

ORDINARY MEETING**15 APRIL 2026****5.8****DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR SHORT-TERM ACCOMMODATION AND A DWELLING HOUSE - 60 KEWARRA STREET, KEWARRA BEACH - DIVISION 9****PGS: 8/8/1673: #7850061**

PROPOSAL: DEVELOPMENT APPLCIATION FOR A MATERIAL CHANGE OF USE FOR SHORT-TERM ACCOMMODATION AND A DWELLING HOUSE

LANDOWNER: G M DAY & L H DAY

APPLICANT: L DAY & G DAY
C/- PLANNING PLUS
PO BOX 399
REDLYNCH QLD 4870

INTERESTED PARTIES: PLANNING PLUS
L DAY & G DAY
CUMMINGS ECONOMICS

LOCATION OF SITE: 60 KEWARRA STREET, KEWARRA BEACH

PROPERTY: LOT 14 ON RP728024

ZONE: LOW DENSITY RESIDENTIAL ZONE

LOCAL PLAN: NONE

PLANNING SCHEME: CAIRNSPLAN 2016 V3.1

NUMBER OF SUBMISSIONS: 22 SUBMISSIONS
(6 PROPERLY MADE)

STATUTORY ASSESSMENT DEADLINE: EXPIRED

APPLICATION DATE: 24 SEPTEMBER 2024

DIVISION: 9

APPENDIX:

1. APPROVED PLAN(S) & DOCUMENT(S)
2. NOTICE OF INTENTION TO COMMENCE USE

LOCALITY PLAN



RECOMMENDATION

That the Council approves the Development Application for a Material Change of Use for Short-Term Accommodation and a Dwelling house over land formally described as Lot 14 on RP728024 situated at 60 Kewarra Street, Kewarra Beach subject to the conditions provided below.

PART A: Material Change of Use

Note: This part applies to the aspect of development relating to a Material Change of Use.

Approved Plan(s) and Document(s)

The term 'approved plan(s) and document(s)' or similar expression means:

Plan or Document	Reference	Date
60 Kewarra Street Site Plan	Drawing No. SK001, Prepared by Planning Plus	28 April 2025
Operational Management Plan	DA 13092/2024, Prepared by Lisa Day.	1 October 2025

Assessment Manager Conditions

General Requirements		Timing
1.	<p>Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Permit.</p>	At all times.
2.	<p>Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.
3.	<p>Currency Period</p> <p>This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).</p>	As stated.
4.	<p>Notice of Intention to Commence Use</p> <p>Written notice must be given to Council that the development fully complies with this Development Permit.</p> <p>Return the attached “Notice of Intention to Commence Use” (attached at Appendix 2).</p>	Prior to Commencement of Use.
5.	<p>Operational Management Plan</p> <p>The use must operate in accordance with the Operational Management Plan included in the Approved Plan(s) and Document(s). Specifically, the Plan must be upheld through providing the following measures:</p> <ol style="list-style-type: none"> a. The property manager may be either: <ol style="list-style-type: none"> i. The landowner; or, ii. Property Agent licenced in accordance with Section 26 of the <i>Property Occupation Act 2014</i> and registered with the Office of Fair Trading QLD. b. When submitting the Notice of Intention to Commence Use, include copies of written notification provided to adjoining landowners informing them of the use. c. Refuse bins must be: <ol style="list-style-type: none"> i. screened from the street and adjoining properties; ii. placed at the kerbside for weekly collection; and; iii. if scheduled collection is missed, alternative collection within 24 hours. d. An A3 sized sign must be incorporated into the fenceline or letterbox structure facing the Kewarra Street frontage providing the following: <ol style="list-style-type: none"> i. contact number of the property manager; 	<p>As stated</p> <p>AND</p> <p>At all times.</p>

	<ul style="list-style-type: none"> ii. instructions on how to raise complaints to the abovementioned party. <p>e. A registrar of complaints must be available for review. The registrar must include:</p> <ul style="list-style-type: none"> i. Date and time of complaint; ii. Reason for complaint; iii. Name, address and contact information of complainant; iv. Resolution actions taken in response to complaint; and, v. Time taken to resolve complaint. <p>f. Guests must sign an agreement to follow the Code of Conduct provided in Appendix A prior to checking in.</p>	
6.	<p>Limitation of Use</p> <p>The approved use of Short-term Accommodation does not facilitate the following:</p> <ul style="list-style-type: none"> a. Home-based businesses; or, b. Subleasing of rooms; or, c. Events, functions, parties, gatherings or similar. 	At all times.

ADVICE

1.	<p>Planning Laws</p> <p>Information relating to the <i>Planning Act 2016 (Qld)</i>, <i>Planning Regulation 2017 (Qld)</i> and Development Assessment Rules is located on the Queensland Government's planning website.</p>
2.	<p>Definitions</p> <p>All terms used in this development approval have those definitions as defined under the <i>Planning Act 2016 (Qld)</i> and <i>Planning Regulation 2017 (Qld)</i> (as at the date of the approval), Queensland Development Code and CairnsPlan 2016.</p> <p>To the extent of any inconsistency, the order of precedence of the above instruments is as follows:</p> <ul style="list-style-type: none"> a. <i>Planning Act 2016 (Qld)</i>; b. <i>Planning Regulation 2017 (Qld)</i>; c. Queensland Development Code; d. CairnsPlan 2016; and e. FNQROC Development Manual.

3.	Future Compliance This approval does not negate the requirement for compliance of any future use with CairnsPlan 2016 or any future in force planning schemes, all other relevant Local Laws and other statutory requirements.
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LAND USE DEFINITIONS*

In accordance with Schedule 24 of the *Planning Regulation 2017*, and CairnsPlan 2016 the approved land use of Short-term accommodation is defined as:

“short-term accommodation—

(a) means the use of premises for—

(i) providing accommodation of less than 3 consecutive months to tourists or travellers; or

(ii) a manager’s residence, office, or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i); but

(b) does not include a hotel, nature-based tourism, resort complex or tourist park.”

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council’s Planning Scheme and the FNQROC Development Manual.

EXECUTIVE SUMMARY

Council is in receipt of an application for a Development Permit for a Material Change of Use for Short-term Accommodation and a Dwelling house at 60 Kewarra Street, Kewarra Beach more formally described as Lot 14 on RP728024. The application is impact assessable in this zone.

The site is within the Low density residential zone. The site has frontage and direct access to both Kewarra Street and Kewarra Beach. The development presents as a single storey detached dwelling house. The streetscape has a mixture of single and double storey detached dwelling houses.

The development proposes to use the existing dwelling house for both long-term and short-term accommodation, noting that the long-term accommodation component is already an accepted land use. There are no physical modifications proposed. An Operational Management Plan is provided within the application material that requires guests to comply with a Code of Conduct and provides a third-party contact number that is available 24/7 for amenity related disturbances.

The application underwent a Public Notification Period and received a total of 22 submissions, however only six (6) were properly made. Of the 16 not properly made submissions, 11 were supporting the development and 5 were against the development. Of the properly made submissions, three were supporting the development and three were against the development.

The area has a tourism nature with a food van, carpark and the Kewarra Beach Resort at the northern end of Kewarra Street. Consequently, there is a likelihood that alternative accommodation options that encourage growth and tourism within the neighbourhood will continue to be desired. While the streetscape character consists of detached dwelling houses, Council are aware that a number of these have been operated as short-term accommodation on a regular basis.

While this use is not anticipated under the Planning Scheme, the development would be consistent with the Code requirements and advance the intentions of the Strategic Framework through responding to the changing needs and expectations of the tourism industry. Therefore, where measures that effectively and efficiently control guest behaviours are incorporated, the character and amenity of the zone would be protected.

The departure from the established land-uses within this zone is not, in this instance, of such significance that the development cannot be supported. Rather, the development proposes an alternative accommodation activity that is compatible with low intensity residential development and would remain visually consistent with the streetscape character and amenity. For the reasons outlined in this report, the application is recommended to be approved, subject to conditions.

TOWN PLANNING CONSIDERATIONS

Background

Regulatory Compliance issued a Notice of Suspected Breach of Planning Scheme for the unlawful operations of Short-term accommodation (AirBnB) which resulted in this Development Application being lodged (Council Reference: #[7424144](#)).

