

## Reply to Advertisement of Planning Proposals for Units 1 and 12

Dear Mr Drewett,

I write in my private capacity as the owner-occupier with my wife, Gillian, of Unit 13, 6 Eric Street, Cottesloe, rather than in my role as secretary of the Council of Owners for our building, Century Cove.

Gillian and I support the continued provision of short term accommodation (STA) in Century Cove subject to two major conditions, namely

- a) No misuse of common property; and
- b) Observance by owners and guests of the (Schedule 2) behavioural by-laws and Century Cove's "House guidelines and expectations" as reasonably drafted from time to time.

A copy of each is attached.

Please note that these two conditions are not specific or limited to short term accommodation and apply to all, including to longer term renters and to owner-occupiers. That is, these conditions should be observed by all owners and brought to the attention of all occupants regardless of the nature and length of occupancy.

We note that

- a) Recognising that (subject to the by-laws) all owners have the right to use their properties for different reasonable purposes, the Owners of Century Cove ('Owners') adopted at the 8 January 2015 AGM the following statement of objectives for the Council of Owners ('COO') :-

***"The objective of the Council of Owners for Century Cove, Eric Street is (through maintenance, improvements, management and standards of behaviour) to keep the property in the condition, appearance and amenity to ensure that all owners can expect to receive either by enjoyment, sale or rental, the optimum return on their investment."***

- b) Our building, site and precinct have a long tradition and history dating from pre-WW2 of providing short term accommodation for beach holidays. The adjoining corner site was occupied variously by Westhaven House, Colombo's Restaurant and the Colombo Apartments and was very popular with American servicemen and their girlfriends—the latter often taking short term accommodation in the nearby cottages.

Our site also provided short term accommodation in this early period, which continued when the then cottages were purchased by the Australian Bank

Officials Association to provide holidays for country bank officers and their families. Within the life of the current building, virtually all apartments have provided STA for some period of time, more than half in the recent past. Covid caused most apartments previously providing short term accommodation to move to longer term rental.

Within Century Cove short term guests tend to be older than the Air BnB norm; and, more likely to be family groups or old friends getting together. There has also been a not infrequent demand for short term accommodation from local families needing bridging accommodation due, for instance, to mismatched property settlements or to the delayed completion of major renovations or new builds. Pre-covid, there was significant international demand – and presumably will be again.

- c) The term “Air BnB guests” commonly conjures up the false image of party animals encouraged by an irresponsible system and irresponsible owners and thus a major problem without respect of benefit to other apartment owners or to the local community. This stereotype is at sharp variance with the facts.
- d) In the past decade the major behaviour problems in the building have arisen with long term renters. For instance, one FIFO worker drank and partied aggressively in the fortnights when he was back in Perth – but never over three consecutive weeks. This repeated behaviour occurred over an eighteen month to two year period. Little effective could be done by Century Cove’s Council.  
In sharp contrast to the ready discipline available through the Air BnB booking system, offenders who are long term renters cannot be easily ejected or barred from future rentals due to the strong protections afforded them by the Residential Tenancies Act. We understand that amendments to this act are currently being considered to give even greater protection to renters against landlords.
- e) Owner-occupiers may also cause problems for others -- whether for other residents, guests or contractors. There is no simple, easy mechanism for complaints against owners short of seeking a Misconduct Behaviour Restraining Order through the Magistrates Court –and that is not a quick or easy process. Nonetheless, during 2021 two separate restraining orders were issued against the same owner-occupier to protect young women – one a then pregnant long term renter, the other the host/manager of a short term accommodation apartment.
- f) In contrast, since 2010, there have been so few behavioural incidents at Century Cove involving short term accommodation that they can be counted on a few fingers. In each case, the offending guest has been evicted and/or blacklisted for all future bookings for dwellings on that booking platform. Importantly, the

relevant owners also acted pro-actively by amending their booking policies and practices in response to the lessons learnt to eliminate any repeats of bad or offensive behaviour. One owner chose to switch out short term back to long term rental.

The firm and mature response by owners is well illustrated by the July 2021 incident.

A single male booked an apartment for a weekend in July 2021. Despite the small numbers, an aggressive party commenced on the Saturday night prompting quick intervention by the manager and promises from the offending guest to close it all down. The party purposefully re-erupted several times thereafter. The offender was evicted on the Sunday morning and blacklisted to bar him from any future bookings for residences on the Air BnB platform. Further, the owners changed their booking policy to eliminate risk of any repeat. This mature response was broadly complimented including by the neighbours affected. As a result, the incident was considered resolved and neither listed for discussion nor discussed at the subsequent meeting of the Council of Owners.<sup>1</sup>

In the case of Kaye Breakey's apartment we are aware of no behavioural incidents in the period (more than twenty years ) that she has been providing short term accommodation. The same applies for other apartments previously providing short term accommodation.

Century Cove is not a party house; there is zero tolerance of bad behaviour by short term guests; and all owners support this. There is respect for the proximity of neighbours in other apartments and for their enjoyment and amenity.

In summary, we believe that the evidence strongly supports approval for the continued ability of Kaye Breakey, Anne and Michael Potter and other owners to provide short term accommodation in Century Cove.

We are available to clarify or discuss.

Best wishes,

John Marsden,



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<sup>1</sup> Later, an owner occupier who had been absent from the building on the relevant weekend used the incident to lodge a complaint with the Town of Cottesloe and with the Post Newspaper against the owner and the manager.

# **CENTURY COVE**

## **6 ERIC STREET, COTTESLOE**

### **HOUSE GUIDELINES & EXPECTATIONS**

1

Century Cove is a community of residents and guests enjoying the amenity of the location, the apartments and the complex's shared areas. Use of the building and the behaviour of residents, guests and all visitors must be consistent with the amenity and enjoyment of all. Just the same as in residential streets, please be considerate of your neighbours. Indeed, because of the close proximity of apartments adjoining, above and below greater consideration is warranted.

In promoting this, the Council of Owners have developed these House Guidelines & Expectations, which all residents are respectfully requested to adhere to.

#### **1) Noise and Residential amenity**

- a) Residents and Visitors must not engage in anti-social behaviour and must minimise their impact upon the residential amenity of neighbours and local community.
- b) Residents and visitors must not create noise which is offensive to occupiers of the neighbouring properties especially between 12pm – 8am and during arrival and departure at any time throughout the occupancy.
- c) Offensive noise is prohibited and may result in extra charges for security and other expenses, which may be on charged by the strata manager, or a breach notice issued to the owners & to the tenant.

#### **2) Balconies**

- a) Please ensure that noise is kept to a minimum on the balcony areas after 10.00pm and be courteous of residents within the apartment complex.
- b) No alighting balconies from the front of the building.
- c) Please do not hang washing on front or back balconies (washing on a line below the parapet so that it is not visible from outside the building is acceptable).
- d) The drains from the balconies of upper floor units are designed for storm water drainage only. They drain into the courtyards of the ground floor units. If it is necessary to water plants or wash down the balcony please check that this water does not adversely affect the people and their belongings below.

#### **3) Visitors**

- a) Residents are responsible for ensuring that Visitors comply with these House Guidelines & Expectations.

#### **4) Gatherings or Functions**

- a) The Property is not a 'party house'.
- b) Any gathering, celebration or entertainment permitted at a Property must not conflict with residential amenity and must comply with other House Guidelines & Expectations requirements.
- c) Common courtesy would dictate that adjoining neighbours are notified in advance before entertaining a large crowd of people.

## **5) Parking**

a) Parking arrangements at the Property are as follows. There is one undercover car bay available for use, which is marked with the unit number, in addition to extra unmarked car bays. Visitors must not park in this undercover area or the unmarked car bays. There is public parking available for visitors on Eric Street and Marine Parade.

- b) *Carports* • No protuberance beyond the white line which marks the end of each carport;
- Surf boards, surf skis and similar items may be kept neatly hung from the rafters above each carport; and
  - No furniture, gear or kit may be left on the floor of the carport.

## **6) Garbage and Recycling**

a) Residents and Visitors are to dispose of garbage and recycling in accordance with the usual practise at the Property (as set out below) in the allocated bins, and excess rubbish must not be left in public or common areas.

b) Do not leave any personal items in common lobbies or fire escapes

c) Garbage and recycling arrangements at the property are as follows. There are green bins for general waste and yellow bins for recycling in the corner of the car park. Please ensure no food waste is placed in the recycling bin. The bins are unmarked, so please feel free to use any of the bins.

d) If bins are full, try and retain rubbish in your unit until space is available in the bins – council clears bins on Monday and Thursday mornings.

## **7) Security**

Whenever you are absent from the Property, close all windows and doors to maintain security and prevent rain and water damage.

## **8) Pets**

Pets are not permitted at this property unless with the express permission of the Council of Owners.

## **9) Bicycles**

Bicycles should be stored in the locked cupboards in the car ports or the narrow bay opposite Unit 1's car port.

## **10) Doors**

Close entry/exit doors quietly and securely at all times. If a door is open and “swinging in the breeze”, please shut it.

**THANK YOU FOR YOUR COOPERATION  
THE COUNCIL OF OWNERS**

***Please note:-In addition to these House Guidelines & Expectations, residents should be aware of the Strata Titles Act 1985 By-laws, in particular Schedule 1 By-Law 1. (2) (a – d inclusive) and to all 14 By-Laws in SCHEDULE 2***

Century Cove – House guidelines and expectations, as circulated by Simon Storm, COO Chair, for 1 September 2021

# Richard & Sally Abraham

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

20 January 2022

Ed Drewett  
Coordinator, Statutory Planning  
Town of Cottesloe

By email: [town@cottesloe.wa.gov.au](mailto:town@cottesloe.wa.gov.au)

Dear Sir

## **Proposal for Short-Stay Accommodation at Unit 12, 6 Eric Street, Cottesloe**

We are the owners of Unit 4, 6 Eric St and we refer to the abovementioned Proposal.

It is farcical that planning approval is required for 6 Eric Street given it is not within the Residential Zone under the Town's Local Planning Scheme No.3. Such a requirement would be redundant if the Town recognised the prevalence of short-stay accommodation, which is an integral and commercially essential part of life in Cottesloe. Instead of focussing on planning approval requirements, the Town should focus on a new Local Planning Scheme that reflects this reality.

We wholeheartedly support the Proposal.

