling any further west on Grosvenor Road.
3. The large public car parking facilities located at the eastern end of Grosvenor Road.
4. Arnold Lane, which is the sealed and drained Right of Way extending along the rear boundaries of the properties on the northern side of Grosvenor Road.

5. Boodja Lane, which is the sealed and drained Right of Way extending along the rear boundaries of the properties on the southern side of Grosvenor Road.
6. The access to and from both Arnold and Boodja Lanes from the internal areas of the adjoining public car parking facilities.

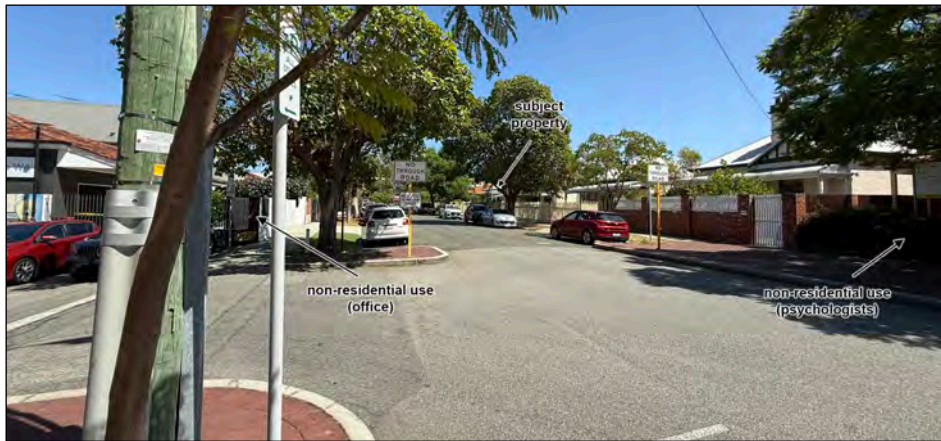
This locational context comprises of a mix of residential and non-residential uses on properties with individual frontages to Grosvenor Road, and the bustling, noisy and vibrant commercial land uses operating in the Beaufort Street Town Centre. Of particular note is The Elford pub, Fresh Provisions, IGA, and Beaux Lane, including the many restaurants, cafes and other shopping tenancies, which together with the adjoining well utilised public car park areas, exist at the eastern end of Grosvenor Road and within 50 metres to 100 metres walking distance of the subject property. The interface of this thriving commercial area of Beaufort Street with the subject property plays a significant contributing role in defining the character of this area. The following photographs demonstrate the relationship between the residential and non-residential land uses and the commercial uses operating on the same section of street.



PHOTOGRAPH 7: Standing on the brick paved verge of the car park on the southern side of Grosvenor Road, looking in a north western direction towards the subject property.



PHOTOGRAPH 8: Standing on the brick paved verge of the same car park shown in Photograph 7 on the southern side of Grosvenor Road looking across the easternmost access to the car park and IGA, with The Elford pub to the left of photograph.

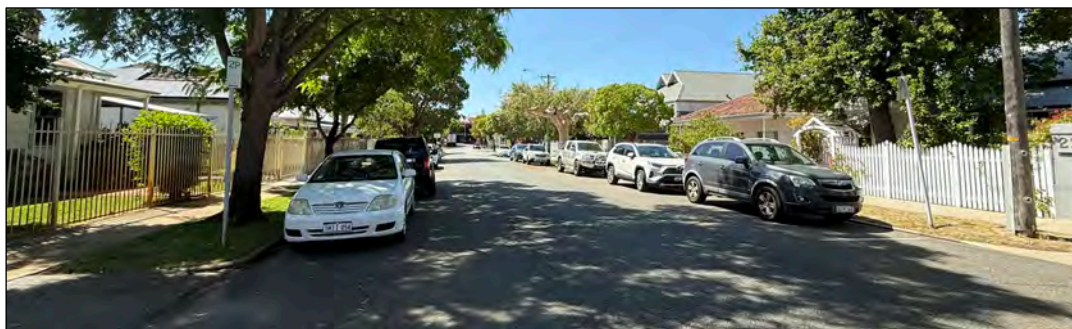


PHOTOGRAPH 9: Standing on the southern side of Grosvenor Road looking towards the non-residential uses and the subject property.