Following a review of Council records, there are no existing Development Permits for Short-term accommodation within a dwelling house. Notwithstanding, the *CairnsPlan 2009* definition for 'House' incorporated a short-term accommodation component. As such, dwelling houses that meet the following criteria would have lawful use rights to operate short-term accommodation:

- Constructed under *CairnsPlan 2009* and consistently operating short-term accommodation since establishment; or,
- Constructed prior to *CairnsPlan 2009*, however incorporated the land-use of short-term accommodation following the commencement of *CairnsPlan 2009* and have been consistently operating.

The site has a previous Consent for a Home based business for Physiotherapy (Council Reference: #[919162](#)). This use is believed to have been abandoned.

Site and Surround

Site Description	
Site Area	1,650m ² The site is rectangular in shape.
Existing Use of Land	<p>The subject lot contains an existing dwelling house, including a swimming pool and Garage. The subject lot has connections to water, sewer, electricity and telecommunications.</p> <p>The habitable space of the dwelling house includes three (3) bedrooms, two (2) bathrooms, two (2) living rooms, internal laundry and an open plan living/dining/kitchen area. Unhabitable attachments to the dwelling house include a double garage and two (2) verandas.</p> <p>The dwelling house has an area of roughly 415m² and is a single storey.</p>
Road Frontage	The site has a frontage of approximately 30.00 metres to Kewarra Street.
Topography	The site is generally flat with no significant features.
Vegetation	Landscaping vegetation is along the side (north) boundary.
Surrounding Land Uses	<p>The area surrounding the subject lot comprises of predominantly residential lots containing dwelling houses.</p> <p>Kewarra Beach is directly assessable from the premises.</p> <p>The Kewarra Beach Resort, Food Van and carpark and located at the northern end of Kewarra Beach, being approximately 210 metres from the subject site.</p>

Overlays:

Overlay	Sub-Overlay
Acid Sulfate Soils	<ul style="list-style-type: none"> Land at or below 5m AHD
Airport Environs	<ul style="list-style-type: none"> Area of Interest 151m-151m AHD Procedures for Air Navigation Services – Aircraft Operational (PANS-OPS) Surfaces 13-kilometre buffer zone
Coastal Processes	<ul style="list-style-type: none"> Erosion prone area Coastal building line
Flood and Inundation Hazard	<ul style="list-style-type: none"> Designated flood hazard area – Flood inundation trigger area Storm tide inundation hazard area Inundation hazard area

Landscape Values	<ul style="list-style-type: none"> • Coastal scenery
Transport Network	<ul style="list-style-type: none"> • Local route • Principal route • Pedestrian access street • Pedestrian spine • Minor collector road

Proposal

The development seeks to incorporate short-term accommodation into the existing dwelling house which would allow dual-use for long-term and short-term accommodation. The built form would be unchanged by this proposal. Tenancy would be capped at a maximum of eight (8) people. Though the development would still be an accommodation activity, the use is changing to facilitate short-term accommodation which effectively changes how the site functions.

The proposed Operational Management Plan provides details on the following areas of interest:

- Check-in;
 - House rules;
- Access to property;
 - Entry instructions & times;
- Check-out;
- Property & Managers details;
- Use of premises;
 - Limited to eight (8) occupants;
 - Minimum stay of five (5) nights;
- Register of Guests;
 - Contact information of guests;
 - Arrival and departure date and time;
- Monitoring Guest Behaviour;
 - Security cameras;
 - Minut monitors to track noise, guest numbers and behaviours;
 - Complaints management which requires a Registrar and two (2) categories of complaints;
- Maintenance;
 - External amenity such as landscaping and bins.
- Guest Guide Portal; and,
 - Information on how to use household items;
- Manager's Guide and Responsibilities.
 - Tasks and processes associated with the above activities.

The proposal is seeking dual-use of the dwelling house for permanent and short-term accommodation at all times, allowing flexibility in how the property can be used and maximising efficiency in housing stock.

An image of the premises is provided below:

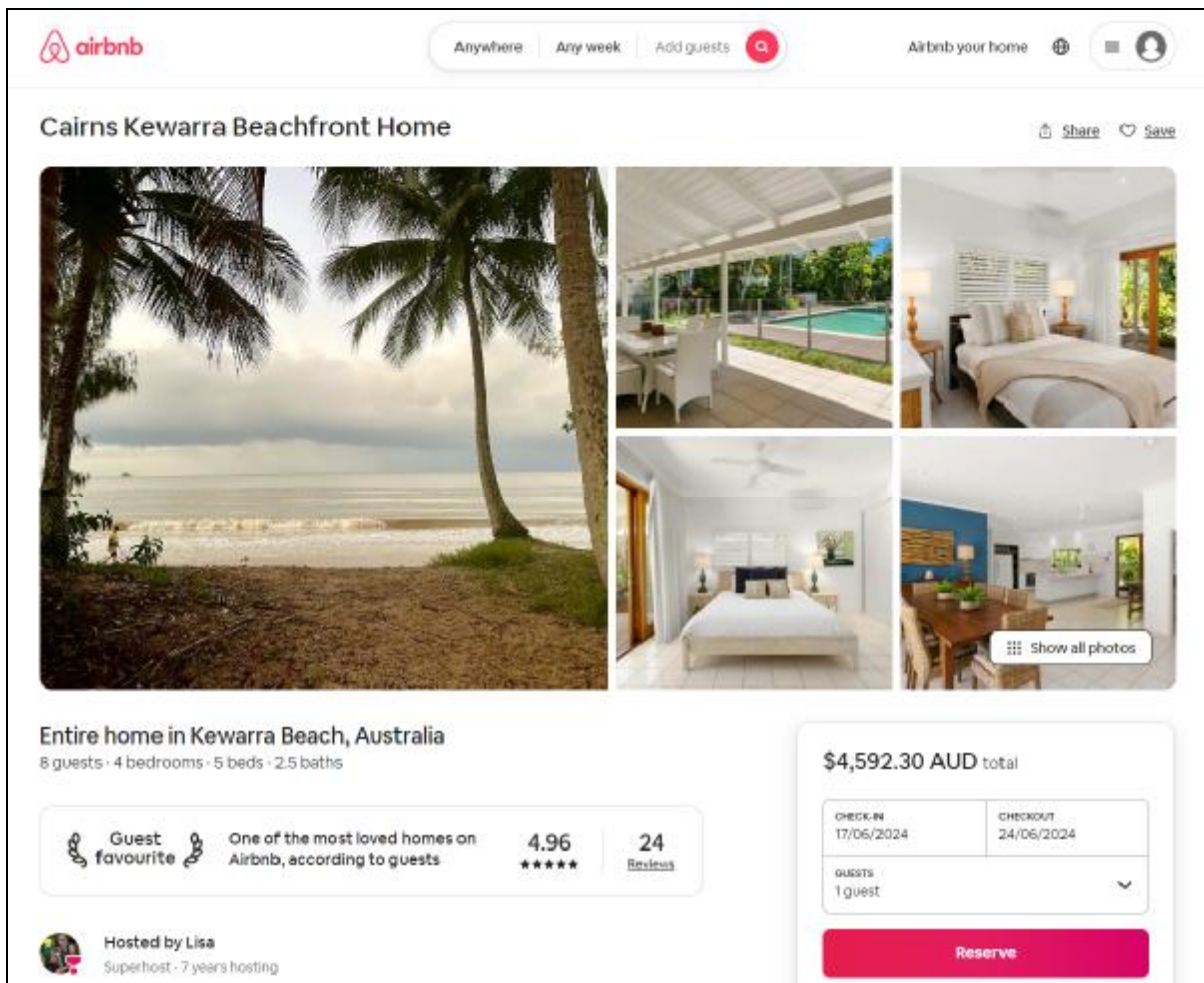


Figure 1: 60 Kewarra Street, Kewarra Beach (Source: AirBnB)

Important to this proposal is the size, density, built form and setbacks would not change as a result of this application. As such, any amenity impacts are limited to behavioural impacts only, which the Operational Management Plan seeks to address. The character of the zone is not proposed to be changed.