Yours faithfully



Richard & Sally Abraham

[REDACTED]

Grant Pearce  
14/6 Eric Street  
Cottesloe WA 6011  
28<sup>th</sup> January 2022

Town of Cottesloe  
109 Broome Street  
Cottesloe WA 6011

Dear Sir

**RE: Proposal for change of use to Short Stay accommodation – 1/6 Eric St Cottesloe.**

I am an owner resident at Century Cove 6 Eric Street Cottesloe and unit 14 has been my home for the last 32 years.

This submission is to object to the proposal for change of use for Unit 1 Century Cove (SL1 SP:17341) from residential use to a serviced apartment for short stay accommodation.

I object, and I believe the Town of Cottesloe should deny this application for the following reasons: -

1. The property fails to meet a number of the guideline principles established by the Western Australian Planning Commission for Holiday Homes – short stay use of residential dwellings
2. Any supporting approval from the Owners Corporation of Strata Plan 17341 is potentially invalid.
3. Approval by the Town of Cottesloe would be in contradiction given the denial of a similar application at 116 Marine Parade Cottesloe and other applications in the Town.
4. Holiday accommodation in the close confines of ostensibly a residential building will adversely impact the quiet residential enjoyment of resident's homes at Century Cove
5. Century Cove is not located in a tourism precinct, but in a high-density high value residential precinct in North Cottesloe.
6. Approval would set a precedent difficult to step back from, and whilst this is one of two current applications, approval would see an explosion of applications at Century Cove in the post Covid environment.
7. The opening of WA borders brings a real and increased COVID health risk from multiple numbers of transient visitors, into the homes of residents at Century Cove, to a risk level beyond what a stable residential community should be expected to incur.

Outlined below is more detail on the seven key issues highlighted above that in my view that the Town of Cottesloe should consider.

**1) The property fails to meet a number of the guideline principles established by the Western Australian Planning Commission for Holiday Homes – short stay use of residential dwellings**

A copy of the WAPC guidelines is in appendix 1

Century Cove is a Multiple Dwelling as defined in the WAPC Guidelines and Unit 1 is located on the ground floor of the building.

**Section 2.3 Location:** makes the following statement (in part) *“Suburban locations may not be appropriate. In general, holiday homes should be residential dwellings on freehold lots and not units or apartment unless the entire complex is established for that purpose”*

Unit 1 is an apartment and the entire complex at Century Cove has not been established for this purpose. Currently 13 out of 15 units are used as residential purpose.

Based on this guideline, Town of Cottesloe should reject the application.

**Section 2.4 Amenity:** makes the following statement (in part) *“A key concern with respect to the occupation of dwellings as holiday homes is to ensure that any such uses will not adversely impact on residential amenity currently enjoyed by residents in surrounding properties”*

The nature of a multiple dwelling properties is that residents live in extremely close confines with each other and can impact others if not attuned to the environment. Generally, this works effectively with residents given their awareness, their mutual obligations, and consequences they might experience from others in the building.

Typical residential behaviours is the last thing on holiday makers minds. Often, they have not experienced apartment living, and naturally they are looking to “let loose” have fun and make the most of the facilities they have paid large sums of money to enjoy. The outcome of this impacts residents and is not consistent with the use patterns of residents who live at Century Cove.

An example of an experience from Unit 12 which has also been used for short stay accommodation is included in the appendix 2.

Based on this guideline, Town of Cottesloe should reject the application.

**Section 2.5 Building Standard:** makes the following statement *“Dwellings should comply with the Building Code of Australia and local government policies and standards. Where the existing standard of a dwelling is considered inappropriate, consent for the use of the facility as a holiday home may not be granted until the dwelling is upgraded to a satisfactory standard. If after inspection, the dwelling is considered to be unsafe or inadequate for holiday use, the application will be refused”*

Whilst Century Cove will have complied with the Building Code of Australia when constructed in 1987, and whilst building code standards will have changed, my understanding is that upgrades to current standards are only required in the case of modifications or renovation, so the building is currently still compliant.

The question in the context of a change of use application, whether unit 1 is required to be upgraded to be compliant with updated Building Code requirements, particularly given commercial use, rather than residential use.



**Section 2.7 Grouped or multiple dwellings:** says *“The use of grouped or multiple dwellings will generally not be supported for holiday accommodation given the potential impacts on adjoining residents, unless all owners are in agreement”*

As highlighted by this submission and objection, all owners are not in agreement so should be rejected.

Based on this guideline, Town of Cottesloe should reject the application.

**2) Any supporting approval from the Owners Corporation of Strata Plan 17341 is potentially invalid**

The Town of Cottesloe requires any application for change of use in a Strata building to be supported by a letter of support from the Owners Corporation.

If this application includes a confirmation of support from the Owners Corporation, in my view this is likely to be invalid.

Owners at Century Cove outside the representative committee known as the Council of Owners have not been engaged on their views.

The Council of Owners is made up of 7 owners, 5 of which are investors, 4 of which currently or have a history of short stay letting their units. The fifth member has flagged intention to short stay post COVID.

The applicant in this instance is a member of the Council of Owners.

The Council of Owners have a remit to manage the strata in accordance with the Strata Titles Act. In my view they have no authority in relation to approving or supporting change of use applications as this is beyond the remit of the Strata Titles Act.

**3) Approval by the Town of Cottesloe would be in contradiction given the denial of a similar application at 116 Marine Parade Cottesloe**

A similar application for change of use to short stay accommodation was considered by the Town of Cottesloe for 116 Marine Parade Cottesloe. This application was not approved by the council.

I am aware of at least one other application in a body Corporate building being denied by the Town of Cottesloe.

It would be inconsistent and unreasonable to approve this application given that precedent.

A media article on this circumstance is included in Appendix 4

**4) Holiday accommodation in the close confines of ostensibly a residential building will adversely impact the quiet residential enjoyment of residents in the building**

Century Cove was designed and built for residential living, not for commercial short stay accommodation for happy holiday makers. Currently Unit 1 is advertised as suitable for and let to 6 guests. Six adults in a single apartment is not conducive to low impact residential environment and leads to other resident impacts.

Whilst not directly relevant to Unit 1, Century Cove was designed with south facing balconies overlooking the ocean. The east and west units have bedrooms in the rear; however, the central units have bedrooms on the south side (front) directly adjacent to the balconies of the eastern side units. Unit 12 which is also applying for Short Stay use is an eastern side unit.

As highlighted in my submission for Unit 12 application, holiday makers on Unit 12 balcony directly impacts the bedrooms of Unit 11 (same level) unit 8 (one floor below) and unit 14 (one above). Whilst there are house rules around night-time activity after 10pm, bedrooms are also used as places of rest during the day and evening.

Appendix 5 includes the current advertising of Unit 1 for 6 adults.

Appendix 6 includes a floor plan highlighting the proximity to bedrooms, and photos of Unit 12 balcony bar positioned at western end immediately adjacent to central unit bedrooms.

**5) Century Cove is not located in a tourism precinct, but a high-density high value residential precinct in North Cottesloe.**

Guidelines from WAPC and Town of Cottesloe indicate that it may be appropriate to consider short stay accommodation applications in proximity of tourism facilities.

It is acknowledged that Cottesloe is an attractive tourism destination. There are several tourism facilities and accommodation within the town. However, Century Cove is in a precinct bounded by Eric Street, Marine Parade, Grant Street and Hamersley Street where there are no properties within these bounds servicing tourism needs. To the contrary, it represents a high-density cluster of high value residential accommodation.

There is plenty of underutilised tourism-based accommodation available on the opposite side of Eric Street at the Ocean beach Hotel, as well as further south in central Cottesloe beach precinct.

**6) Approval would set a precedent difficult to step back from and whilst this is one application, approval would see an explosion of applications at Century Cove in the post Covid environment.**

Currently there are two units at Century Cove being let as short stay accommodation. This application is from unit 1, however there is a second application submitted for Unit 12.

Prior to COVID there were a number of units used for short stay accommodation, and post COVID border reopening, I would expect to see these owners want to resume short stay for their units.

Units 13 and 15 currently have renovations scheduled during 2022 and plan to short stay lease post renovation. There has been much media comment about rental shortages expected post COVID as properties move back into the Airbnb marketplace and we should expect this to be the case at Century Cove as well.

Approval of this application of Unit 1 (and 12) Century Cove will see an explosion of applications in Century Cove and leave the Town of Cottesloe little option but to approve these applications if a precedent is set with Units 1 and 12 applications.

**7) The opening of WA borders brings a real and increased COVID health risk from multiple numbers of transient visitors, into the homes of residents at Century Cove, beyond what a stable residential community would incur**

It is recognised that the opening of borders will bring increased risk of COVID spread. Residents' homes are normally considered a relatively safe haven, given domestic patterns of known people. Residents at Century Cove should be able to enjoy this stability and relative security as well.

A consequence of any approval of short Stay Accommodation will see a multiplication of people entering and moving around the building at Century Cove, originating from potential COVID hot spots with unknown health management plans or health status.

Residents deserve to have more certainty on the health safety and not have multiple unknown people potentially bringing COVID to the common areas of the building.

## **Conclusion**

In conclusion, I implore the Town of Cottesloe to decline this application from Unit 1 for change of use from residential to short stay accommodation.

There is not just one reason, but very many logical reasons why short stay accommodation is not suitable for Century Cove, including failure to meet many of the criterion recommended by the WA Planning Commission, the precedent set by Town of Cottesloe from previous applications, the unsuitability of units at Century Cove for this purpose, and the many other reasons that I have highlighted through this submission, but importantly that this is about the peaceful enjoyment of my home of 32 years.

I didn't buy into holiday accommodation building, I bought into home with a beach lifestyle and a suburb where I love to live, and an apartment that I can quietly enjoy as my home without interfering with the peaceful enjoyment of my neighbours.

## Appendix 1 – WAPC Guidelines

# Guidelines

## Holiday Homes - short stay use of residential dwellings

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## 1 Objectives and definitions

### 1.1 Objectives

The objectives of this policy are:

- 1.1.1 To establish clear guidelines for the short stay use of holiday homes for tourism accommodation. The policy excludes short term accommodation where there is an onsite manager or owner such as bed and breakfast accommodation and guesthouses.
- 1.1.2 To ensure that short stay use of residential homes occurs within appropriate locations to enhance the tourism experience and reduce existing or future land use conflicts such as impacts on residential amenity.
- 1.1.3 To ensure that all new holiday home rental accommodation is in accordance with relevant legislation, local planning schemes and policies, and management plans.

### 1.2 Definitions

For the purpose of this policy the following definitions apply:

**Holiday home (standard)** means a single house (excluding ancillary accommodation), which might also be used for short stay accommodation for no more than six people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).