PHOTOGRAPH 10: Standing on the southern side of Grosvenor Road looking towards the crossovers and car parking area on the northern side of the road, together with Fresh Provisions and the many other commercial uses of the Alexander Buildings. Note: The Elford is to the right of the photo.

The subject property sits on the doorstep of the Beaufort Street Town Centre, which is accessible from the pedestrian footpath which runs along the front verge of the land to meet the intersection with Beaufort Street.



PHOTOGRAPH 11: Looking east along Grosvenor Road towards intersection with Beaufort Street. Property to left of photograph.

The residential properties on both sides of Grosvenor Road comprise of single and double storey built forms on freehold lots, with individual primary frontages which address the road. All properties have rear boundaries which abut sealed and drained laneways.

The majority of the dwellings in this immediate area have generous front setbacks to Grosvenor Road and setbacks to the side boundaries shared with adjacent properties. The separation distances between the individual dwellings together with the setbacks to the road and wide frontages of the lots indicates that the residential properties in this particular location are not confined or sensitive to noise to the point where any such perceived impact is not capable of being managed.

Grosvenor Road has a total reservation width of 20.0 metres with a carriageway width of 10.0m (approx.). The substantial width of the carriageway allows for ample street parking opportunities for visitors to residential properties in this area.

The residential and non-residential use properties enjoy on-site parking in the form of double garages, or carports providing tandem parking, for at least two (2) vehicles, with most being accessible from individual crossovers on Grosvenor Road and/or the rear laneways.

All properties have parking opportunities at the rear, which are accessible from Arnold and Boodja Lanes via the respective adjoining public car parking areas and side streets. The on-street parking availability on both sides of the road, coupled with the wide verges and the residential properties providing on-site parking for their vehicles, suggests that parking is not a constraining factor in terms of amenity in this area.

The public car parking facilities are located within 50m of the subject property which can be accessed by vehicles entering Grosvenor Road from Beaufort Street. It is extremely well utilised with vehicle and pedestrian movements occurring at the western end of Grosvenor Road and across both carparking areas throughout the day and evening on the seven days of the week. Only local traffic travels west beyond the car parking entrances on Grosvenor Road, as this section is sign posted as a 'no-through road'. The vehicle movements associated within this section of road are therefore already suitably managed to not be considered a constraining factor on the amenity of this area.

The diverse range of land use activities operating in this immediate locality play an integral part in shaping the identity and existing noise amenity impacting this location. These activities combine with high volumes of traffic on Beaufort Street, which traffic noise extends into the adjoining carparking areas to generate a substantial level of existing noise impact, which is audible in this location and at the subject property during the day and late into the evening.

The noise of the traffic on Beaufort Street is intensified as vehicles slow down and accelerate near the intersection of this section of Grosvenor Road due to it being close to the traffic lights at Walcott Street. The location is also impacted by the noise contributing factors associated with vehicles entering Grosvenor Road to access the adjoining car parks. This includes the noise of vehicles moving across the parking areas together with the sounds of car doors closing as people enter

and exit their vehicles; as well as the noise associated with the truck deliveries to the various commercial uses, including Fresh Provisions, the IGA and The Elford.

Other noises which contribute to the amenity of this location include the conversations of groups of people walking along footpaths and moving within the car park throughout the day and night. The noise of gatherings of people conversing in the alfresco area of The Elford, together with the amplified music emitted from this venue, and similar noises of the many other restaurants and cafes in this immediate location, is also a contributing factor to the existing noise amenity.

All of these noise contributing factors create an ambient noise level greater than which exists in other residential areas nearby Beaufort Street. It is reasonable to conclude that the noise amenity of this particular location combines the activities of residential and non-residential uses with the day and night economy land uses of the Beaufort Street commercial main street, all of which interact within the same stretch of local access road. It is therefore considered that the use of this property is well located for unhosted STRA purposes and compatible with this existing noise amenity. The noise of the guests is similar if not the same as the noise generated by longer term rental occupants and will not adversely impact on the amenity in terms of noise to a degree which cannot be suitably managed through the restrictions included in the attached updated Management Plan and in the manner which the property is currently managed.