LEGISLATIVE FRAMEWORK

The *Planning Act 2016* identifies the criteria for assessing a Development Application. As an Impact Assessable application, the relevant criteria are included in sections 5, 45, 59, 60 and 61 of the *Planning Act 2016* and sections 29, 30, 31 and 32 and schedules 9 and 10 of the *Planning Regulation 2017*. These provisions identify that an Impact Assessment:

1. Must be carried out against the following assessment benchmarks, to the extent that they are relevant to the development i.e. the assessment benchmarks stated in:

- (a) Cairns Plan 2016 version 3.1 as the relevant local planning instrument in effect when the development application was properly made;
 - (b) Schedules 9 and 10 of the *Planning Regulation 2017*;
 - (c) The Far North Queensland Regional Plan 2009-2031 in effect when the development application was properly made;
 - (d) The State Planning Policy 2017 Part E in effect when the application was properly made;
 - (e) A temporary State Planning Policy applying to the premises in effect when the development application was properly made;
 - (f) Council's LGIP in effect when the application was properly made;
2. May give such weight as Council considers is appropriate, in the circumstances, to an amended or replacement version of the statutory instruments referred to in 1 above that came into effect after the development application was properly made but before it is decided;
 3. May give such weight as Council considers is appropriate, in the circumstances, to another relevant statutory instrument that came into effect after the development application is properly made but before it is decided;
 4. Must be carried out having regard to:
 - a. Any designation for the premises;
 - b. Any development approval for, and any lawful use of, the premises or adjacent premises; and
 - c. The common material;
 5. May be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise; and
 6. Must be performed in a way that advances the purposes of the *Planning Act 2016*.

The following section of this report comprises Officers assessment against the prescribed *Planning Act 2016* and *Planning Regulation 2017* criteria.

Statutory Planning Considerations

State Planning Policy	<p>The State Planning Policy (SPP) contains the State Interest Policies and Assessment Benchmarks which are applicable to the development. The subject site is affected by the following State Interests:</p> <ul style="list-style-type: none"> • Agriculture <ul style="list-style-type: none"> ○ Agricultural Land Classification – Class A & B • Coastal Environment <ul style="list-style-type: none"> ○ Coastal Management District • Natural Hazards Risk & Resilience <ul style="list-style-type: none"> ○ Flood Hazard Area – Local Government Flood Mapping Area; ○ Medium storm tide inundation area ○ Flood hazard area – Level 1 – Queensland floodplain assessment overlay ○ Erosion prone area
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	<ul style="list-style-type: none"> • Strategic Airports and Aviation Facilities <ul style="list-style-type: none"> ○ Obstacle Limitation Surface Area; ○ Wildlife Hazard Buffer Zone; ○ Aviation Facility <p>The CairnsPlan 2016 advances the SPP except for erosion prone areas and the Coastal Management District. While the SPP seeks avoidance of erosion prone areas, the built form is existing, therefore it is not reasonable to locate the proposal elsewhere as there would be no increased risks to people or property.</p>
FNQ Regional Plan 2009-2031	<p>The subject site is within the FNQ Regional Plan 2009-2031 designation - Urban Footprint.</p> <p>The Regional Plan has been appropriately integrated and reflected through the CairnsPlan 2016.</p>

Matters Prescribed by Regulation

Schedule 10 of the Planning Regulation 2017	<p>Not Applicable</p> <p>The Application did not trigger any Referrals under the triggers identified within Schedule 10 of the Planning Regulation 2017, therefore there are no referral agency responses considered in this assessment.</p>
Schedule 12A of the Planning Regulation 2017	<p>Not Applicable</p> <p>The application does not propose the creation of a new road.</p>

LOCAL CATEGORISING INSTRUMENT

CairnsPlan 2016 v3.1

Strategic Framework Assessment

The development is subject to Impact Assessment and therefore requires assessment against the Strategic Framework of the CairnsPlan 2016, in accordance with section 45 (5) of the *Planning Act 2016*.

Strategic Framework	
Settlement Pattern Theme	
Strategic Outcome	Assessment
Strategic Outcome 3.3.1(1)	<p>Strategic Outcome 3.3.1(1)(k)(m) states: <i>development co-locates compatible land-uses and maintains and enhances the identity of the region.</i></p> <p>The proposed development would co-locate a dual-use of permanent and short-term accommodation within a detached dwelling house. The outcome would be consistent with the identity of the region as a tourism centre, promoting an accommodation activity that is within close proximity to a natural tourist attraction.</p>

Element – residential areas and activities	
Specific Outcome	Assessment
Specific Outcome 3.3.5.1(2)	<p>Specific Outcome 3.3.5.1(2) states: <i>residential development is located and designed to provide a wide range of living options that maintains and enhances the character and identity of individual communities.</i></p> <p>The development would increase the diversity of accommodation options available within the Kewarra Beach catchment, providing both a short-term and long-term proponent that retains the residential amenity through behavioural monitoring and mitigation measures. This development expands the accommodation options within Kewarra Beach and Cairns Northern Beaches.</p>
Specific Outcome 3.3.5.1(6)	<p>Specific Outcome 3.3.5.1(6) states: <i>areas identified for lower density residential development provide predominantly low rise detached Dwelling houses to maintain the low density character of the area.</i></p> <p>The proposed short-term accommodation would be located within a single storey detached dwelling house that would maintain a built form and density consistent with the low density residential zone. The incorporation of short-term accommodation into the existing structure would not change the density or appearance. The development would maintain a low density accommodation activity as preferred in this zone.</p>
Element - Economy	
Specific Outcome	Assessment
Specific Outcome 3.5.2.1 (1)	<p>Specific Outcome 3.5.2.1 (1) states: <i>existing economic activities continue to be facilitated in and around existing allocated areas and where possible are consolidated or co-located with similar or complementary activities.</i></p> <p>The Cairns Northern Beaches is one of Cairns’s major tourist attractions, therefore co-location of short-term accommodation that retains the low-density residential amenity within close proximity to the beaches consolidates land-uses and tourism activities.</p>
Specific Outcome 3.5.2.1 (5)	<p>Specific Outcome 3.5.2.1 (5) states: <i>development that contributes to diversifying the economy is facilitated in locations where it is:</i></p> <ul style="list-style-type: none"> (a) <i>compatible with the scale and character of the surrounds and does not adversely impact on the natural environment or supply of agricultural land;</i> (b) <i>highly accessible;</i> (c) <i>designed to avoid areas that are vulnerable to natural hazards;</i> (d) <i>supported by infrastructure necessary to meet the demand of the activity.</i>

	<p>The proposed development would diversify the local economy through facilitating a tourist accommodation option within an area that is accessible as an existing tourist destination. The built form and physical elements would not be changed, therefore the character, amenity and existing infrastructure connections would be maintained.</p>
Element - Tourism	
Specific Outcome	Assessment
Specific Outcome 3.5.3.1 (1)	<p>Specific Outcome 3.5.3.1 (1) states: <i>the Cairns region is a national and international tourist destination that provides a diverse range of tourist accommodation, attractions and experiences that respond to the changing needs and expectations of the tourism industry.</i></p> <p>The expectations for tourist accommodation are diversifying as a desire for space, separation and accessibility is increasingly observed in the typology of accommodation that tourists are opting for. This has seen the influx of short-term accommodation bookings within dwelling houses. Allowing the dual-use of a dwelling house for both permanent and short-term accommodation would introduce an alternative variety of accommodation that enables tourists to experience a unique low-intensity option within the northern beaches, responding to the changing expectations of the tourism industry.</p>
Specific Outcome 3.5.3.1 (2)	<p>Specific Outcome 3.5.3.1 (2) states: <i>that tourist accommodation is provided in highly accessible locations and meets the varying needs of visitors to the region.</i></p> <p>Considering the building typology, secluded location and proximity to surrounding tourist attractions it is anticipated that tourists who opt for this style of accommodation would have access to a private motor vehicle for their length of stay. The location has a high level of accessibility via motor vehicle.</p>
Specific Outcome 3.5.3.1 (4)	<p>Specific Outcome 3.5.3.1 (4)(a)(c) states: <i>tourism development and associated infrastructure is established where it:</i></p> <ul style="list-style-type: none"> (a) <i>responds to a new, emerging or innovative tourism trend that will enhance visitor experiences; and,</i> (c) <i>is complementary to and compatible with other land uses.</i> <p>The proposed development reflects a rapidly emerging form of tourist accommodation. As the use would not affect the physical appearance, built form or density it would remain compatible with lower density residential zones with the only difference in land-uses being the transient nature. It is acknowledged that this raises the potential for behavioural issues which could cause amenity impacts, however management and mitigation measures can control and monitor impacts.</p>