**Holiday home (large)** means premises conforming to the definition of holiday home (standard) with the exception that the premises provide short stay accommodation for more than six people but not more than 12 at any one time.

**Short stay** means that no person is to stay for more than three months in any 12 month period.

**Landowner/manager** means the owner of the premises for short stay purposes.

**Grouped dwelling** means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partially vertically above another, except where special conditions of landscape or topography dictate

otherwise, and includes a dwelling on a survey strata with common property.

**Multiple dwelling** means a dwelling in a group of more than one dwellings on a lot where any part of a dwelling is vertically above part of any other but does not include a group dwelling.

## 2 Planning application and approval considerations

### 2.1 Application

An application for planning approval should be lodged with local government where holiday homes are a D or SA use in the zoning table of a local planning scheme.

In assessing applications, the local government shall have due regard to its local planning scheme, policies, tourism strategy and relevant standards such as the Building Code of Australia.

### 2.2 Advertising

If holiday homes are a SA use in a local planning scheme, the local government will advertise the proposal for public comment.

During the advertising period, the local government will notify, in writing, the owners and occupiers of adjoining and nearby properties likely to be impacted by the proposal. Comments received during any consultation process will be considered in the assessment of the application.

### 2.3 Location

It is recognised that, in certain locations, the renting of residential premises for short stay holiday accommodation is a legitimate way in which alternative, short stay tourism accommodation can be provided.

To reduce conflict between holiday homes and ordinary dwellings, particularly in the residential zone, ideally holiday homes should be within preferred areas identified either through the tourism component of the relevant local planning strategy, or in a local planning policy. As a guide, holiday homes are most appropriate in areas of high tourism amenity and close proximity to key tourism attractions such as the beach, town centre or rural areas. Suburban

locations may not be appropriate. In general, holiday homes should be residential dwellings on freehold lots and not units or apartments unless the entire complex is established for this purpose.

For those already operating in an area that was previously approved for holiday home letting, and where new approvals will no longer be granted, the holiday home use can continue as a non conforming use.

## 2.4 Amenity

A key concern with respect to the occupation of dwellings as holiday homes is to ensure that any such uses will not adversely impact on residential amenity currently enjoyed by residents in surrounding properties.

Any activities that result in a loss of enjoyment by neighbouring properties, for instance, unacceptable levels of noise, will be considered a breach of this approval.

## 2.5 Building standard

Dwellings should comply with the Building Code of Australia and local government policies and standards. Where the existing standard of a dwelling is considered to be inappropriate, consent to the use of the facility as a holiday home may not be granted until the dwelling is upgraded to a satisfactory standard. If, after inspection, the dwelling is considered to be unsafe or inadequate for holiday house use, the application will be refused.

## 2.6 Approval

Approval may be granted for either a holiday home (standard) or a holiday home (large) subject to compliance with relevant legislation, local planning schemes and policies.

Local government should be notified of any changes to a holiday home that may be deemed to affect the approval of the dwelling for such a purpose.

## 2.7 Grouped or multiple dwellings

The use of grouped or multiple dwellings will generally not be supported for holiday home accommodation given the potential impacts on adjoining residents, unless all owner are in agreement.

# 3 Approval conditions

Conditions in relation to the approval of applications for holiday homes may include the following.

## 3.1 Management

A holiday home management plan should be submitted as part of the planning application and prior to the commencement of business. In the case of an established business, the management plan should be submitted to local government within 12 months from the adoption of the local planning policy.

The management plan may include:

- Nomination of a local manager/ caretaker within the vicinity of the property. Where properties are remote from a town site or CBD, alternative arrangements for a manager/caretaker may be considered.
- Details of how nuisance issues such as noise will be addressed by the manager.
- A fire and emergency response plan

Other matters such as car parking provision, signage, the number of people occupying the premises, maximum period of stay can be imposed as part of the planning approval and subsequently enforced as pursuant to the *Planning and Development Act 2005*.

## 3.2 Fire and emergency response plans

In all cases, an emergency response plan (ie fire escape route maps) is required to be clearly displayed in a conspicuous location within the dwelling, plus:

- each bedroom is to be fitted with a hard wired smoke detector;
- a fire extinguisher, in a clearly visible location, is to be maintained in proper working order;
- outside barbeques are to be gas or electric.

### 3.3 Approval period

Initial approval should be granted for a limited period of one year, and renewed on a three year to five year period subject to compliance as determined by the local government to ensure that there is minimal impact on the amenity of neighbouring properties. This is designed to provide a degree of certainty to operators, while providing a degree of control to the local government. Existing holiday homes where it can be demonstrated that there is a history of minimal or no conflicts should be considered for the identified longer approvals subject to the requirements of the relevant local government.

## 4 Holiday homes register, non compliance and voluntary accreditation

### 4.1 Holiday homes register

A register of approved holiday homes should be established and maintained by the local government. The register should record basic details of the property including the contact details of the owner and/or manager; property address; and configuration (number of bedrooms, number of beds, bathrooms, car parking spaces etc). These matters should be considered for inclusion in the approved management plans for the operation of the holiday home.

### 4.2 Non compliance and cancellation

Any breach of approval conditions or the management plan can be dealt with in accordance with the enforcement provisions of local planning schemes and/or cancellation of a registration. A new application may be considered after a 12 month period.

A breach of a planning approval may be brought to the attention of local government as a result of an inspection or report by local government staff, a police report or by a member of the public.

### 4.3 Voluntary accreditation

Holiday home owners/managers are encouraged to attain accreditation from the Tourism Council of Western Australia.

Accreditation is a non regulatory, voluntary means of addressing the identified customer service and consumer protection issues. The benefits of accreditation include improvements in the quality of accommodation product through the application of standards, capture of accommodation provider details.

## 5 Other matters

It is recommended that landowners/managers seek independent legal advice on legislative requirements regarding the use and management of holiday homes. This would include, but is not limited to, checking the requirements of the *Equal Opportunity Act 1984* and the *Fair Trading Act 1987*.

As many residential public liability insurance policies exclude the use of premises for short term rentals, it is recommended that landowners/managers check this matter with their insurance providers.

## 6 Contact details

For more information contact:

Your local government

Western Australian Planning Commission  
Phone: 9264 7777  
[www.planning.wa.gov.au](http://www.planning.wa.gov.au)

Tourism Western Australia  
Planning section  
Phone: 9262 1700  
[www.tourism.wa.gov.au](http://www.tourism.wa.gov.au)

Tourism Council WA  
Phone: 9416 0700  
[www.tourismcouncilwa.com.au](http://www.tourismcouncilwa.com.au)

Australian Tourism Accreditation Program  
[www.atap.net.au](http://www.atap.net.au)

## Appendix 2 – Copy of resident complaint against Unit 12

Whilst not directly applicable to Unit 1, reflects generally impact to residents of Short Stay Accommodation

**From:** Tom Wilkie-Black [REDACTED]  
**Date:** 25 July 2021 at 5:50:14 pm AWST  
**To:** [REDACTED]  
**Subject:** Fwd: Air BnB in Unit 12

Hi Tim,

Just responding to your request for our views on the recent noise disturbances in Unit 12.

Here is a (lengthy) summary:

There are noisy guests in Unit 12 fairly regularly, but we never thought to take any action until last Saturday, 10 July. We understand that having neighbours who are occasionally noisy is just the reality of living in an apartment building, but Saturday the 10th was pretty outrageous.

### Saturday, 10 July

That night there was a party there that was particularly bad. There were a group of at least 6 (but probably more) young men there. From about dinner time they were playing loud music and shouting. Sarah and I started to feel pretty uncomfortable, as they were wolf whistling at girls in the street and aggressively yelling at members of the public. It got to the point where neither of us felt totally safe in the building, as the halls and elevators were taken over by this pretty disgusting group. I ended up tracking down Louisa on AirBnB and sent her a message through the app. She told me the group were leaving and sure enough, they all departed. I assumed that would be it for the night.

As it turned out, they went across the road to the OBH. They returned at about 10.30 or so bringing more people with them (easily 10+). The music and yelling then started back up. At about midnight, Sarah asked them to be quiet. They told her to 'fuck off' and called her a 'bitch'. A number of them were then yelling 'we don't give a fuck about the neighbours' from the balcony. By this point I assume Louisa had gone to bed. because she wasn't reachable. I managed to get to sleep around 1am after putting in some headphones and listening to an audiobook. I was then awoken at 3.30am, with music still blasting and yelling clearly audible from next door.

The next day, Louisa apologised. There was rubbish strewn across the front of the apartment building and they had thrown a beer can across onto our balcony.

### Saturday, 17 July

There was then another fairly noisy party last weekend, on Saturday, 17 July. This group was not nearly as bad. From the sounds of things it was more of a Hen's night. They were still carrying on past midnight though, singing and screaming. This ended up keeping me up until about 2am. I messaged Louisa again but unfortunately I think she was already in bed by this point.

The next day Louisa apologised and informed me the group was leaving. She also reiterated that she had a 'no parties' rule for the property. She said the dynamics in guests had changed a bit with COVID, as there were more 'locals' staying rather than tourists, which meant more parties.



## Appendix 2 continued – Copy of resident complaint against Unit 12

### Our view

We don't have a problem with AirBnB per se. We regularly stay in Air BnBs and I think it makes sense for people to be able to rent out their unit if they go away for a weekend, so long as they take responsibility for their guests.

In saying that, we don't think it is really fair to have a unit in an apartment building that is a permanent AirBnB. There is simply no accountability for the behaviour of guests. While you would expect your neighbours to have the occasional party, in an ordinary unit this might happen once a year. In an Air BnB, it is nearly every weekend. However, no one really has the right to tell anyone they can't put their unit up on Air BnB.

The simple solution is for Unit 12 to reduce the guest limit. Right now there is a guest limit of 6 (although evidently no one is checking to make sure they actually stick to this number). I think this guest limit guarantees there will be parties fairly regularly, as there is rarely a reason for 6 people to rent an Air BnB except for the purpose of hosting a party. Even if the guests are reasonable and don't play music, 6 people on holidays who stay up talking until midnight will still be noisy enough that it intrudes significantly on our quality of life. Unfortunately that's the reality of the thin walls between Unit 11 and Unit 12. Perhaps a 4-adult limit could be a good compromise (e.g. parents, grandparents and 2 kids could be ok).

As tenants, we obviously don't get much of a say in things, so we defer to whatever you and the other owners decide is appropriate. However, I should say that we hope to stay in the building for the foreseeable future. If things continue spiralling though then it will be hard to justify the amount we are paying for rent when the result is that we're regularly losing sleep and having our working weeks affected because of it.