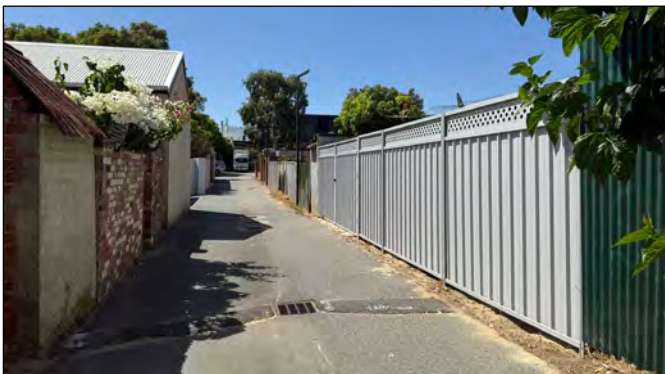
Site context

The subject dwelling is located within 50m walking distance of the Beaufort Street Town Centre and only 40m to the west of the non-residential uses of dwellings adjacent to the public parking areas adjoining the Town Centre on Grosvenor Road.

The subject property comprises of a single storey traditional dwelling on a green title lot which has a land area of 577m². A carport provides on-site parking for two (2) vehicles in tandem and is located along the eastern side of the dwelling.

The property has a southern primary frontage to Grosvenor Street of 15.09 metres, side boundary lengths of 38.22 metres, and a rear boundary width of 15.09 metres.

Arnold Lane runs along the rear boundary of the land, which is a 4.02 metre wide sealed and drained Right of Way. Arnold Lane is accessible from the public car park of the Town Centre and Raglan Road to the north.



PHOTOGRAPH 12:

Standing on Arnold Lane at the rear of the subject property looking east directly at a truck delivery to Fresh Provisions which forms part of the Beaufort Street Town Centre.

Photograph 12 shows a clear line of sight from the rear boundary of the subject land to a truck delivery at the front of Fresh Provisions. This photograph demonstrates the connection and direct interaction of the property with the uses operating within the commercial main street.

The dwelling is set back to the eastern side boundary by approximately 3.0m. The neighbouring dwelling to the east is setback from the shared common boundary by a further 3.0m. The separation distance between the dwelling wall of the subject property and the dwelling to the east (and any sensitive rooms within it) is therefore approximately 6.0m.

The dwelling is setback from its western side boundary by approximately 1.0m. The crossover to this neighbouring (western) property which provides access to onsite tandem parking bays is located along the eastern common boundary shared with the subject property. The dwelling is setback from the boundary approximately 3.0m to accommodate the tandem parking for this neighbouring dwelling. The separation distance between the subject property and this dwelling to the immediate west is therefore approximately 4.0m.

The dwelling is setback from the rear boundary of the land by approximately 17.0 metres and separated from residential dwellings to the north by Arnold Lane. Refer below to **Figure 2: Site Context**.



FIGURE 2: Site Context (source: SLIP)

3.0 APPLICANT RESPONSE TO ADDITIONAL INFORMATION REQUEST

3.1 Response to City's statement in the RFI Correspondence of 30 January 2025

Reference is now made to the following statement contained in the City's RFI correspondence dated 30 January 2025 and provide a response below.

*'The proposal is not supported **due to the dwelling, and its associated outdoor living areas, being in close proximity to sensitive areas of the adjoining residential properties.** It is noted that short stay accommodation properties within established residential areas are susceptible to increased amenity impacts to **neighbouring units.** This results in complications in achieving satisfactory management measures. This is due to the **proposed dwellings (specifically the outdoor living area) proximity to the surrounding dwellings rooms and outdoor living areas.** For this reason, the City is **not supportive** of the proposal **irrespective of the provided and/or any amended Management Plan or Code of Conduct.**' (Emphasis added.)*

Planning response:

Respectfully, the above summary statement outlining the City's preliminary views of this proposal and given as the reason justifying an unsupportive position has given little consideration to the locational context of this area or the specific dwelling characteristics of the land the subject of this Application. Through this submission, we therefore respectfully request the City's further consideration of this proposal on the basis of the planning justification provided and having consideration for the individual merits of this Application.

The following points are provided which specifically respond to the above statement, for the City's consideration.