Specific Outcome 3.5.3.1 (8)	<p>Specific Outcome 3.5.3.1 (8) states: <i>new tourist accommodation and entertainment areas are planned and developed in appropriate parts of the region.</i></p> <p>The location of the proposed short-term accommodation would be within close proximity to Kewarra Beach, the Kewarra Beach Resort, food van and carpark. The sites commutable distance from surrounding assets and natural tourist attractions further encourage the use of this area for tourist accommodation as these features demonstrate compatibility between land-uses and the subject site.</p>
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Relevant Assessment Benchmarks of CairnsPlan 2016

CairnsPlan 2016 Assessment Benchmarks	
Assessment Benchmark	Assessment
Low Density Residential Zone Code	<p>Complies</p> <p>The proposed development would incorporate variety into the low density dwelling typology currently available within Kewarra Beach that would retain the character and amenity of the area and zone. The difference in land-use would be the increased turnover in occupancy associated with tourist accommodation, which would be managed through an Operational Management Plan to protect the low-intensity residential amenity.</p>
Acid Sulfate Soils Overlay Code	<p>Complies</p> <p>No works required.</p>
Airport Environs Overlay Code	<p>Complies</p> <p>No works required.</p>
Coastal Processes Overlay Code	<p>Complies</p> <p>The existing dwelling house which has public access to the coastal waters would be utilised, which is located outside of the Coastal Building Line and Erosion Prone Area.</p>
Flood and Inundation Hazards Overlay Code	<p>Complies</p> <p>The existing dwelling house is located outside of areas affected by the overlay.</p>
Landscape Values Overlay Code	<p>Complies</p> <p>The development would be limited entirely to the existing dwelling house.</p>

Transport Network Overlay Code	<p>Complies</p> <p>The development is not anticipated to generate traffic volume greater than the current use and is consistent with the anticipated use of a Minor Collector Road.</p>
Multiple Dwelling and Short-Term Accommodation Code	<p>Generally Complies</p> <p>The development generally achieves the required setbacks, albeit a minor encroachment into the front and side boundaries that are existing. The existing dwelling house satisfies the requirements of the code in terms of open space, landscaping, recreational area and design.</p>
Environmental Performance Code	<p>Complies</p> <p>To control potential amenity impacts that may arise as a result of consistent changes in occupancy, an Operational Management Plan that includes a Code of Conduct and provisions for neighbouring sites to contact third-party providers in the case of complaints is incorporated. The development is able to co-locate a compatible land-use that does not unduly impact the existing area.</p>
Excavation and Filling Code	<p>Complies</p> <p>No works required.</p>
Infrastructure Works Code	<p>Complies</p> <p>No works required.</p>
Landscaping Code	<p>Complies</p> <p>The development would exceed the minimum landscaping requirements through retaining the existing on-site landscaping.</p>
Parking and Access Code	<p>Complies</p> <p>The site has a total of four (4) existing car parks, two which exceeds the requirements for short-term accommodation, being two (2) spaces.</p>
Vegetation Management Code	<p>Complies</p> <p>No vegetation damage or removal is proposed.</p>

RELEVANT MATTERS

The development is subject to Impact Assessment and therefore consideration was given to the following relevant matters, in accordance with section 45 of the *Planning Act 2016*.

Local Planning Instrument

Development assessment under CairnsPlan 2016 v3.1 contemplates the physical built form and land-use of proposals, however, is largely silent on operational functions. While the definitions provide a brief outline on operations, the zone and development codes lack depth in distinguishing nuances between scale, intensity and operations that are required to clearly articulate and guide zone and development outcomes.

The zone and development codes provide the quantitative and qualitative outcomes that guide development. Particularly, the Low density residential zone code, Dwelling house code and Multiple dwelling and short-term accommodation code all discuss the built form elements with no consideration afforded to the operations of the use. In this context, the proposed development is fully compliant with these assessment benchmarks.

Further, the Strategic Framework outlines desired outcomes that align with particular themes related to settlement, natural areas, economy and infrastructure. The intention is to deliver a strategic vision that guides development within the Cairns Region, with particular emphasis on captivating and enhancing the unique lifestyle to encourage international and domestic tourism, being Cairns's major economic driver. Residential development is encouraged to deliver a wide range of living options and tourism accommodation is encouraged where it is easily accessible to tourist attractions and responds to the changing needs and expectations of the tourism industry. In this context, the proposal aligns with the desired outcomes delivered under each theme.

The Tables of Assessment is the most substantial tool to distinguish the ease of which a development can be established within a zone, offering three (3) different levels of assessment with Impact assessment being the highest level and requiring public notification. Notwithstanding, Impact assessable development is not equivalent to inconsistent development or undesirability. It is afforded when development is different from the existing land-uses and therefore the decision should be informed with community awareness. As quoted within *Stephen Family Pastoral Pty Ltd v Local City Council & Anor [2026]*, "*impact assessment requires a broad, evaluative judgement that admits of flexibility to approve an application in the face of non-compliance with a planning scheme*".

Significant to this assessment is how the Planning Scheme wholistically addresses the intentions for residential compared to tourism development. The Scheme's identification of 'Residential Zones' is inclusive of Low, Low-medium, Medium and Tourist Accommodation Zones. This recognises that both long-term and short-term accommodation are residential activities. Further, the Purpose Statement within all residential zone codes, excluding the Tourist Accommodation Zone Code, seeks a variety of dwelling types to be provided. Dwelling types is an umbrella term that is defined as any self-contained residence.

The Planning Scheme does not deliver limitations on the operations of dwelling types, rather it is silent on how particular land-uses are required to operate where they vary from the standard definitions or typology.

Assessing the proposed development against the Planning Scheme demonstrates that this proposal is outside the scope of development that the Scheme contemplated, being the highest level of assessment yet able to comply with all assessment benchmarks. Therefore, consideration of matters outside the Planning Scheme have been utilised including the need and impacts, effects on the existing amenity and effects on the housing market.

Needs and Impact Assessment

A Needs and Impact Assessment was provided by Cummings Economic which explored the impacts of existing short-term accommodation within dwelling houses, using a cost vs availability analysis to determine whether an oversupply is saturating the market, which could be perceived as driving housing pressures. The report identified a total of 46 properties within Kewarra Beach marketed for short-term accommodation, however this includes a mixture of typologies that is not limited to self-contained accommodation. A total of 25 single detached dwelling houses were identified as operating short-term accommodation.

An evaluation of the cost of short-term accommodation within dwelling houses compared to market availability concludes that there is no oversupply, as costs continue to surge and availability remains limited. As such, there is an opportunity within the market to provide tourist accommodation that also enables landowners to engage in an efficient dual-use of housing stock. This does not restrict the use of a dwelling house for long-term accommodation, rather provides an option for dual-use incorporating short-term accommodation within a structure that presents as a single detached dwelling house.

Amenity and behavioural impacts

Amenity issues caused by human behaviours have been identified as the primary concern when contemplating short-term accommodation within dwelling houses. The Planning Scheme cannot control the behaviours of individuals, whether they are located on a premises operating as long-term or short-term accommodation. Although there is a perception that short-term accommodation increases behavioural disturbances when compared to long-term accommodation, there is limited evidence to support this perspective and Officers note that most amenity-related complaints received at Council are not associated with short-term accommodation. While short-term accommodation results in regular occupancy changes that may involve individuals who generate disamenity, this can be monitored and mitigated through an Operational Management Plan which has been included within the application material. This plan provide a 24/7 contact number indicated on signage at the property frontage for complaints.

With consideration to visual amenity, no physical changes would be required, with only the operational functions altering. Notwithstanding, the streetscape presentation and maintenance standards are notably different when comparing business accommodation with long-term accommodation. Specifically, short-term accommodations generally meet higher standards of maintenance that simultaneously contribute to an attractive streetscape (e.g. lawn & garden maintenance, cleanliness, tidiness etc) in comparison to long-term accommodation where upkeep is at the behest of residents which can result in the depreciation of streetscape amenity when maintenance does not align with an individual's interests. As such, property and streetscape amenity would be maintained through short-term accommodation within residential zones.

Impacts to housing market

A dwelling house provides long-term accommodation for a family or groups of people. Enabling dual-use for short-term accommodation incorporates a commercial component that departs from typical residential development. This issue has been reviewed at a State level and the Queensland Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) have commissioned a report through The University of Queensland to assess the impact of dwelling houses operating as short-term accommodation on the housing market across a number of Local Government Areas (LGA's) within Queensland, titled '*A Review of the Impacts of Short-term Rental Accommodation in Queensland*' dated June 2023.