A few other solutions that might work are as follows:

- double glazed windows - while this wouldnt help with our thin walls it would reduce noise for everyone else from both air bnbs and the pub/street. It would also help insulate the units and reduce the impact of wind.
- cctv - perhaps controversial, but I think this would act as a disincentive for guests breaking the rules and would help substantiate any complaints that needed to be made.
- in-person check in - not a fail safe but having Louisa confirm who is staying in the unit by going in and checking up on them might help.

I hope this helps!

All the best,

Tom and Sarah

### Appendix 3 – Photos of young children guests Unit 12

Unsupervised children creating a seriously hazardous situation three floors above ground level. Whilst not directly relevant to Unit 1, it is relevant to all non-ground floor units and reflects the general unsuitability of Century Cove for Short Stay Accommodation.



## Appendix 4 – Media article about 116 Marine Parade


WhatsApp

6:58 pm

EVERY MATCH, EVERY COURT

Advertisement

### Cottesloe council turns down Airbnb push for Marine Parade unit complex



By Ray Sparvell

Updated February 24, 2016 – 2:54pm, first published at 1:20pm

Save

Share

A A A

Residents along Marine Parade wanting to continue raking in up to \$300 per night from Airbnb guests have been given the thumbs-down by Cottesloe council.

Unit owners at 116 Marine Parade received the knockback after their change of use application, from residential to serviced

watoday.com.au


WhatsApp

6:58 pm

EVERY MATCH, EVERY COURT

Advertisement

Unit owners at 116 Marine Parade received the knockback after their change of use application, from residential to serviced apartments, was refused at Tuesday evening's council meeting.



A group of owners at 116 Marine Parade, Cottesloe, failed in their push for airbnb guests.

Over the past 18 months, there has been an explosion of Cottesloe residents advertising their properties with online accommodation

watoday.com.au

## Appendix 5 – AirBnB advertising for 6 adults



# Number One Century Cove North Cottesloe Beach

★ 4.93 (46 reviews) · 🏠 Superhost  
Cottesloe, Western Australia, Australia

Entire condominium  
(condo)  
hosted by Kaye



6 guests · 3 bedrooms · 4 beds · 1.5 baths

~~\$2,616.70~~ **\$2,445.30**

**AUD** total

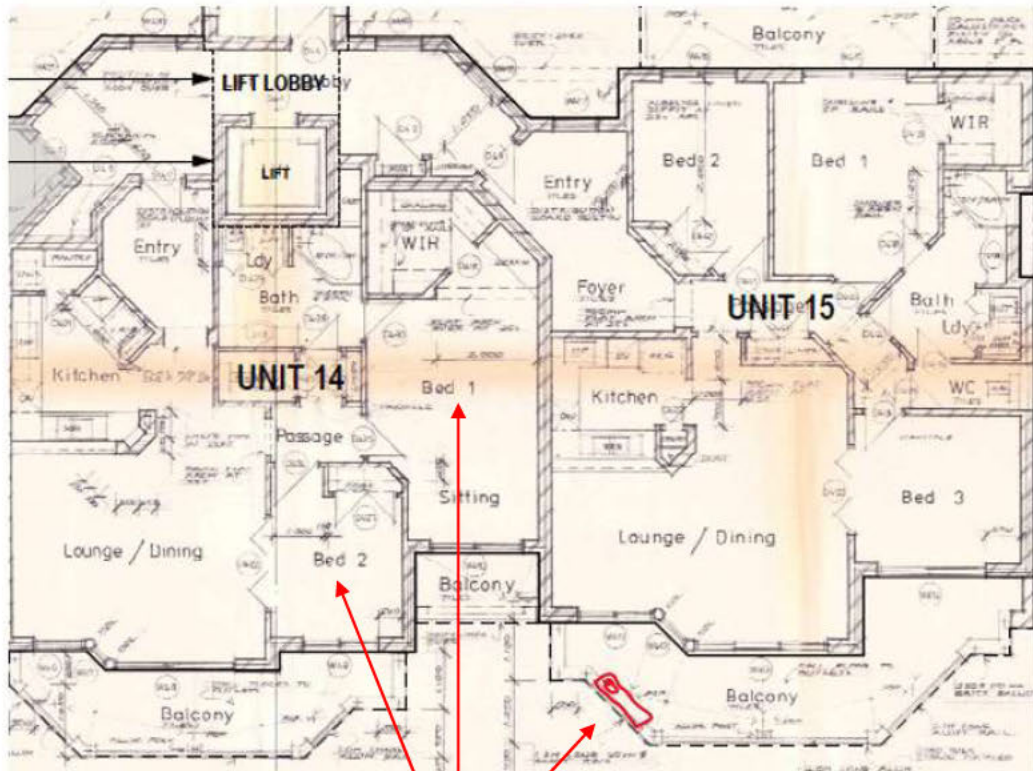
18 May – 25 May

**Reserve**



## Appendix 6 – Century Cove layout showing proximity of adjoining bedrooms

The floor plan below is for level 4, however this is identical to level 3 for unit 11 and unit 12. The Unit 11 bedrooms are at the front of the building and immediately to left of eastern unit (U12) balcony.



The red highlight is a balcony bar installed on unit 12 as per photos below that draws people to the far western end of the balcony immediately adjacent to the bedrooms of the adjoining unit.



Unit 11-bedroom

Unit 12 balcony and bar

Matt Anning  
7/6 Eric Street, Cottesloe  
Perth, Western Australia  
21 January 2022

Ed Drewett  
Town of Cottesloe  
109 Broome Street, Cottesloe WA 6011  
PO Box 606, Cottesloe WA 6011

Dear Ed Drewett

I am an owner-occupier of Unit 7, 6 Eric Street, Cottesloe.

I support the continued provision of Short-Stay Accommodation (STA) at 6 Eric Street Cottesloe, Century Cove, and in particular, Unit 1 and Unit 12.

My support is on the basis of:

- a) No misuse of common property; and
- b) Observance by owners and guests of the (Schedule 2) behavioural by-laws and Century Cove's "House guidelines and expectations" as reasonably drafted from time to time.

I note, that these two conditions are not specific or limited to short term accommodation and apply to all, including to longer term renters and to owner- occupiers.

I would emphasize that in my three and a half years as an owner at Century Cove, and during my three years as a member of the Committee of Owners, there have been very few incidents relating to SSA, and when such incidents have arisen, these have been dealt with in a timely manner in accordance with the by-laws of our building and the expectation of all owners.

For your noting, during my time as an owner, the only major disturbances have been caused by long term renters rather than short-stay tenants. As such, I remain supportive of owners having the flexibility to offer long-stay and short-stay accommodation, similar to many other buildings in Cottesloe where SSA is prevalent.

Kind regards,

Matt Anning

[REDACTED]

---

**From:** Timothy Evans [REDACTED]  
**Sent:** Friday, 21 January 2022 7:32 AM  
**To:** Town Of Cottesloe  
**Subject:** Submission - Development Application For Proposed Serviced Apartment For Short Stay - Unit 12 / 6 Eric St Cottesloe

Dear Town of Cottesloe

I am an owner resident at Century Cove, 6 Eric Street Cottesloe where I have lived for many years.

This submission is to object to the proposal by Preston Capital Pty Ltd for change of use for Unit 12 Century Cove (SL12 SP:17341) from residential use to a serviced apartment for short stay accommodation.

I object, and I believe the Town of Cottesloe should deny this application as the use of apartments at Century Cove for short stay accommodation is inconsistent with the residential values of Century Cove.

Century Cove was designed and built in 1987 as a residential apartment complex for people to enjoy a home with a relaxed beach lifestyle.

The commercial operation of short stay accommodation is both inconsistent with the residential purpose of the building, but this residential purpose design means that other residents are highly susceptible to the impacts of short stay holidaying customers.

An example of this design, is that central unit bedrooms are immediately adjacent to neighbouring unit main front balcony area. An area where unit 12 has set up a sunset bar for holiday makers.

Personally, I have been impacted on many occasions from holiday makers in Unit 12 who come into the building with an attitude that they are not here for a long time, just for a good time.

In fact, there is a long list of adverse, disruptive, and somewhat offensive experiences from Unit 12 patrons, which I will not outline in this submission, but I have documented over last few years of Airbnb operation. On occasions when I have personally spoken with these visitors, to seek cooperation on noise levels, I have been abused and sworn at.

I object to the interference that I experience from Unit 12 into my home, an interference that I do not experience from other apartments and from neighbours that are regular residents, who are also looking for quiet enjoyment in their homes as well.

There are several valued investor owners at Century Cove who rent their properties to longer term residents. I cannot see the fairness of why some investor owners should be allowed approval for short stay accommodation, to secure increased rental income, at the expense and detriment of residents at Century Cove, when other investor owners do the right thing by their neighbours.

I am also concerned about the impacts of COVID and health safety in the building given the imminent border reopening, both the increased numbers of holiday makers, but the diversity from where they have come from and the management of any infection they may bring to the building.

I am firmly of the view that the Cottesloe Council should reject this application, and that the owners of Unit 12 should rent their property to residential tenants, like most other investor owners.

Regards

Tim Evans

Sent from my iPhone



[REDACTED]

---

**From:** Nancy [REDACTED]  
**Sent:** Thursday, 20 January 2022 6:36 PM  
**To:** Town Of Cottesloe  
**Subject:** Support for Short Term Accommodation - 1/6 Eric Street AND 12/6 Eric Street, Cottesloe

Dear Mr Drewett,

I am the resident of Apartment 15, at 6 Eric Street, Cottesloe and Director of Canny Pty Ltd, the owner.

My apartment is directly above Apartment 12, one of the Apartments applying for short term stay approval and I am very closely aware of Apartment 1, the other Apartment also making application. There are only 15 apartments within our small complex.

I have never had cause to lodge complaint regarding either of these properties and their short term tenants. Furthermore, I am very aware of the respect both apartment owners have always demonstrated towards other residents of Century Cove and I have enjoyed many pleasant interactions with their short term tenants, who often add interest to the building. I therefore support both of these Applications for Short Term Tenancies.

As an aside, I would suggest, if there be any complaints to the contrary, their motivation might be more wisely seen as personal nuisance rather than in the best interests for the community of Century Cove.

Sincerely  
Nancy Russo,  
Apt 15/6 Eric Street, Cottesloe.