1. It is inaccurate for the City to describe the adjoining residential properties as 'neighbouring units'. There are no dwelling units adjoining this property. The neighbouring properties comprise of traditional single storey residential dwelling built forms which are centrally positioned on their individual freehold lots. Both neighbouring dwellings have common boundary fencing shared with the subject property and are substantially setback to the shared respective side boundaries.
2. This Application does not seek approval for 'proposed dwellings' on the land. The Application does not include any works component. Approval is sought to use the existing dwelling on the land for unhosted STRA.
3. The outdoor living area of this dwelling is not in close proximity to any sensitive areas on the adjoining residential dwellings.
4. The traditional dwelling on the land and those on the neighbouring lots have private open space areas in the backyards. **Photograph 13** below shows the private open space of the dwelling and its separation to the adjoining properties.



PHOTOGRAPH 13: The private open space with moveable outdoor setting and small rear verandah sitting area.

5. The subject dwelling has a small rear verandah which currently offers guests a covered outdoor space to sit and relax on a couch outdoor setting. Refer below to **Photograph 14**.



PHOTOGRAPH 14: The private open space with moveable outdoor setting and small rear balcony sitting area.

6. There is also a brick paved area in the backyard which has an unfixed outdoor dining setting, as shown in **Photograph 13**.
7. The back verandah area is setback from the eastern side boundary by 3.0m (approx.). The dwelling on the property to the east is set back at a similar 3.0m approximate distance to the side boundary fence. This provides a total 6.0m (approx.) separation distance from the

eastern side of the verandah to the closest wall of the neighbouring dwelling. The setback of the dwelling to the eastern boundary is perhaps best considered when viewing the property from Grosvenor Road, as illustrated below at **Photograph 15**.



PHOTOGRAPH 15: Standing on Grosvenor Road looking north at the on-site parking and substantial setback of the dwelling to the neighbouring eastern dwelling, which is similarly setback, providing a total separation distance of approx. 6.0m.

8. The paved area with the outdoor dining setting is positioned adjacent to the western side boundary. The parking for the property to the west runs along this boundary. The setback of the dwelling to the western dwelling is shown below in **Photograph 16**.



PHOTOGRAPH 16: Standing on Grosvenor Road looking north at the on-site parking and substantial setback of the dwelling to the west and the use of the land along its eastern side boundary for on-site parking and boat storage. A large shed is also located on this neighbouring property at the north eastern corner of the rear of the land.

9. There are no adjoining outdoor living areas or sensitive dwelling rooms on either of the neighbouring properties.
10. The separation distances between the subject dwelling and the dwellings on the neighbouring properties to the east and west are substantial. It is therefore difficult to rationalise the position of the City's Administration that the proximity of the outdoor living areas to the neighbouring outdoor living areas and dwelling rooms of a sensitive nature provides sufficient planning reasons for it not to support this Application.

11. The landowners of the property have also met with the neighbours of these properties to discuss the Application and the recent use of the premises as unhosted STRA. The neighbours raised no concerns and have provided my client with signed letters of written support for the use of this dwelling as unhosted STRA. A copy of these letters of support are provided at [Attachment 1](#).
12. Finally, we respectfully request that the City not dismiss consideration of the attached Management Plan and Code of Conduct, as it had suggested it would do so in the above statement. The attached Management Plan and Code of Conduct are submitted in an updated format, with includes a list of rules for guests to adhere to, which address the perceived impacts raised in submissions received during the advertising process for this Application. Refer to [Attachment 2](#).

3.2 COMPLIANCE OF APPLICATION WITH OBJECTIVES OF LPP - STA

The City's RFI correspondence specifically refers to the Application being required to be considered against the overarching objectives of the LPP – STA. It states in its correspondence that the Application does not currently align with these objectives, with Objective Nos. 3 and 5 being specifically mentioned.

For completeness, each objective of the LPP is listed below together with planning justification which establishes that the proposed use of this dwelling is overwhelmingly compliant with all relevant objectives of this LPP.

LPP OBJECTIVE 1:

Positively contributes to the surrounding locality and diversity of accommodation types offered in the area.

Planning Response:

The built form characteristics of this property and its specific location on Grosvenor Road in connection with the Beaufort Street Town Centre is well suited to positively contribute to the locality by adding to the diversity of accommodation types offered in this area.