The report findings did not find a clear correlation between housing prices and short-term accommodation, however, did note that the influx of short-term accommodation has simultaneously occurred at the same time as other market shifts (e.g. cost of living crisis) that are anticipated to be greater contributors to current housing pressures. There were positive findings of the impacts of short-term accommodation on local convenience stores such as café's and shops; however, there were negative impacts to businesses targeting long-term residents such as vehicle workshops, healthcare and industrial areas. An influx of more affluent residents has been shown to have a positive effect on local characteristics such as economic stability and vibrancy; however, disamenity from noise and behavioural disturbances has been acknowledged where the premises is opportunistically used for functions such as parties, bachelorettes etc.

When considering the negative and positive findings of this study, it is notable that the location of the proposal along the Kewarra Beach forefront is not within proximity to businesses targeting long-term occupants, with the only nearby service being a coffee van. With the incorporation of an Operational Management Plan, disamenity impacts are able to be mitigated and reduced, with third-party action elected to provide service efficiency. Further, the approval of short-term accommodation does not facilitate the hosting of events and functions on premises, which would require a separate development application for function facility or similar.

Comparing the context of this site with the findings of the study is favourable to considering short-term accommodation as an appropriate land-use given the separation from businesses targeting long-term occupants and the ability to control amenity impacts.

PUBLIC NOTIFICATION

In accordance with Impact Assessment procedures outlined in Part 4: Public Notification of the Development Assessment Rules, the development was publicly notified for a minimum of fifteen (15) business days, with the following actions being carried out:

- A notice published in the newspaper circulating generally in the locality;
- A notice placed on the land in the way prescribed under the DA Rules; and
- A notice given to the owners of all lots adjoining the premises.

A Notice of Compliance was received on 30 May 2025. Six (6) properly made submissions were received during the Public Notification period and a total of 16 not properly made submissions were received, resulting in a total of 22 submissions. Of the properly made submissions, three (3) were supporting the development and three (3) were against the development. Of the not properly made submissions, 11 were supporting the development and five (5) were against the development.

MATTERS RAISED IN SUBMISSIONS FOR IMPACT ASSESSABLE DEVELOPMENT

The following matters were raised in properly made submissions.

Arguments against	Officers response
Inconsistent with zoning	<p>Residents have raised that the Low density residential zone was not anticipated to provide transient accommodation. Their current experience with the unlawfully occurring short-term accommodation sites has been amenity disturbances from noise, vehicles and gatherings.</p> <p>Officers agree that the lawful land-use of the area has so far been long-term accommodation and acknowledge that the existing unlawful operations have generated amenity impacts. An Operational Management Plan is proposed to respond to this need, which includes a 24/7 contact number located on a sign at the property frontage. This offers an efficient method to direct complaints. A Registrar of all complaints and resolution actions are required to be kept by the landowner, noting that where complaints elude to uses outside of the scope of short-term accommodation (i.e. events, gatherings etc), this is grounds for further investigation to determine if the use of premises is unlawful.</p>
Functions	<p>Submissions raised have stated that parties and weddings are occurring at properties hosted as short-term accommodation, raising awareness to the amenity impacts this causes on residents. Officers note that short-term accommodation does not support the use of events on premises and compliance investigations to undertake ameliorative measures are able to be undertaken if this occurs, noting that these uses would be required to undergo the Development Assessment process for a separate land-use.</p>

Safety concerns	<p>Submissions regarding the safety concerns that residents feel as a result of transient occupants with fast-paced changeover rates has been raised. Whilst it is acknowledged that individuals can have positive social perceptions of residential neighbourhoods that consist predominantly of long-term residents, Officers note that even if the use is predominantly long-term residents social behaviours and integration are unable to be controlled by the Planning Scheme. Safety matters are directed to Queensland Police.</p>
Commercial use	<p>The use of a dwelling house as a commercial business in the midst of housing pressures has been raised as an area of concern. As explored under 'Other Relevant Matters' section of this report, housing stressors and short-term accommodation are not directly correlated considering numerous other cost-of-living stressors as well as consideration that holiday accommodation has been an informal, yet active use of a dwelling house for decades.</p> <p>Whilst it can be acknowledged that the proposal has a commercial component, this commercial component remains an accommodation activity with the physical appearance and characteristics consistent with the zone and development requirements.</p>
Infrastructure impacts	<p>Concerns that the area does not have the level of infrastructure to support the volume of occupants has been raised.</p> <p>Though the use will result in an increase in occupant turn-over rates, the density and yield of the dwelling house is not proposed to increase. The physical built form will remain a detached dwelling house, it is the operational use of the dwelling house that would change.</p>
Need	<p>Submissions have raised that there is no planning need for this use to occur within this location considering surrounding northern beaches have zoning that supports tourist accommodation.</p> <p>Planning need can be largely interpreted as the benefits a use provides to the local economy compared to the impacts the use has on the existing area. Short-term accommodation within dwelling houses has been shown to provide variety in the tourist accommodation market that positively increases tourism numbers. In turn, this benefits the local economy with tourism being a major contributor. As the local economy is largely reliant on tourism there is an identified need for this form of development. To prevent impacts to the existing community, an Operational Management Plan has been provided that regulates occupant behaviours.</p>
Impacts on surrounding tourist resorts	<p>Submissions argue that short-term accommodation within dwelling houses will negatively impact the business of surrounding lawful short-term accommodation options.</p> <p>Officers note that there are several differences between short-term accommodation within dwelling houses compared to resorts. This includes differences in building typology, affordability, amenity and proximity to services. These key differences mean it is unlikely that the two land-uses would detract from each other as they are marketing different accommodation typologies.</p>

Arguments for	Officers response
Economic benefits	It has been raised that allowing the use of short-term accommodation to occur within dwelling houses provides more tourism opportunities for the area which generates more money into the local economy. Officers acknowledge that allowing compatible land-uses to co-locate has the ability to encourage additional tourism that positively benefits businesses targeted at convenience retail.
Lack of Short-term accommodation within Kewarra Beach	<p>Submissions raise that there is no short-term accommodation available within Kewarra Beach, especially following the closure of the Kewarra Beach Resort.</p> <p>Officers note that there is no lawful existing short-term accommodation within Kewarra Beach that is currently operating, however this is a result of the Planning Scheme that has not facilitated short-term accommodation within residential zones.</p>

INFRASTRUCTURE CHARGES

Council's Infrastructure Charges Resolution No. 2 of 2021 identifies that no charges are applicable to the proposed development. In accordance with Schedule 1, Note 3 of the Resolution where a Material Change of Use approves more than one use, and both uses are across the same area, the Base Charge applicable is the highest base charge.

In this scenario, the charge for a dwelling house exceeds that of short-term accommodation. As the dwelling house is existing, it also receives a credit, which results in no additional infrastructure charges.

LOCAL GOVERNMENT INFRASTRUCTURE PLAN (LGIP)

The proposed development is located within the Priority Infrastructure Area. The development does not require the delivery of trunk infrastructure to facilitate the development.

PLANNING NOTATIONS

The development approval is required to be notated in the Planning Scheme under section 89 of the *Planning Act 2016* as it is considered to be substantially inconsistent with the planning scheme.

REASONS FOR DECISION

The reasons for this decision are:

1. The proposed development has been assessed in accordance with the provisions of the CairnsPlan 2016 v3.1. While it departs from the existing land-uses within the Low density residential zone, it is consistent with the Zone Code through supplying a low density accommodation type.

2. The operational functions would be managed through an Operational Management Plan to protect the low density residential amenity and support the co-location of long-term and short-term accommodation. Occupant behaviours would be regulated by the landowner and caretaker and a complaint resource provided to protect the existing streetscape amenity.
3. The design and siting of the development is consistent with the physical built-form desired within the Low density residential zone, therefore the visual amenity of the site remains consistent with the existing and desired streetscape.
4. The proposal would provide tourist accommodation in the northern beaches in a manner that maintains the streetscape character and amenity while supporting one of the regions key tourist attractions. This responds to the shift in the tourist accommodation market to typologies that provide privacy, separation and space. As a result, the development is responding to the changing expectations in the tourist industry.
5. The infrastructure requirements to facilitate the proposed development would be of the same density and yield that the existing infrastructure network provides, therefore the development would conform to the existing network.
6. The development would deliver a balance between land-use flexibility and neighbourhood amenity through providing a functional solution that enables co-location of accommodation activities while incorporating amenity protection measures.