[REDACTED]

---

**From:** Timothy Evans [REDACTED]  
**Sent:** Tuesday, 1 February 2022 8:04 AM  
**To:** Town Of Cottesloe  
**Subject:** Submission - Development Application for Proposed Serviced Apartment for Short Stay - Unit 1 6 Eric Street Cottesloe

To whom it may concern

I am an owner resident at Century Cove, 6 Eric Street Cottesloe where I have lived for many years.

This submission is to object to the proposal for change of use for Unit 1 Century Cove (SL1 SP:17341) from residential use to a serviced apartment for short stay accommodation.

I object, and I believe the Town of Cottesloe should deny this application as the use of apartments at Century Cove for short stay accommodation is inconsistent with the residential values of Century Cove, and due to a history of disturbances (evidenced below) to residents by Airbnb guests at Century Cove.

Any approval for Short Stay Holiday rental in Unit 1 Century Cove will set a precedent for other applications, either current or future, in a building that is broadly not suitable for this type of occupancy.

Century Cove was designed and built in 1987 as a residential apartment complex for people to enjoy a home with a relaxed beach lifestyle.

The commercial operation of short stay accommodation is both inconsistent with the residential purpose of the building, but this residential purpose design means that other residents are highly susceptible to the impacts of short stay holidaying customers.

An example of this design, and why broadly short stay holiday rental is not workable at Century Cove, is that central unit bedrooms are immediately adjacent to neighbouring units main front balcony area. This is an area where unit 12, that currently has a short stay operation running, has set up a sunset bar for holiday makers.

Personally, I have been impacted on many occasions from holiday makers who come into the building with an attitude that they are not here for a long time, just for a good time.

In fact, there is a long list of adverse, disruptive, and somewhat offensive experiences from Airbnb clients. I have pasted further below in this submission two complaints from other

residents (Cinzia Lee 30 March 2020 and Tom Wilkie-Black 25<sup>th</sup> July 2021) , but I have documented many other issues over the last few years of Airbnb operation. On occasions when I have personally spoken with these visitors, to seek their cooperation on noise levels, I have been abused and sworn at.

The location of Century Cove, being opposite the OBH Hotel, Also has seen the connection of Airbnb clients with Hotel patrons, a temptation to kick in after a session at the Pub in a “Party” Unit is not unusual. In addition to disturbance, this creates a security risk to Residents

I object to the interference that I experience from Airbnb guests into my home, an interference that I do not experience from other apartments from neighbours who are regular residents, who are also looking for quiet enjoyment in their homes, as well.

There are several valued investor owners at Century Cove who rent their properties to longer term residents. I cannot see the fairness of why some investor owners should be allowed approval for short stay accommodation, to secure increased rental income, at the expense and detriment of residents at Century Cove, when other investor owners do the right thing by their neighbours.

I am also concerned about the impacts of COVID and health safety in the building given the imminent border reopening, both the increased numbers of holiday makers, but the diversity from where they have come from and the management of any infection they may bring to the building.

Damage to the building, issues with Cleaning staff / Hosts, rubbish removal and Guest traffic / security problems have also all created additional significant pressures on everyday living and enjoyment

Airbnb is geared towards novelty and entrainment. There have been sporting groups through the building, Wedding entourages, and gift packages / novelties set up in Common area

I am firmly of the view that the Cottesloe Council should reject this application, and that the owners of Unit 12 should rent their property to residential tenants, like most other investor owners.

Copied below are two complaints from residents as referenced above.

Regards

Tim Evans

## **COMPLAINT 1**

**From:** Cinzia Lee [REDACTED]  
**Date:** 30 March 2020 at 12:30:10 pm AWST  
**To:** "Clarke, Ben" [REDACTED]  
**Subject:** Air Bnb

To The COO 6 Eric St Cottesloe,

My name is Cinzia and I rent unit 11. I have been here nearly 10 months.

I'd like to ask the Council what measure are being taken in alignment with Government policies for COVID-19. Esp with Air bnbs.

On Saturday night (28th March) the unit next to me number 12 which is an Air bnb had a party from 6pm until the early hours of the morning. There was a steady stream of people coming up and down the lift and in and out of the apartment. I know this as my bedhead is up against number 12 and the front door and the lift. The door slammed all night. There was loud music and a beer pong table set up inside which I could not only hear in the celebrations but also see from my balcony. They were smoking and talking loudly on the balcony until well past 3am.

I knocked on the door at 1am. A young man answered and they turned the music down, but the party and coming and going kept going through the night. The corridor stank of alcohol. I took some small videos showing the noise and the party.

I was worried one would jump onto my balcony, it was not a good feeling and having them smoke next to my bedroom is distressing. Also the noise is not ok past 3am, when right now resting to support our immune systems is crucial. I could not sleep.

I found the owners details on Air bnb and messaged them at 2am. Louisa responded and gave me her number and made contact with the Young lady staying there. She has booked until Friday, April 3rd.

Last night (29th March) there was no music, but people still talking and drinking and smoking on the balcony until past 3am again, also banging cupboards behind my head in their kitchen at 3am too. I couldn't sleep and don't feel comfortable approaching them again.

I feel these times are difficult enough without having the concern of strangers in and out of the building when we are all doing our best to self-isolate.

This is our home and we need to feel safe.

Could you please let me know what measures are being taken in regards our health and wellbeing in these times?

Many thanks,  
Cinzia Lee

## **COMPLAINT 2**

**From:** Tom Wilkie-Black [REDACTED]

**Date:** 25 July 2021 at 5:50:14 pm AWST

**To:** [tim](#), [REDACTED]

**Subject:** Fwd: Air BnB in Unit 12

Hi Tim,

Just responding to your request for our views on the recent noise disturbances in Unit 12.

Here is a (lengthy) summary:

There are noisy guests in Unit 12 fairly regularly, but we never thought to take any action until last Saturday, 10 July. We understand that having neighbours who are occasionally noisy is just the reality of living in an apartment building, but Saturday the 10th was pretty outrageous.

### Saturday, 10 July

That night there was a party there that was particularly bad. There were a group of at least 6 (but probably more) young men there. From about dinner time they were playing loud music and shouting. Sarah and I started to feel pretty uncomfortable, as they were wolf whistling at girls in the street and aggressively yelling at members of the public. It got to the point where neither of us felt totally safe in the building, as the halls and elevators were taken over by this pretty disgusting group. I ended up tracking down Louisa on AirBnB and sent her a message through the app. She told me the group were leaving and sure enough, they all departed. I assumed that would be it for the night.

As it turned out, they went across the road to the OBH. They returned at about 10.30 or so bringing more people with them (easily 10+). The music and yelling then started back up. At about midnight, Sarah asked them to be quiet. They told her to 'fuck off' and called her a 'bitch'. A number of them were then yelling 'we don't give a fuck about the neighbours' from the balcony. By this point I assume Louisa had gone to bed, because she wasn't reachable. I managed to get to sleep around 1am after putting in some headphones and listening to an audiobook. I was then awoken at 3.30am, with music still blasting and yelling clearly audible from next door.

The next day, Louisa apologised. There was rubbish strewn across the front of the apartment building and they had thrown a beer can across onto our balcony.

### Saturday, 17 July

There was then another fairly noisy party last weekend, on Saturday, 17 July. This group was not nearly as bad. From the sounds of things it was more of a Hen's night. They were still carrying on past midnight though, singing and screaming. This ended up keeping me up until about 2am. I messaged Louisa again but unfortunately I think she was already in bed by this point.

The next day Louisa apologised and informed me the group was leaving. She also reiterated that she had a 'no parties' rule for the property. She said the dynamics in guests had changed a bit with COVID, as there were more 'locals' staying rather than tourists, which meant more parties.

## Our view

We don't have a problem with AirBnB per se. We regularly stay in Air BnBs and I think it makes sense for people to be able to rent out their unit if they go away for a weekend, so long as they take responsibility for their guests.

In saying that, we don't think it is really fair to have a unit in an apartment building that is a permanent AirBnB. There is simply no accountability for the behaviour of guests. While you would expect your neighbours to have the occasional party, in an ordinary unit this might happen once a year. In an Air BnB, it is nearly every weekend. However, no one really has the right to tell anyone they can't put their unit up on Air BnB.

The simple solution is for Unit 12 to reduce the guest limit. Right now there is a guest limit of 6 (although evidently no one is checking to make sure they actually stick to this number). I think this guest limit guarantees there will be parties fairly regularly, as there is rarely a reason for 6 people to rent an Air BnB except for the purpose of hosting a party. Even if the guests are reasonable and don't play music, 6 people on holidays who stay up talking until midnight will still be noisy enough that it intrudes significantly on our quality of life. Unfortunately that's the reality of the thin walls between Unit 11 and Unit 12. Perhaps a 4-adult limit could be a good compromise (e.g. parents, grandparents and 2 kids could be ok).

As tenants, we obviously don't get much of a say in things, so we defer to whatever you and the other owners decide is appropriate. However, I should say that we hope to stay in the building for the foreseeable future. If things continue spiralling though then it will be hard to justify the amount we are paying for rent when the result is that we're regularly losing sleep and having our working weeks affected because of it.

A few other solutions that might work are as follows:

- double glazed windows - while this wouldnt help with our thin walls it would reduce noise for everyone else from both air bnbs and the pub/street. It would also help insulate the units and reduce the impact of wind.
- cctv - perhaps controversial, but I think this would act as a disincentive for guests breaking the rules and would help substantiate any complaints that needed to be made.
- in-person check in - not a fail safe but having Louisa confirm who is staying in the unit by going in and checking up on them might help.

I hope this helps!

All the best,  
Tom and Sarah

Sent from my iPhone

[REDACTED]

---

**From:** Mary Dowling [REDACTED]  
**Sent:** Sunday, 30 January 2022 11:00 AM  
**To:** Town Of Cottesloe  
**Subject:** 5.2021.4226

Attention Sonya Hayes,

I am writing to express my concern regarding the application to Air B/ B 1/6 Eric St Cottesloe.

I am the owner 11/6 Eric St Cottesloe and I am concerned about the health & safety aspects of all the owners in the complex who are permanent residents or long term tenants.

In this time of COVID to allow multiple short term holiday makers is putting at risk the potential health of all people living there.

For example there is no QR code to register attendance at the apartment complex.

And I question how the applicant can police the number of people coming and going on a weekly basis.

Covid pandemic has fundamentally changed the way apartment complexes can be utilised at this point in time.

Yours Faithfully

Mary Dowling

Sent from my iPad



ALAN VAN NOORT

Unit 9,  
6 Eric Street  
Cottesloe

19 January 2022

Mr E I Drewett  
Coordinator, Statutory Planning  
Town of Cottesloe  
109 Broome Street  
Cottesloe.