The proposed use of the subject property for unhosted STRA purposes therefore comfortably meets with the intent of this objective.

LPP OBJECTIVE 2:

Are managed in a manner that protects the amenity of the surrounding community to the level necessary for its context.

Planning Response:

The property is managed by a Perth based short term rental management company alongside the landowner. A series of questions are asked at the point of booking the accommodation, including

how many people will be staying, the reason for the visit, and confirmation that it is understood there can be no parties or gatherings at the house, together with other specific house rules.

The attached Management Plan is the document which is displayed in the living room of the home. It is the 'Guest Book' and includes all the rules and procedures to be followed. A copy of the Management Plan is attached at [Attachment 2](#).

The proposed use of the subject property for unhosted STRA is therefore capable of being managed to protect the amenity of the community in this location to the level necessary for its locational context and is therefore compliant with this objective.

LPP OBJECTIVE 3:

Are located, designed and operate in a manner that minimises the level of noise generated by guests and impact that noise has on the surrounding community.

Planning Response:

The location and design of the single storey dwelling on the land together with the high quality management of the use means that the level of noise generated by people occupying the property is similar and not more than the noise of people using the property under a longer term lease arrangement.

The operational management of the dwelling ensures it is occupied respectfully by guests, which is assisted by the inclusion of restrictions on the guest numbers; minimum stay and booking requirements; restrictions on the use of the outdoor space during the noise sensitive hours of the evening; and no pets of guests being permitted.

All guests and cleaners employed to service the dwelling after each stay are required to park in the on-site parking provided on the property.

The proposed use of the subject property for unhosted STRA is therefore compliant with this objective.

LPP OBJECTIVE 4:

Do not negatively impact on the heritage integrity of a place or its historical and social value.

Planning Response:

The subject property is not listed as a place of heritage significance. This objective is therefore not relevant to the consideration of the merits of this Application.

LPP OBJECTIVE 5:

Do not have an undue impact on the amenity of the area, including surrounding residential properties and businesses.

Planning Response:

The City's RFI correspondence advises that it considers the proposed use of the dwelling as not aligning with this LPP Objective No. 5. The City suggests that the amenity is impacted as it has formed a preliminary view that the dwelling does not provide sufficient distance and separation between the outdoor living areas on the subject land to sensitive areas of the adjoining properties to the west and east in order to minimise noise generated by guests.

In order to address this particular objective, it is first necessary to establish the existing amenity, before considering the impact of the proposal on that amenity, and the weight of that impact. The amenity requires consideration of the immediate locality which includes the characteristics of the land, the surrounding properties, and the streetscape of Grosvenor Road, including both parking and noise related amenity characteristics of both the residential area and the specific commercial uses operating on this same street within the Beaufort Street Town Centre. The area which defines the locational context is described in detail at [Section 2.0](#) of this submission.

The amenity of this area consists of the diverse range of day and night economy land uses operating in the Town Centre within 50m of the subject property. The most notable contributing factor to the amenity of this area is the noise generated from the activities of the Town Centre.

The contributing factors to the noise amenity of this location is established as including the residential and non-residential uses combined with the day and evening activities associated with Fresh Provisions, IGA, The Elford pub, the various restaurants and cafes which adjoin the public car parks accessible from Grosvenor Road, combined with the noise of vehicles on Beaufort Street, which is clearly audible from the premises.

Grosvenor Road is well managed with only local traffic entering the residential section of this location. The use of the property for unhosted STRA will not adversely impact on the existing amenity in terms of noise generated by traffic volumes or movements in this area.

The property provides sufficient parking on-site to support the use. The use does not rely on street parking and therefore will not create an adverse amenity impact on the streetscape. It is also relevant to note that the property has immediate accessibility to the high frequency bus services which run along Beaufort Street, which further reduces the dependency on private car use by guests.

The dwellings in this location are sufficiently separated from each other to provide adequate buffers to ameliorate noise of an occupant of the subject property or the neighbouring properties, whether the occupants be permanent or guests enjoying a short stay.