RISK MANAGEMENT

Council Finance and the Local Economy

The development is to occur on privately owned land and all costs are the responsibility of the developer.

The development is Impact assessable therefore the appeal period allows the developer and submitters (for properly made submissions) to contest the decision with the Planning & Environment Court (P&E Court). Any decision made in respect to this application is at risk of appeal, which does impose a financial risk to Council which consequently effects the local economy.

To manage this risk, an assessment against the relevant legislation was completed which found that very inconsistent statutory guidelines on whether to support or refuse this proposal are provided. Notwithstanding, there is a significant community appetite to support this form of development given the substantial amount of existing operations. This will form an '*Other Relevant Matter*' if required to be considered under at the P&E Court.

Community and Cultural Heritage

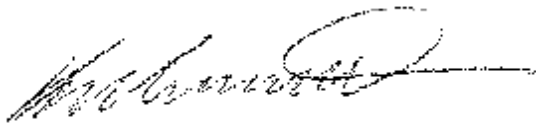
CairnsPlan 2016 sets out framework to ensure appropriate development occurs. The framework is reflected within the overlay, local plan, zone and development codes of which this development application has been assessed against.

Natural Environment

CairnsPlan 2016 sets out framework to ensure appropriate development occurs. The framework is reflected within the overlay, local plan, zone and development codes of which this development application has been assessed against.

ATTACHMENTS

1. Approved Plan(s) & Document(s)
2. Notice of Intention to Comment Use



Brett Nancarrow
Interim Executive Manager Development & Planning

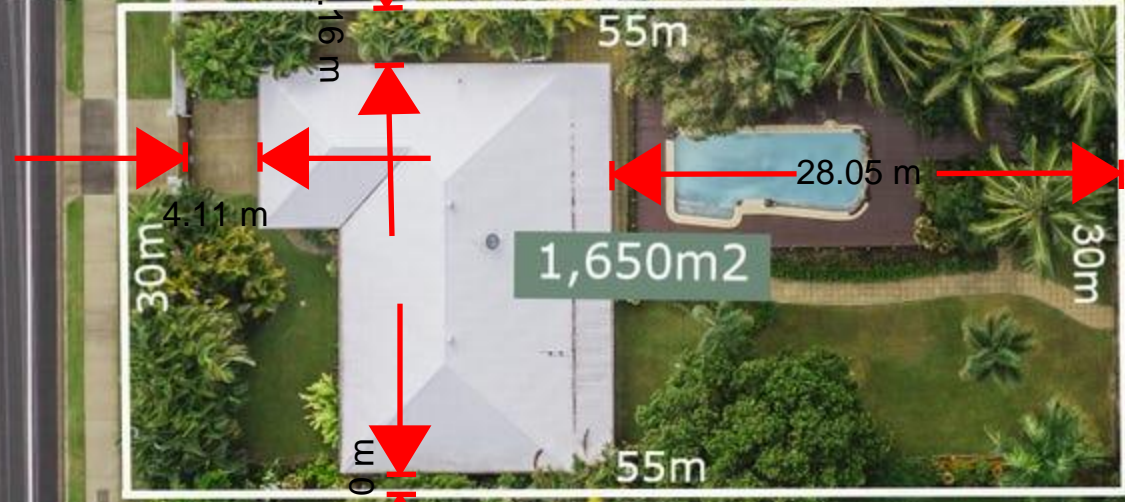


Mark Davey
Director Planning, Growth & Sustainability

APPENDIX 1: APPROVED PLAN(S) & DOCUMENT(S)

Insert Approved Plans (DM# [7850059](#)) as PDF File to Decision Notice

60 Kewarra Street Site Plan
Dwg. SK001 / 28 April 2025



MANAGEMENT PLAN
SHORT TERM ACCOMMODATION

60 Kewarra St, Kewarra Beach

Prepared by Lisa Day – Manager/Owner

Mobile: 0427770748

Email: lisascottday@gmail.com

DA 13092/2024 - submitted to Cairns Regional Council

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Introduction

This Short-Term Accommodation Management Plan seeks to manage the amenity at 60 Kewarra St, Kewarra Beach, for the Local Planning Framework of Cairns Regional Council.

This Management Plan establishes an acceptable standard of behaviour for guests and visitors and seeks to minimise any adverse impact on the owner, neighbours, residents, and the Cairns Northern Beaches.

It is envisaged that guests will be able to book a stay at this address via established support organisations such as real estate professionals, relocation managers, and short stay accommodation providers such as Airbnb, Stayz, Booking.com. Bookings for a maximum of eight (8) adults or a family maximum (8) people. We prefer weekly minimum stays as it deters rentals for party purposes that single night stays attract.

Check In

At the time of booking online, guests are to review and agree to accept the house rules which specifically state:

- No parties or events, you will be evicted immediately without refund, and if necessary, we will press further charges with police.
- Adult guests who book must give ID, pay a refundable security deposit, and sign a rental agreement on the secure online management portal with our booking agency. Guests are not allowed to stay and will not receive check-in details until we have received these details.
- Quiet house after 10.00pm
- Check in time is 3.00pm
- Guests are provided with check-in instructions, and a digital code for the door and lock box to gain entry into the property.

Access To Property

Check-In

Guests receive their check-in details via our online portal. All pre-check-in components must be completed before details are sent. (Copy of ID, copy of credit card used to book, signed rental agreement including agreement to abide by the Code of Conduct – see *Appendix A – Code of Conduct*).

Guests are issued with the pedestrian gate code, then are directed to a secure lockbox within the property common area, with the unique entry code that is amended for each stay. Troy Cummings Lock Service – a local Cairns business, services all our secure locking needs and requirements.

Check-Out

Check-out time is 10 am on the day of departure unless other arrangements have been made with the Manager. Property inspected by cleaner and/or caretaker.

Property & Manager Details

Property Address	60 Kewarra Street, Kewarra Beach, Qld 4879
Operator	Lisa Day (Owner/Occupier)
Contact (Owner/Occupier)	Mobile: 0427770748 (24/7) Email: lisascottday@gmail.com
Caretaker (Contactable 24hr/7Days)	Alan Anderlini 0427001340

The owner will immediately contact the guests directly should there be any issues or disturbances on site.

Use of Premises

The property will be rented as a home to a maximum of eight (8) adults or family of eight (8) occupants. This accommodation is suited to families.

All guests' vehicles can be parked within the property in the two-car garage and two parking bays within the gated area.

Guests should be mindful of the proximity to neighbours when using the outdoor spaces and keep noise to an acceptable level and ensure no impact upon the amenity of neighbours.

Premises are available for a minimum stay of seven (7) nights. Five (5) night bookings may be available in low season or if fewer than seven nights are available between bookings.

Only one booking is accepted at any time, individual rooms shall not be leased, or sub leased separately. Names of all guests staying on the property are to be provided to the Manager or Booking Agency at the time of reservation. The Manager is to be made aware of any changes to the booking in terms of the number of guests being accommodated.

Register of Guests

A register of all bookings will be kept by the Manager, and shall contain:

- The full name of host and usual place of residence and contact details
- The date of arrival and departure of the occupants

Monitoring Guest Behaviour

24x7 CCTV is installed to monitor the entrances to the property, including the security gates and pathways outside. These cameras are monitored by the owner and provide recorded footage of all people on site. The cameras are not aimed at private areas only external access points.

The property is also monitored by Minut 24hrs a day. Minut monitors noise, temperature, number of people at the property, motion, and humidity. Any non-compliance by the guest is sent as an alert to the manager within ten (10) minutes. For more details refer to *Appendix C – Monitoring*.

Complaints Management

Complaints will be managed by the Manager/Care-taker.

Security Issues/Complaints – External sign with contact number prominently displayed at front of fence.

If neighbours believe that residents are not respectful of the Code of Conduct, they are to contact the Manager. The Manager's contact details are as stated page 3.

A Register of Complaints (*see Appendix B*) will be maintained by the owner and available for inspection by an authorised Council Officer. The complaints register is to contain the following information:

1. The date and time of the complaint;
2. The name and address of the complainant;
3. The nature of the complaint;
4. Investigations carried out;
5. Action taken; and
6. Response provided to complainant.

Neighbours are provided with contact details of the Manager and the following;

1. A copy of the Code of Conduct
2. A copy of the complaints management procedure;
3. Managers contact details to allow neighbours to engage with the Manager in the event of antisocial behaviour, if not addressed directly with the guests.