Dear Sir,

APPLICATION FOR SHORT-STAY ACCOMMODATION

UNIT 12, 6 ERIC STREET COTTESLOE

I refer to your letter dated 23 Dec 21 seeking my comment.  
Would you please register my objection to  
the abovementioned application.

I purchased, and moved into, my Unit 9 (which  
is located immediately below Unit 12) in 2016. At  
that time Unit 12 was a simple residential 2 bedroom,  
1 bathroom residential unit.

Since then, the owners of Unit 12 renovated and  
converted the unit into a 3 bedroom, 2½ bathroom unit.  
The renovations were conducted without TOC approval!  
Thereafter, the owners have used the unit to conduct an  
AirBNB commercial business, again without TOC approval.

Yours sincerely, Alan van Noort.



Grant Pearce  
14/6 Eric Street  
Cottesloe WA 6011  
18<sup>th</sup> January 2022

Town of Cottesloe  
109 Broome Street  
Cottesloe WA 6011

Dear Sir

**RE: Proposal for change of use to Short Stay accommodation – 12/6 Eric St Cottesloe.**

I am an owner resident at Century Cove 6 Eric Street Cottesloe and unit 14 has been my home for the last 32 years.

This submission is to object to the proposal by Preston Capital Pty Ltd for change of use for Unit 12 Century Cove (SL12 SP:17341) from residential use, to a serviced apartment for short stay accommodation.

I object, and I believe the Town of Cottesloe should deny this application for the following reasons: -

1. The property fails to meet a number of the guideline principles established by the Western Australian Planning Commission for Holiday Homes – short stay use of residential dwellings
2. Any supporting approval from the Owners Corporation of Strata Plan 17341 is potentially invalid.
3. Approval by the Town of Cottesloe would be in contradiction given the denial of a similar application at 116 Marine Parade Cottesloe
4. Holiday accommodation in the close confines of ostensibly a residential building will adversely impact the quiet residential enjoyment of resident's homes at Century Cove
5. Century Cove is not located in a tourism precinct, but in a high-density high value residential precinct in North Cottesloe.
6. Approval would set a precedent difficult to step back from, and whilst this is one application, approval would see an explosion of applications at Century Cove in the post Covid environment.
7. The opening of WA borders brings a real and increased COVID health risk from multiple numbers of transient visitors, into the homes of residents at Century Cove, to a risk level beyond what a stable residential community would incur.

Outlined below is more detail on the seven key issues highlighted above that in my view that the Town of Cottesloe should consider.

- 1) The property fails to meet a number of the guideline principles established by the Western Australian Planning Commission for Holiday Homes – short stay use of residential dwellings**

A copy of the WAPC guidelines is in appendix 1

Century Cove is a Multiple Dwelling as defined in the WAPC Guidelines and Unit 12 is located on the 3<sup>rd</sup> floor of the building.

**Section 2.3 Location:** makes the following statement (in part) *“Suburban locations may not be appropriate. In general, holiday homes should be residential dwellings on freehold lots and not units or apartment unless the entire complex is established for that purpose”*

Unit 12 is an apartment and the entire complex at Century Cove has not been established for this purpose. Currently 13 out of 15 units are used as residential purpose.

Based on this guideline, Town of Cottesloe should reject the application.

**Section 2.4 Amenity:** makes the following statement (in part) *“A key concern with respect to the occupation of dwellings as holiday homes is to ensure that any such uses will not adversely impact on residential amenity currently enjoyed by residents in surrounding properties”*

The nature of a multiple dwelling properties is that residents live in extremely close confines with each other and can impact others if not attuned to the environment. Generally, this works effectively with residents given their awareness, their mutual obligations, and consequences they might experience from others in the building.

Typical residential behaviours is the last thing on holiday makers minds. Often, they have not experience apartment living, and naturally they are looking to “let loose” have fun and make the most of the facilities they have paid large sums of money to enjoy. The outcome of this impacts residents and is not consistent with the use patterns of residents who live at Century Cove. An example of an experience for Unit 12 is included in the appendix 2.

Based on this guideline, Town of Cottesloe should reject the application.

**Section 2.5 Building Standard:** makes the following statement *“Dwellings should comply with the Building Code of Australia and local government policies and standards. Where the existing standard of a dwelling is considered inappropriate, consent for the use of the facility as a holiday home may not be granted until the dwelling is upgraded to a satisfactory standard. If after inspection, the dwelling is considered to be unsafe or inadequate for holiday use, the application will be refused”*

Whilst Century Cove will have complied with the Building Code of Australia when constructed in 1987, and whilst building code standards will have changed, my understanding is that upgrades to current standards are only required in the case of modifications or renovation, so the building is currently still compliant.

The question in the context of a change of use application, whether unit 12 is required to be upgraded to be compliant with updated Building Code requirements, particularly given commercial use, rather than residential use.

In relation to the “dwelling being considered to be unsafe or inadequate for holiday use” in my view Unit 12 is unsafe for occupation by unsupervised young children, not used to living in a multi storey buildings. Included in appendix 3 are recent photos of a young child guest at Unit 12 helping himself to a high balcony stool to reach over the balcony railing to watch an

activity below. This was particularly disturbing with two toddlers left alone on the balcony, until eventually a parent arrived.

Based on this guideline, Town of Cottesloe should reject the application.

**Section 2.7 Grouped or multiple dwellings:** says *“The use of grouped or multiple dwellings will generally not be supported for holiday accommodation given the potential impacts on adjoining residents, unless all owners are in agreement”*

As highlighted by this submission and objection, all owners are not in agreement so should be rejected.

Based on this guideline, Town of Cottesloe should reject the application.

**2) Any supporting approval from the Owners Corporation of Strata Plan 17341 is potentially invalid**

The Town of Cottesloe requires any application for change of use in a Strata building to be supported by a letter of support from the Owners Corporation.

This application includes a confirmation of support from the Owners Corporation, however in my view this is likely to be invalid.

Owners at Century Cove outside the representative committee known as the Council of Owners have not been engaged on their views.

The Council of Owners is made up of 7 owners, 5 of which are investors, 4 of which currently or have a history of short stay letting their units. The fifth member has flagged intention to short stay post COVID.

The Council of Owners have a remit to manage the strata in accordance with the Strata Titles Act. In my view they have no authority in relation to approving or supporting change of use applications as this is beyond the remit of the Strata Titles Act.

**3) Approval by the Town of Cottesloe would be in contradiction given the denial of a similar application at 116 Marine Parade Cottesloe**

A similar application for change of use to short stay accommodation was considered by the Town of Cottesloe for 116 Marine Parade Cottesloe. This application was not approved by the council.

It would be inconsistent and unreasonable to approve this application given that precedent.

A media article on this circumstance is included in Appendix 4

**4) Holiday accommodation in the close confines of ostensibly a residential building will adversely impact the quiet residential enjoyment of residents in the building**

Century Cove was designed and built for residential living, not for commercial short stay accommodation for happy holiday makers. Unit 12 was renovated in 2017 and reconfigured with an additional bathroom and fixed accommodation of three double bedrooms. Currently Unit 12 is advertised as suitable for and regularly let to 6 adults. Six adults in a single apartment is not conducive to low impact residential environment and leads to other resident impacts.

Century Cove was also designed with south facing balconies overlooking the ocean. The east and west units have bedrooms in the rear; however, the central units have bedrooms on the south side (front) directly adjacent to the balconies of the eastern side unit. Unit 12 is an eastern side unit.

Holiday makers on Unit 12 balcony directly impacts the bedrooms of Unit 11 (same level) unit 8 (one floor below) and unit 14 (one above). Whilst there are house rules around night-time activity after 10pm, bedrooms are also used as places of rest during the day and evening.

Appendix 5 includes the current advertising for 6 adults.

Appendix 6 includes a floor plan highlighting the proximity to bedrooms, and photos of Unit 12 balcony bar positioned at western end immediately adjacent to central unit bedrooms.

**5) Century Cove is not located in a tourism precinct, but a high-density high value residential precinct in North Cottesloe.**

Guidelines from WAPC and Town of Cottesloe indicate that it may be appropriate to consider short stay accommodation applications in proximity of tourism facilities.

It is acknowledged that Cottesloe is an attractive tourism destination. There are several tourism facilities and accommodation within the town. However, Century Cove is in a precinct bounded by Eric Street, Marine Parade, Grant Street and Hamersley Street where there are no properties within these bounds servicing tourism needs. To the contrary, it represents a high-density cluster of high value residential accommodation.

There is plenty of underutilised tourism-based accommodation available on the opposite side of Eric Street at the Ocean beach Hotel, as well as further south in central Cottesloe beach precinct.

**6) Approval would set a precedent difficult to step back from and whilst this is one application, approval would see an explosion of applications at Century Cove in the post Covid environment.**

Currently there are two units at Century Cove being let as short stay accommodation. This application is from unit 12, however unit 1 is still being let on short stay where a second application has also been submitted.

Prior to COVID there were a number of units used for short stay accommodation, and post COVID border reopening, I would expect to see these owners want to resume short stay for their units.

Units 13 and 15 currently have renovations scheduled during 2022 and plan to short stay lease post renovation. There has been much media comment about rental shortages post COVID as properties move back into the Airbnb marketplace and we should expect this to be the case at Century Cove as well.

Approval of this application of Unit 12 Century Cove will see an explosion of applications in Century Cove and leave the Town of Cottesloe little option but to approve these applications if a precedent is set with Unit 12 application.

**7) The opening of WA borders brings a real and increased COVID health risk from multiple numbers of transient visitors, into the homes of residents at Century Cove, beyond what a stable residential community would incur**

It is recognised that the opening of borders will bring increased risk of COVID spread. Residents' homes are normally considered a relatively safe haven, given domestic patterns of known people. Residents at Century Cove should be able to enjoy this stability and relative security as well

A consequence of any approval of short Stay Accommodation will see a multiplication of people entering and moving around the building at Century Cove originating from potential COVID hot spots with unknown health management plans.

Residents deserve to have more certainty on the health safety and not have multiple unknown people potentially bringing COVID to the common areas of the building.

**Conclusion**

In conclusion, I implore the Town of Cottesloe to decline this application from Unit 12 for change of use from residential to short stay accommodation.

There is not just one reason, but very many logical reasons why short stay accommodation is not suitable for Century Cove, including failure to meet many of the criterion recommended by the WA Planning Commission, the precedent set by Town of Cottesloe from previous applications, the unsuitability of Unit 12 (and other units) and the many other reasons that I have highlighted through this submission, but importantly that this is about the peaceful enjoyment of my home of 32 years.