The existing amenity of this particular section of Grosvenor Road is therefore not purely residential in nature. It is an amenity comprising of residential and non-residential land uses with a clear

interface with the activities occurring in the commercial main street. Some of these activities are in such close proximity to the property that the house is clearly visible when standing midway along the side boundary of the Mount Lawley IGA and directly adjacent to the alfresco area of the major openings of The Elford to Grosvenor Road. Refer to **Photograph 17**.



PHOTOGRAPH 17: Standing on the southern side of Grosvenor Road near the intersection with Beaufort Street, looking west towards the subject property.

The use of the property for unhosted STRA purposes will not result in an undue impact on the amenity of the surrounding properties. The dwelling does not share any boundary wall with another dwelling. It is sufficiently set back from the neighbouring properties to ensure that the amenity of the area in terms of noise is not in any way adversely impacted by the use of the residential premises for short term rental accommodation purposes.

The outdoor living areas of the dwelling are not located within close proximity to the adjacent dwellings. The private open space and outdoor living areas of this property are shown in **Photograph 18** and **19**.



PHOTOGRAPH 18



PHOTOGRAPH 19

It is not accurate to describe the outdoor living areas of this property as being adjacent or in any way adjoining the neighbouring properties to the east or the west. The mere fact that the land shares common boundaries with other properties is not sufficient grounds to form the view that the use will create an adverse impact.

The dwelling on the property to the east extends further north and is not impacted to an extent beyond what is reasonably expected of residential properties with backyards located to the rear of the built form.

The dwelling to the east has its onsite parking area extending along the common boundary. There is no outdoor living area adjacent to the boundary which might be considered to be adversely impacted by the use of this space by guests, which use the home in the same way as persons using the property on a longer term basis.

In addition to that, as explained in the section titled **Site Context**, these properties are set back and separated by fencing and substantial lot boundary setbacks. These properties do NOT share common boundary walls, and they are certainly not residential units.

The revised Management Plan includes restrictions on the numbers of guests of visitors, the times that the outdoor areas can be occupied and other noise mitigating requirements to ensure that this home will continue to operate as it does currently, without causing any concerns in regard to noise generating impacts above the existing noise amenity of this location.

LPP OBJECTIVE 6:

Provide sufficient car parking or access to alternative transport modes to minimise negative impact on the amenity of the area.

Planning Response:

The dwelling provides on-site parking, which is accessible from Grosvenor Road, as well as vehicle access onto the property at the rear of the land via Arnold Lane.

The guests and the professional cleaning company employed to service the dwelling are required to park vehicles in the carport on the property. The use therefore does not rely on street parking. Any perceived impact on amenity as a result of parking is therefore not relevant to this Application.

In addition to that, the property is located within close proximity to the high frequency bus services operating along Beaufort Street, in accordance with this objective.

In further support of this Application, the following planning justification is provided in response to the relevant criteria of *Part 2 – Residential and Mixed Use Zones* of the LPP.

It is highlighted that the following acceptable development criteria is to be given 'due regard' when assessing Applications for this type of use on a residential property.

'In assessing proposals for short term accommodation in Residential and Mixed Use zones, the City will have due regard to the following Acceptable Development criteria:'

a) Proposals in medium/high density areas.

Planning justification: the property is located with a medium R40 density area.

b) Proposals within 400m of high frequency public transport services or a range of commercial, entertainment or tourist activities or within 1 km of the Perth CBD.

Planning justification: The property is located well within 400m of the high frequency bus transport service operating along Beaufort Street.

c) Accommodation that proposes sufficient distance and separation from the outdoor living areas of adjoining properties to minimise noise generated by guests.

Planning justification: The dwelling on the land is sufficiently separated and provides adequate distances between the outdoor living areas on the land and those on adjoining properties to ensure minimal impact of noise.

d) Accommodation that has a direct interface with noise generating (non-residential) uses or where ambient noise/activity already exists.

Planning justification: The dwelling on the land is located within an area where ambient noise and activity already exists, as established through this submission.

e) Proposals that demonstrate that the use would positively contribute to the geographic location or diversity of accommodation types offered in the area.

Planning justification: The use of the property offers visitors with stays in an appropriate location with convenient access to all amenities required of guests. It is a well suited location and property which provides the City with an opportunity to ensure diversity of accommodation is provided for visitors in a location which supports the local businesses operating in the Town Centre.

f) Proposals that do not involve works that alter the external appearance of the building.