Level 1 Complaint (minor noise disturbance and /or complaint)

In the event of a Level 1 complaint the following procedure is to be adopted:

1. The neighbour is encouraged to contact the Manager Lisa Day 0427770748.
2. The Manager will contact the guests to advise the nature of the complaint and remind the guests of their obligations under the Code of Conduct and/or explain the nature of the concern raised.
3. If the issue is not resolved and a further complaint is received within 12 hours, the Manager or Care-taker is to attend the premises.
4. In the event of a further complaint being received and the complaint is validated, the guests will lose their bond in accordance with the Code of Conduct and may risk eviction.

Level 2 Complaint (major noise disturbance or party)

In the event a Level 2 complaint the following procedure is to be adopted:

1. The Manager/Care-taker or police will attend to verify if this is a major noise disturbance or party;
2. If the complaint and the issue is deemed to be a level 1 complaint then the procedure for Level 1 shall be followed.
3. If the complaint is verified as a Level 2 complaint, the guests will be evicted in accordance with the Code of Conduct.

Maintenance

Maintenance refers to both building maintenance and care of the gardens. Maintenance will be managed by the owner. Maintenance will preferably be performed at a time between occupancy of property unless it is urgent and requires attendance at time of occupancy.

The home is serviced on every check in and check out. A maintenance team including dedicated caretaker, gardener, cleaner, electrician, and plumber are available if required. Other than in the case of an emergency, any maintenance contractors or staff will be engaged to attend during normal business hours.

The Manager is to remind guest by 6pm on Monday evening that the bins are to be placed on the verge for collection. If the bins are not placed on the verge on Monday evening, and require emptying, the caretaker will put the bins out early Tuesday for collection. Additional collection of bins can be arrange with council if disposal is missed.

The Manager is to check that the bins have been brought onto the property and are not on the verge. If bins are still on the verge, the Manager/Caretaker will bring the bins back to the property. This duty can be delegated.

Pool service is weekly and may occur during stay.

Guest Guide Portal

A guide is available for guests that provides the following information:

- Manager and contact details.
- Code of Conduct.
- Safety and Emergency Preparedness
- Wi-Fi Device name password.
- Key lockbox code.
- TV information.
- Air Conditioner operation.
- Location of the first aid kit and fire extinguisher.
- Hot water systems operation.
- Rubbish bin location and procedure for collection of rubbish bins.
- Check in time and Check out time.
- Pool rules.
- Local restaurant and shopping.
- Local events and attractions to support local community and businesses.
- Important contact numbers.

In response to the COVID-19 pandemic, the guest guide is now provided in a digital format, which also ensures that it remains current and can be accessed by guests while they are in the property, or out and about the Cairns region. A summary of the information provided is included in *Appendix D – Guest Guide*

Manager's Guide & Responsibilities

A guide shall be prepared for the Manager/Care-taker, documenting tasks and processes for the following:

- General hosting (Including liaisons with clients, providers and Local Government);
- Cleaning information between occupancy;
- Procedure for bin collection;
- Laundry requirements;
- Garden preventative maintenance; and pest control
- Building preventative maintenance the Manager/care-taker shall maintain;
- A Register of Complaints as referred to Page 8;
- A register of all occupants as referred to Page 4;
- Building and Indemnity Insurance

Appendix A – Code of Conduct

CODE OF CONDUCT FOR GUESTS AND VISITORS

The Code of Conduct is provided to guests upon confirmation of the booking and will be at the property to ensure that guests and visitors know and comply with specific behaviour governing their permission to enter and occupy the property.

The Code of Conduct will be displayed in full view at the property so that it can be easily viewed by guests and visitors.

CODE OF CONDUCT FOR GUESTS AND VISITORS Continued;

General Principles

Short Term Accommodation is a unique experience, and the guiding principles of this Code of Conduct are:

- Treat this as your own home, with care and respect.
- Respect your neighbours.
- Leave it in the appropriate condition as it was upon occupation.

General Requirements

- Guests and visitors must comply with this Code of Conduct and instructions from the Manager during their stay.
- Guests must notify the Manager of any disputes or complaints from neighbors immediately.

Noise and Residential Amenity

- Guests and visitors must not create noise which is offensive or has the potential to create a nuisance to occupiers of neighbouring properties especially between 10pm and 7am Monday to Saturday and 10pm -9am on Sunday and Public Holidays, during arrival, during departure, and at any time throughout the occupancy. Refer council guidelines for noise standards.
- Offensive noise is prohibited and may result in termination of permission to occupy the property, eviction, loss of rental paid and extra charges for security deposit or bond under the terms and conditions.
- Guests and visitors must not engage in any anti-social behaviour and must minimise their impact upon the residential amenity of the neighbours' and the local community.

Visitors

- No visitors or guests other than those who are booked to stay at the property can stay in the property without obtaining the Manager's approval.
- If the Manager's approval is obtained for visitors, guests are responsible for ensuring that visitors comply with this Code of Conduct.

Gathering or Functions

- This property is not a "party house" and any such activities are strictly prohibited.
- The property is not to be used for events, gatherings, parties, functions or similar activities.
- The property is monitored by an onsite sensor for noise, temperature, and number of guests. Any breach of protocol is sent to the manager as an alert. All breaches will result in instant eviction without refunds to the guests (also listed in 'house rules' and signed rental agreement.)

Parking

- Guests and visitors are to comply with parking regulations and other requirements set out below and show consideration to neighbours and other vehicles.
- Parking is available on the property.
- Guests do not park on the verge outside the property.

Safety and Preparedness

- Smoke alarms/Fire Extinguisher and First-Aid kit location in kitchen
- 'Cyclone Be Prepared' information provided per Cairns.qld.gov.au

CODE OF CONDUCT FOR GUESTS AND VISITORS Continued;

Garbage and Recycling

- Rubbish and recycled goods are to be disposed of in accordance with the usual practice at the property in the allocated bins, and excess rubbish must not be left in a public area.
- Rubbish and recycling arrangements at the property comply with Cairns Regional Council Guidelines. Guidelines displayed on fridge and at the bin location.
- Rubbish is collected every Monday morning.

Security/Safety

- Whenever you are absent from the property, close and lock all windows and doors to maintain safety and prevent rain and water damage. Note the rear gate is locked, key is on the keyring.
- At all other times, secure doors, and windows, as required.
- The mains electricity RCD's (Residual Current Devices) are in the property's meter box.
- Smoke alarms and fire extinguisher location. First-aid kit stocked and accessible in Kitchen

Outdoor Areas

- Guests are to respect the privacy of neighbour' when utilising outdoor areas.
- Guests are to also minimise noise when in the outdoor areas.

Smoking

- Smoking is not permitted within the residence.

Pets

- Pets are only permitted by permission of the Manager. A bond may be required.

Barbeque

- The BBQ is to be cleaned after each use, ensure that all controls are turned off when not in use.

Damages and Breakages

- Damages and breakages must be reported to the Manager.
- Breach of this Code of Conduct is a breach of: The Terms and Conditions of Contract; and permission for occupancy of the property.
- The owner and Manager reserve the right, to terminate the permission to occupy and to evict guests or visitors from the property who refuse to follow the Code of Conduct or who caused a nuisance.

Appendix B – Complaints Register

Date and time of complaint	Name and address of complainant	Nature of the complaint	Investigations carried out	Actions taken	Date and summary of Response to complainant

Appendix C - Monitoring Guest Behaviour

Security Cameras

24x7 CCTV is installed to monitor all communal areas, entrances to apartments, including security gates and pathways outside of the complex. These cameras are monitored by the Property Managers and provide recorded footage of all people on site.