I didn't buy into holiday accommodation building, I bought into home with a beach lifestyle and a suburb where I love to live, and an apartment that I can quietly enjoy as my home without interfering with the peaceful enjoyment of my neighbours.

Preston Capital Pty Ltd are Sydney based investors, in my view interested only in cashing in on our fantastic lifestyle, to the detriment of the peaceful enjoyment and lifestyle of the traditional residents at Century Cove.

## Appendix 1 – WAPC Guidelines

# Guidelines

## Holiday Homes - short stay use of residential dwellings

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## 1 Objectives and definitions

### 1.1 Objectives

The objectives of this policy are:

- 1.1.1 To establish clear guidelines for the short stay use of holiday homes for tourism accommodation. The policy excludes short term accommodation where there is an onsite manager or owner such as bed and breakfast accommodation and guesthouses.
- 1.1.2 To ensure that short stay use of residential homes occurs within appropriate locations to enhance the tourism experience and reduce existing or future land use conflicts such as impacts on residential amenity.
- 1.1.3 To ensure that all new holiday home rental accommodation is in accordance with relevant legislation, local planning schemes and policies, and management plans.

### 1.2 Definitions

For the purpose of this policy the following definitions apply:

**Holiday home (standard)** means a single house (excluding ancillary accommodation), which might also be used for short stay accommodation for no more than six people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).

**Holiday home (large)** means premises conforming to the definition of holiday home (standard) with the exception that the premises provide short stay accommodation for more than six people but not more than 12 at any one time.

**Short stay** means that no person is to stay for more than three months in any 12 month period.

**Landowner/manager** means the owner of the premises for short stay purposes.

**Grouped dwelling** means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partially vertically above another, except where special conditions of landscape or topography dictate

otherwise, and includes a dwelling on a survey strata with common property.

**Multiple dwelling** means a dwelling in a group of more than one dwellings on a lot where any part of a dwelling is vertically above part of any other but does not include a group dwelling.

## 2 Planning application and approval considerations

### 2.1 Application

An application for planning approval should be lodged with local government where holiday homes are a D or SA use in the zoning table of a local planning scheme.

In assessing applications, the local government shall have due regard to its local planning scheme, policies, tourism strategy and relevant standards such as the Building Code of Australia.

### 2.2 Advertising

If holiday homes are a SA use in a local planning scheme, the local government will advertise the proposal for public comment.

During the advertising period, the local government will notify, in writing, the owners and occupiers of adjoining and nearby properties likely to be impacted by the proposal. Comments received during any consultation process will be considered in the assessment of the application.

### 2.3 Location

It is recognised that, in certain locations, the renting of residential premises for short stay holiday accommodation is a legitimate way in which alternative, short stay tourism accommodation can be provided.

To reduce conflict between holiday homes and ordinary dwellings, particularly in the residential zone, ideally holiday homes should be within preferred areas identified either through the tourism component of the relevant local planning strategy, or in a local planning policy. As a guide, holiday homes are most appropriate in areas of high tourism amenity and close proximity to key tourism attractions such as the beach, town centre or rural areas. Suburban

locations may not be appropriate. In general, holiday homes should be residential dwellings on freehold lots and not units or apartments unless the entire complex is established for this purpose.

For those already operating in an area that was previously approved for holiday home letting, and where new approvals will no longer be granted, the holiday home use can continue as a non conforming use.

## 2.4 Amenity

A key concern with respect to the occupation of dwellings as holiday homes is to ensure that any such uses will not adversely impact on residential amenity currently enjoyed by residents in surrounding properties.

Any activities that result in a loss of enjoyment by neighbouring properties, for instance, unacceptable levels of noise, will be considered a breach of this approval.

## 2.5 Building standard

Dwellings should comply with the Building Code of Australia and local government policies and standards. Where the existing standard of a dwelling is considered to be inappropriate, consent to the use of the facility as a holiday home may not be granted until the dwelling is upgraded to a satisfactory standard. If, after inspection, the dwelling is considered to be unsafe or inadequate for holiday house use, the application will be refused.

## 2.6 Approval

Approval may be granted for either a holiday home (standard) or a holiday home (large) subject to compliance with relevant legislation, local planning schemes and policies.

Local government should be notified of any changes to a holiday home that may be deemed to affect the approval of the dwelling for such a purpose.

## 2.7 Grouped or multiple dwellings

The use of grouped or multiple dwellings will generally not be supported for holiday home accommodation given the potential impacts on adjoining residents, unless all owner are in agreement.

# 3 Approval conditions

Conditions in relation to the approval of applications for holiday homes may include the following.

## 3.1 Management

A holiday home management plan should be submitted as part of the planning application and prior to the commencement of business. In the case of an established business, the management plan should be submitted to local government within 12 months from the adoption of the local planning policy.

The management plan may include:

- Nomination of a local manager/ caretaker within the vicinity of the property. Where properties are remote from a town site or CBD, alternative arrangements for a manager/caretaker may be considered.
- Details of how nuisance issues such as noise will be addressed by the manager.
- A fire and emergency response plan

Other matters such as car parking provision, signage, the number of people occupying the premises, maximum period of stay can be imposed as part of the planning approval and subsequently enforced as pursuant to the *Planning and Development Act 2005*.

## 3.2 Fire and emergency response plans

In all cases, an emergency response plan (ie fire escape route maps) is required to be clearly displayed in a conspicuous location within the dwelling, plus:

- each bedroom is to be fitted with a hard wired smoke detector;
- a fire extinguisher, in a clearly visible location, is to be maintained in proper working order;
- outside barbeques are to be gas or electric.



### 3.3 Approval period

Initial approval should be granted for a limited period of one year, and renewed on a three year to five year period subject to compliance as determined by the local government to ensure that there is minimal impact on the amenity of neighbouring properties. This is designed to provide a degree of certainty to operators, while providing a degree of control to the local government. Existing holiday homes where it can be demonstrated that there is a history of minimal or no conflicts should be considered for the identified longer approvals subject to the requirements of the relevant local government.

## 4 Holiday homes register, non compliance and voluntary accreditation

### 4.1 Holiday homes register

A register of approved holiday homes should be established and maintained by the local government. The register should record basic details of the property including the contact details of the owner and/or manager; property address; and configuration (number of bedrooms, number of beds, bathrooms, car parking spaces etc). These matters should be considered for inclusion in the approved management plans for the operation of the holiday home.

### 4.2 Non compliance and cancellation

Any breach of approval conditions or the management plan can be dealt with in accordance with the enforcement provisions of local planning schemes and/or cancellation of a registration. A new application may be considered after a 12 month period.

A breach of a planning approval may be brought to the attention of local government as a result of an inspection or report by local government staff, a police report or by a member of the public.

### 4.3 Voluntary accreditation

Holiday home owners/managers are encouraged to attain accreditation from the Tourism Council of Western Australia.

Accreditation is a non regulatory, voluntary means of addressing the identified customer service and consumer protection issues. The benefits of accreditation include improvements in the quality of accommodation product through the application of standards, capture of accommodation provider details.

## 5 Other matters

It is recommended that landowners/managers seek independent legal advice on legislative requirements regarding the use and management of holiday homes. This would include, but is not limited to, checking the requirements of the *Equal Opportunity Act 1984* and the *Fair Trading Act 1987*.

As many residential public liability insurance policies exclude the use of premises for short term rentals, it is recommended that landowners/managers check this matter with their insurance providers.

## 6 Contact details

For more information contact:

Your local government

Western Australian Planning Commission  
Phone: 9264 7777  
[www.planning.wa.gov.au](http://www.planning.wa.gov.au)

Tourism Western Australia  
Planning section  
Phone: 9262 1700  
[www.tourism.wa.gov.au](http://www.tourism.wa.gov.au)

Tourism Council WA  
Phone: 9416 0700  
[www.tourismcouncilwa.com.au](http://www.tourismcouncilwa.com.au)

Australian Tourism Accreditation Program  
[www.atap.net.au](http://www.atap.net.au)

## Appendix 2 – Copy of resident complaint against Unit 12

**From:** Tom Wilkie-Black [REDACTED]  
**Date:** 25 July 2021 at 5:50:14 pm AWST  
**To:** [tim](#) [REDACTED]  
**Subject:** Fwd: Air BnB in Unit 12

Hi Tim,

Just responding to your request for our views on the recent noise disturbances in Unit 12.

Here is a (lengthy) summary:

There are noisy guests in Unit 12 fairly regularly, but we never thought to take any action until last Saturday, 10 July. We understand that having neighbours who are occasionally noisy is just the reality of living in an apartment building, but Saturday the 10th was pretty outrageous.

### Saturday, 10 July

That night there was a party there that was particularly bad. There were a group of at least 6 (but probably more) young men there. From about dinner time they were playing loud music and shouting. Sarah and I started to feel pretty uncomfortable, as they were wolf whistling at girls in the street and aggressively yelling at members of the public. It got to the point where neither of us felt totally safe in the building, as the halls and elevators were taken over by this pretty disgusting group. I ended up tracking down Louisa on AirBnB and sent her a message through the app. She told me the group were leaving and sure enough, they all departed. I assumed that would be it for the night.

As it turned out, they went across the road to the OBH. They returned at about 10.30 or so bringing more people with them (easily 10+). The music and yelling then started back up. At about midnight, Sarah asked them to be quiet. They told her to 'fuck off' and called her a 'bitch'. A number of them were then yelling 'we don't give a fuck about the neighbours' from the balcony. By this point I assume Louisa had gone to bed. because she wasn't reachable. I managed to get to sleep around 1am after putting in some headphones and listening to an audiobook. I was then awoken at 3.30am, with music still blasting and yelling clearly audible from next door.

The next day, Louisa apologised. There was rubbish strewn across the front of the apartment building and they had thrown a beer can across onto our balcony.

### Saturday, 17 July

There was then another fairly noisy party last weekend, on Saturday, 17 July. This group was not nearly as bad. From the sounds of things it was more of a Hen's night. They were still carrying on past midnight though, singing and screaming. This ended up keeping me up until about 2am. I messaged Louisa again but unfortunately I think she was already in bed by this point.

The next day Louisa apologised and informed me the group was leaving. She also reiterated that she had a 'no parties' rule for the property. She said the dynamics in guests had changed a bit with COVID, as there were more 'locals' staying rather than tourists, which meant more parties.

## Appendix 2 continued – Copy of resident complaint against Unit 12

### Our view

We don't have a problem with AirBnB per se. We regularly stay in Air BnBs and I think it makes sense for people to be able to rent out their unit if they go away for a weekend, so long as they take responsibility for their guests.

In saying that, we don't think it is really fair to have a unit in an apartment building that is a permanent AirBnB. There is simply no accountability for the behaviour of guests. While you would expect your neighbours to have the occasional party, in an ordinary unit this might happen once a year. In an Air BnB, it is nearly every weekend. However, no one really has the right to tell anyone they can't put their unit up on Air BnB.

The simple solution is for Unit 12 to reduce the guest limit. Right now there is a guest limit of 6 (although evidently no one is checking to make sure they actually stick to this number). I think this guest limit guarantees there will be parties fairly regularly, as there is rarely a reason for 6 people to rent an Air BnB except for the purpose of hosting a party. Even if the guests are reasonable and don't play music, 6 people on holidays who stay up talking until midnight will still be noisy enough that it intrudes significantly on our quality of life. Unfortunately that's the reality of the thin walls between Unit 11 and Unit 12. Perhaps a 4-adult limit could be a good compromise (e.g. parents, grandparents and 2 kids could be ok).

As tenants, we obviously don't get much of a say in things, so we defer to whatever you and the other owners decide is appropriate. However, I should say that we hope to stay in the building for the foreseeable future. If things continue spiralling though then it will be hard to justify the amount we are paying for rent when the result is that we're regularly losing sleep and having our working weeks affected because of it.

A few other solutions that might work are as follows:

- double glazed windows - while this wouldnt help with our thin walls it would reduce noise for everyone else from both air bnbs and the pub/street. It would also help insulate the units and reduce the impact of wind.
- cctv - perhaps controversial, but I think this would act as a disincentive for guests breaking the rules and would help substantiate any complaints that needed to be made.
- in-person check in - not a fail safe but having Louisa confirm who is staying in the unit by going in and checking up on them might help.

I hope this helps!

All the best,

Tom and Sarah

### Appendix 3 – Photos of young children guests Unit 12

Unsupervised children creating a seriously hazardous situation three floors above ground level



## Appendix 4 – Media article about 116 Marine Parade


WhatsApp

6:58 pm

EVERY MATCH, EVERY COURT

Advertisement

### Cottesloe council turns down Airbnb push for Marine Parade unit complex



By Ray Sparvell

Updated February 24, 2016 – 2:54pm, first published at 1:20pm

Save

Share

A A A

Residents along Marine Parade wanting to continue raking in up to \$300 per night from Airbnb guests have been given the thumbs-down by Cottesloe council.

Unit owners at 116 Marine Parade received the knockback after their change of use application, from residential to serviced

watoday.com.au


WhatsApp

6:58 pm

EVERY MATCH, EVERY COURT

Advertisement

Unit owners at 116 Marine Parade received the knockback after their change of use application, from residential to serviced apartments, was refused at Tuesday evening's council meeting.



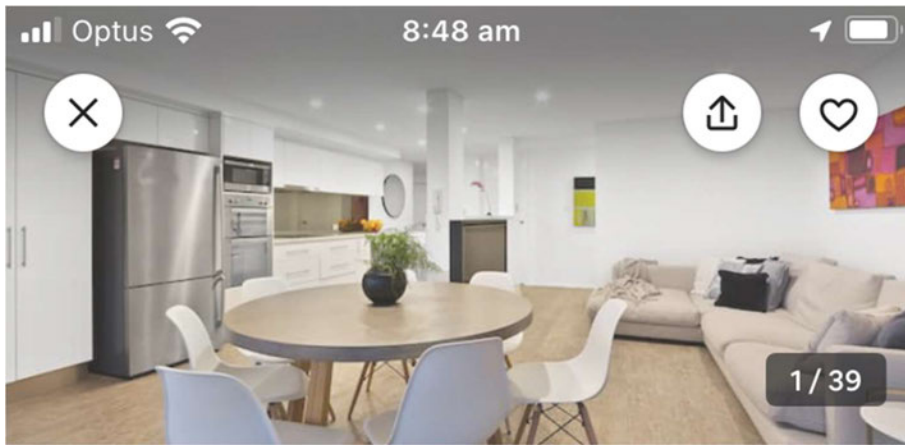
A group of owners at 116 Marine Parade, Cottesloe, failed in their push for airbnb guests.

Over the past 18 months, there has been an explosion of Cottesloe residents advertising their properties with online accommodation

watoday.com.au



## Appendix 5 – AirBnB advertising for 6 adults



### Luxe in Cottesloe

★ 4.94 (185 reviews)

Cottesloe, Western Australia, Australia

**Lower price.** Your dates are \$472 less than the avg. nightly rate of the last 60 days.



**Entire rental unit  
hosted by Louisa**



6 guests · 3 bedrooms · 3 beds · 2.5 baths

~~\$2,681.24~~ **\$2,464.24**

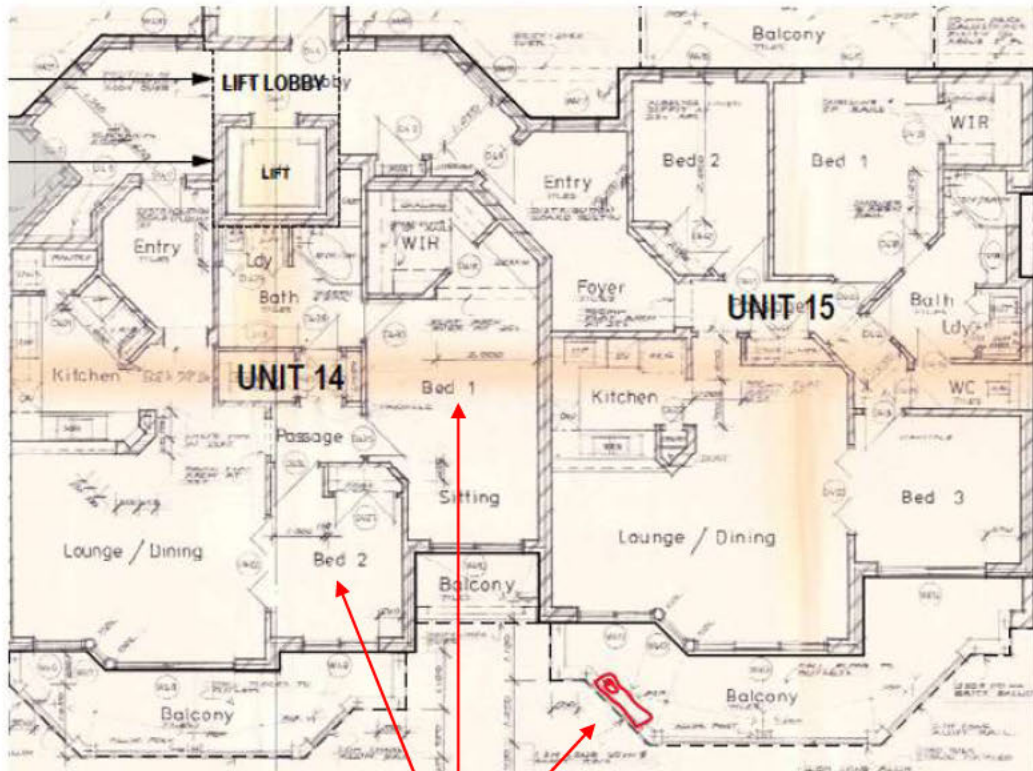
**AUD** total

15 Dec – 22 Dec

**Reserve**

## Appendix 6 – Century Cove layout showing proximity of adjoining bedrooms

The floor plan below is for level 4, however this is identical to level 3 for unit 11 and unit 12. The Unit 11 bedrooms are at the front of the building and immediately to left of eastern unit (U12) balcony.



The red highlight is a balcony bar installed on unit 12 as per photos below that draws people to the far western end of the balcony immediately adjacent to the bedrooms of the adjoining unit.



Unit 11-bedroom

Unit 12 balcony and bar

25<sup>th</sup> January, 2022

Town of Cottesloe  
109 Broome Street,  
Cottesloe WA 6011  
Attn: Sonya Hayes

Dear Sonya,

**Re: Serviced Apartment for Short Stay Accommodation Unit 1/ 6 Eric Street, Cottesloe – Notice of Public Advertising of Planning Proposal.**

We are writing to respond to a letter we received from you on 11<sup>th</sup> January in relation to the above.

We support the above planning proposal on the following grounds that:

- Guests staying within Century Cove must abide by the set of “house guidelines” as per the remainder of the residents who reside in the building. These guidelines are clearly displayed in each apartment where short stay accommodation is held.
- These rules apply for residing within the apartment as well as using common areas within the complex i.e. car parks; usage of bin area; foyers; lifts etc.

There is a history of short stay accommodation on this site which has been long established in this area. We currently have a development application before the Town of Cottesloe for our unit in the same building.

The lots on which Century Cove is built were holiday homes reportedly owned by the bank of New South Wales to allow their country mangers and families to holiday. Since completion of construction, short stay accommodation has always been offered by owners at Century Cove. Century Cove is also located in the approved zone for short stay accommodation at the Town of Cottesloe.

With little or no accommodation for guests in the Cottesloe area we strongly support Short Stay Accommodation at 6 Eric Street, Cottesloe.

Kind regards

Anne and Michael Potter

**Preston Capital Pty Ltd – 56 Preston Ave, Five Dock NSW 2046 and owners of Unit 12/6 Eric Street Cottesloe**



[REDACTED]

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**From:** Mary Dowling [REDACTED]  
**Sent:** Tuesday, 18 January 2022 12:52 PM  
**To:** Town Of Cottesloe  
**Subject:** 12/6 Eric Street Cottesloe reference number 5.2021.4226

Attention Ed Druitt

I am writing to express my concern regarding the application to Air B/B 12/6 Eric St Cottesloe.

I am the owner of 11/6 Eric St Cottesloe and I am concerned about the Health& Safety aspects of all the owners in the building who are permanent residents or long term tenants.

In this time of Covid to allow multiple short term holiday makers is putting at risk the potential health of all people living there.

For example there is no QR code to register attendance at the building .

And I question how the applicant can police the number of people coming and going on a weekly basis.

Covid pandemic has fundamentally changed the way apartment blocks can be utilised at this point in time.

The WA planning commission has issued guidelines that Air B/B are no longer appropriate due to the health risks associated with Covid.

Yours Faithfully  
Mary Dowling

Sent from my iPad