Planning justification: The Application does not involve any works component.

Host present:

Yes, or management plan and other measures are suitable to achieve the objectives of the policy.

Planning justification: No host is proposed to be present during visitor stays. An updated Management Plan and Code of Conduct are provided at **Attachment 2**.

Minimum night stay:

2 nights (does not apply to Bed and Breakfast uses and other uses where a host is present).

Planning justification: The minimum stay is two (2) nights.

Management Plan and Code of Conduct: Yes

Planning justification: Please refer to the Management Plan/Guest Book and Code of Conduct at [Attachment 2](#).

The attached Management Plan (Guest Book) ensures that the family home is not used for anything other than short stay accommodation purposes.

The house rules are clearly stated in the Management Plan to ensure the occupants will use the home as a place for quiet enjoyment and relaxation during their stay. The rules include a defining statement that parties or gatherings are prohibited. In addition to that, the following statements are included:

1. We have fabulous neighbours and ask that you are respectful of them.
2. Please treat this property with care and consideration.
3. No additional persons are allowed on the premises unless approved by the host.
4. Strictly no pets are allowed.
5. Strictly no smoking/vaping or e-cigarettes.
6. Any excessive noise will not be tolerated. Quiet time is between 10:00pm and 7:00am on Monday to Saturday, and 10:00pm to 9:00am on Sunday and public holidays.
7. Guests are required to park two (2) cars inside the gate. Please do not park in the street.
8. Security/Damage Deposit will be refunded as long as the provisions and house rules are met.

4.0 APPLICANT'S RESPONSE TO SUMMARY OF SUBMISSIONS

A formal Applicant's response to each of the submissions received during the advertising period is provided in the attached schedule included at [Attachment 3](#).

In addition to that, we provide the following list of recent and upcoming stays at the home, as part of the 90 days exemption period.

The guests are all required to acknowledge the house rules, including that there are to be no parties or gatherings of guests at the property. All visitors have been family members or mature guests visiting family.

GUEST DESCRIPTION	LENGTH OF STAY	TOTAL NIGHTS OF STAY
2 Adults and 3 Children. A Mother, Son and his children. (International) Holiday visit.	28 December 2024 to 3 January 2025 Check-in at 3pm, check-out at 10am.	6 nights
4 Adults. (Portugal and UK) Holiday visit.	15 to 19 January 2025 Check-in at 3pm, check-out at 10am.	4 nights
2 Adults and 3 Children. (Geraldton) Holiday visit.	22 to 27 January 2025 Check-in at 3pm, check-out at 10am.	5 nights
2 Adults and 3 Children. (Local) Building works at place of residence.	2 to 15 February 2025 Check-in at 3pm, check-out at 10am.	13 nights
4 Adults and 1 Infant. (Broome) Visiting sick family member.	18 to 23 February 2025 Check-in at 3pm, check-out at 10am.	5 nights
2 Adults and 1 Child. (USA) Visiting family.	3 to 7 March 2025 Check-in at 3pm, check-out at 10am.	4 nights
3 Adults. (Ireland) Visiting family and playing golf.	10 to 16 March 2025 Check-in at 3pm, check-out at 10am.	6 nights
3 Adults and 2 Children. (Interstate) Family visiting Perth to visit UWA for their Son.	28 March to 1 April 2025 Check-in at 3pm, check-out at 10am.	4 nights

5.0 CONCLUDING SUMMARY

The property is a high quality and beautifully restored family home which provides stays for families in an area which is residential in form but with direct interaction and connection with the Beaufort Street Town Centre.

The guests approved to stay in the home are stringently assessed by the Accommodation Manager in consultant with the owner of the land. Approval for each stay is only given to mature guests, comprising of a single family unit or a group of adults visiting Perth following consideration of the reasons for that visit and confirmation that the house will not be used for parties or gatherings of people.

We therefore respectfully request that the City consider this submission and the attached Management Plan together with the Code of Conduct and assess this Application on its merits, based on the justification provided.

Should staff have any queries regarding the information provided in this submission, the writer is available on 0414 384 972 or clare@planwa.au, at their convenience.

Yours sincerely



Clare McLean
Director