Noise Monitoring Devices

Noise monitoring devices are installed inside home at 60 Kewarra St, Kewarra Beach. Used to prevent noise, damage, parties and break-ins, and to ensure safety and 5-Star guest experience for all our guests in residence. Monitoring device is in the kitchen / lounge area which is where most noise within the home may occur. The monitoring device includes the following specifications:

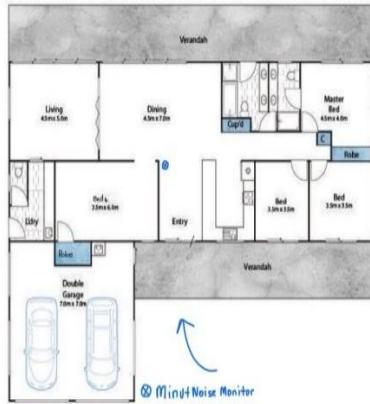
- Integrates to enable capabilities of automatic messages to guests.
- Noise Monitoring: Measures noise in decibels. Each sensor is set to alert the Manager via text if there has been noise over council noise limits for a continued period of 10 minutes. At this stage a process (detailed below) is in place to manage guests.
- Occupancy Monitoring: Tracks number of people at home by how many devices logged on Wi-Fi.
- Motion Detection: Detects any motion within the apartment, and whether there is a lot or little motion.
- Tamper Detection: Instantly notifies Manager via text if the monitoring device is removed from its' ceiling mounting plate. Manager then calls the guest immediately and advises to replace and not touch the device, and that breach results in eviction without refunds.
- Instantly notify Manager via text if the monitoring device is touched.
- All breaches are dealt with immediately with instant results as a prevention strategy to loud gatherings or parties. It is the Manager's role to ensure noise control and to prevent damage to property.
- Alarm – if an alarm goes off within the home, the Manager is immediately alerted via text.
- Security Alarm – can be turned on to protects the home from break ins during no occupancy.
- Broken Glass – if glass is broken or window smashed, the Manager is immediately alerted via text.
- Tracks Temperature & Humidity always shows the temperature and humidity inside the home.

Management process for alerts is as follows:

- Noise above council limit recorded continuously for 10 minutes generates a message to the Manager:
- Guest automatically sent a message from the monitoring system asking them to turn down the noise.
- The manager then monitors noise and other factors to determine next steps.
- If noise continues for 10 minutes a call is made from the manager to the guest to inform them that eviction will occur if they continue to make noise
- If noise stops no further action is taken.
- If noise continues the guest is evicted from the property.

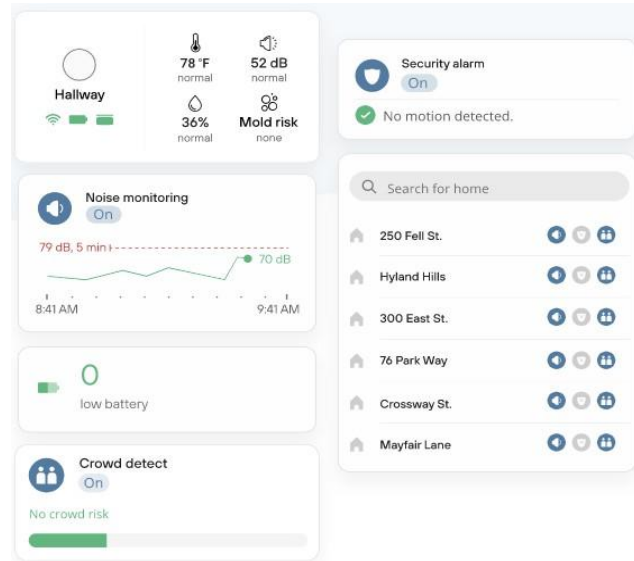
An example of the location on the floorplan of home and the monitoring application dashboard is provided in Figure 1 and Figure 2.

Figure 1 Location of Monitoring Device



60 Kewarra Street, Kewarra Beach

Figure 2 Monitoring Device - Dashboard



Imagery below supplied by Minut website as an example of how monitoring works:

Figure 3 Monitoring Device - Manager Alert

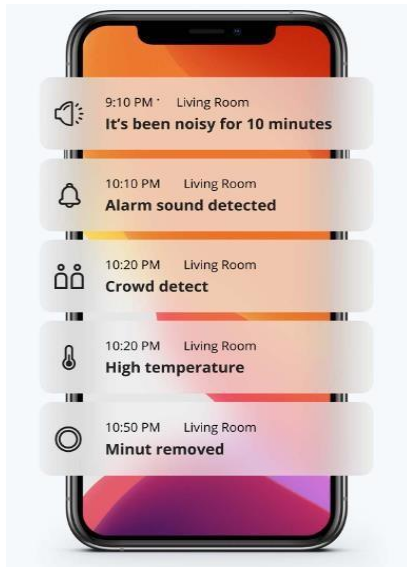
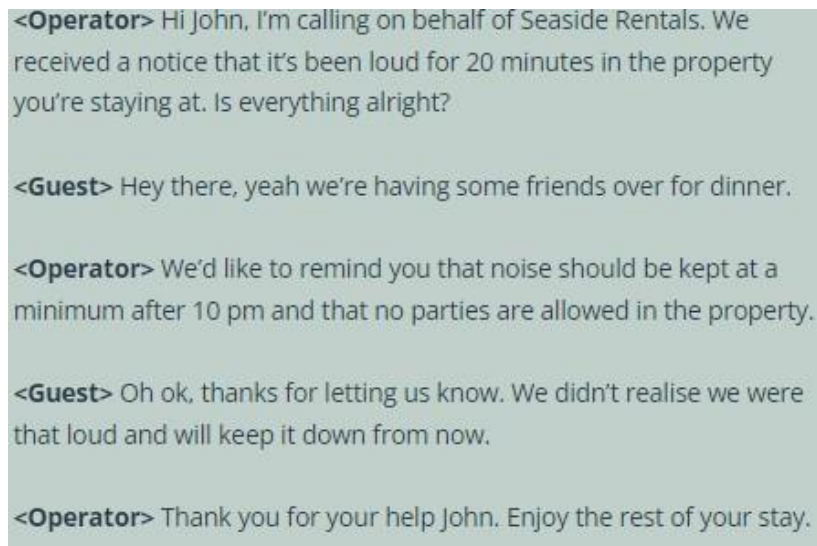


Figure 4 Monitoring Device - Guest Communication



Appendix D - Guest Guide Portal

A Guest guide is available for guests once they have made a booking to stay at the property. In response to the COVID-19 pandemic the guest guide is now provided in a digital format, which also ensures that it remains current and can be accessed by guests, and can be translated into 20 different languages, while they are at the property, or out and about at the Cairns Northern Beaches. The Guest Guide Portal also provides the guest with direct access to the manager if they have any questions regarding their stay.

Appendix E - Rubbish 'Recycle Right' System



A document is installed for the purpose of educating residents on the 'Recycle Right' system promoted by Cairns Regional Council.

Appendix F - Guest Feedback on Location, Safety, Quietness & Host Responsiveness

To assist the Cairns community, we consider taking longer occupancy bookings for up to 90 nights or longer on a signed lease at a discounted rate. This enables people migrating into the area, the time to explore local businesses and find suitable long-term accommodation.

We also offer locals that are impacted by insurance events a 15-30% discount to enable their family to stay that is more family focused than a unit. We accept a pet on Manager approval.

Example reviews are available on our Airbnb profile from Guests who have stayed at 60 Kewarra St, Kewarra Beach, supporting safety, quiet and clean premises and high-quality stays, along with swift communication from our Management and selected booking agencies. (reviews available on request)

Appendix G - Enhancing the Amenity of the Kewarra Beach local area

Our Short Stay premises host many local families including grandparents visiting their children and grandchildren; locals who need emergency accommodation; family members attending weddings, birthdays or other special occasions; covid isolation; families requiring accommodation to support medical procedures of loved ones at our local hospitals or transient workers for local businesses.

We have accommodated families from Cyclone Jasper and other insurance-related events that have extended for longer periods. One commenced as a two-week booking and extended monthly due to the complexity of repairs to their home and totaled 131 nights. The Qld. R.T.A. advised a lease is only for minimum 90 days and could not accommodate this tenancy. Insurance companies pay as they go rather than committing to a monthly lease with a minimum of 90 days and therefore many insurance customers resort to short-stay accommodation.

This Management Plan reflects a commitment to ensuring the property contributes positively to the amenity and character of Kewarra Beach community.

APPENDIX 2: NOTICE OF INTENTION TO COMMENCE USE



Notice of Intention to Commence Use

DEVELOPMENT PERMIT
Planning Act 2016

Development Permit	8/8/1673
Date of Approval	9 October 2024
Approved Use	Short-Term Accommodation & Dwelling house
Location	60 Kewarra Street Kewarra Beach
Property Description	Lot 14 on RP728024

I/we are hereby notifying Cairns Regional Council of my/our intention to commence the approved use outlined above

on _____ (insert date).

I have read the conditions of the Decision Notice issued and believe that all the applicable conditions have been complied with.

Applicant:

Address:

Contact Phone:

Signature of Applicant/Owner:

Date:
