

Local Planning Policy 2.5 Unhosted Short-Term Rental Accommodation

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 2.5 Unhosted Short-Term Rental Accommodation.

2. Purpose

To guide the location, design and operation of Unhosted Short-Term Rental Accommodation (USTRA) within the City of South Perth (the City) to ensure development is compatible within its context and the amenity of the surrounding area.

3. Application

This Policy applies to all applications for USTRA but does not apply in the following circumstances / accommodation types:

- (a) USTRA if the dwelling is:
 - (i) registered under the *Short-Term Rental Accommodation Act 2024* Part 3;
 - (ii) used as USTRA for no more than 90 nights in a relevant 12-month period; and
 - (iii) not located in a zone in relation to which the use of a dwelling as USTRA is a class 'X' use or a use that is not consistent with the objectives of that zone.
- (b) Hosted Short-Term Rental Accommodation;
- (c) Lodging and/ or boarding houses;
- (d) Hotel;
- (e) House swapping and housesitting;
- (f) Personal use of a holiday home or the sharing of a holiday home with the owner's family and friends;
- (g) Student exchange accommodation;
- (h) Workforce accommodation;

- (i) Residential parks, park home parks, caravan parks and retirement and lifestyle villages; and
- (j) Aged and dependant persons' dwellings.

Where this local planning policy is inconsistent with a local development plan, precinct structure plan or other local planning policy that applies to a specific site or area, the provisions of that specific planning instrument shall prevail.

4. Objectives

- 4.1 To encourage USTRA in localities located near visitor attractions, activity centres and areas of high tourism value.
- 4.2 To ensure the location, scale, design and operation of USTRA is appropriate to its setting to preserve the amenity of adjoining development and the locality.
- 4.3 To ensure USTRA is appropriately serviced to meet the needs of visitors and prevent impacts on the local environment or infrastructure.

5. Development requirements

5.1 Carparking

- 5.1.1 In zones where the Residential Design Codes (R-Codes) applies, on-site car parking should be provided in accordance with requirements of the R-Codes. Where the maximum number of guests is greater than six, one additional car bay shall be provided for every additional three guests, rounded up (i.e. one additional car bay for 7-9 guests, two additional car bays for 10-12 guests).
- 5.1.2 Where the R-Codes do not apply to the site, car parking shall be provided at the rate of one car bay per three guests, rounded up.
- 5.1.3 Strata and community title developments must not rely on the use of visitor car parking bays for USTRA.

5.2 Operation and Management

- 5.2.1 All applications for USTRA, where the development is located in a strata title, then such application shall be accompanied by a letter from the Strata Manager or Strata Management Company indicating its support for the proposed use.
- 5.2.2 All applications for USTRA shall be accompanied by a detailed Management Plan addressing the following matters:
 - (a) The control of noise and anti-social behaviour, including within outdoor living areas, so as to comply with the *Environmental Protection (Noise) Regulations 1997*

and avoid conflict between temporary residents and permanent residents of the area;

- (b) A complaints management procedure, including:
 - (i) An after-hours complaints procedure including expected response times;
 - (ii) The provision of the telephone number of the USTRA Manager and an alternative USTRA Manager to neighbouring property owners/occupiers, for during and after-hours complaints; and
 - (iii) The provision of the Western Australian emergency telephone number (WA Police, ambulance and fire services – 000).
- (c) Confirmation that guests will be provided a copy of the Code of Conduct on arrival, and are made aware that anti-social behaviour and excessively loud noise nuisance will not be tolerated;
- (d) Access and carparking arrangements, including:
 - (i) That all car parking is to be provided on-site;
 - (ii) Details of alternate transport options to on-site car parking, such as public transport; and
 - (iii) Means of ensuring noise and light (headlights) from vehicles does not adversely affect the amenity of neighbouring property owners/occupiers.
- (e) Method of reservation/ booking platform, including any registration number; and
- (f) Means of waste management, ensuring waste generated by the development will be appropriately managed and ensuring occupants have access to convenient, legible and safe access to waste management facilities.

5.2.3 All applications for USTRA shall be accompanied by a detailed Code of Conduct addressing the following matters:

- (a) The expected behaviour of guests/residents to minimise any impact on adjoining residents (house rules);
- (b) Details of any relevant car parking restrictions applicable to the area and proposed on-site carparking bay allocation;
- (c) Details regarding guest check-in and check-out procedures, including minimum stay or booking requirements;
- (d) Details regarding waste management which must include specifying the expectations on guests about general rubbish and bin collection (if applicable);

- (e) Information on any relevant strata by-laws (if applicable);
- (f) Rules relating to the use of a swimming pool and/or spa (if applicable);
- (g) Whether or not dogs and other pets will be permitted at the property, and if so, whether or not they can be left unattended;
- (h) Proposed restrictions of visitors or parties/ events; and
- (i) Bushfire Management Plan addressing bushfire emergency procedures and how these will be communicated to people occupying the property (where the USTRA is within a designated bushfire prone area).

5.3 Built Form and Site Appearance

- 5.3.1 On sites where the R-Codes apply, the built form shall be consistent with requirements of the relevant density coding.
- 5.3.2 Built form shall be generally consistent with requirements for the zone, including the R-Codes as applicable.
- 5.3.3 Signage shall be limited to sign types affixed to the main frontage of the building and shall not exceed an area of 0.27m² and one sign per dwelling. Where a site contains multiple USTRA, signage shall be consolidated.

5.4 Occupancy

- 5.4.1 USTRA shall have a maximum occupancy of no more than two persons per bedroom.
- 5.4.2 USTRA within multiple dwelling developments shall have a maximum occupancy of six persons.
- 5.4.3 A dwelling or part of a dwelling shall have a maximum of one short-term rental arrangement at any one time.

5.5 Servicing Considerations

- 5.5.1 USTRA development shall be connected to a reticulated potable water supply.
- 5.5.2 USTRA development should be connected to reticulated sewerage or serviced by an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.

5.6 Location Requirements

- 5.6.1 Proposals will generally not be supported unless they are:

- (a) Within 200 metres of the Perth Zoo site;
 - (b) Within 400 metres of a Neighbourhood Centre zone; or
 - (c) Within 400 metres of a Centre zone.
- 5.6.2. Proposals for USTRA within these locational areas shall demonstrate that the use is compatible with and will not negatively impact the amenity of surrounding uses by addressing the following criteria:
- (a) Ensuring there is a sufficient distance and separation from the outdoor living areas of the USTRA and that of the adjoining property(s) to minimize noise disturbance by guests; and
 - (b) Ensuring car parking areas are located/designed in a manner that is respectful of neighbours, taking into account light and noise from late arrivals / departures.
- 5.6.3 The City will generally not support proposals located in isolated locations such as cul-de-sac streets or in rear grouped dwellings.
- 5.6.4. In locations where objections to the development is received from neighbours, any approval granted must first be a time limited approval for 12 months, to properly assess the impact on the neighbours and amenity.

Definitions

Designated Bushfire Prone Area:	<i>means the land is designated by an order made under the Fire and Emergency Services Act 1998 section 18P as a bush fire prone area.</i>
Hotel:	<i>means a premises subject of a hotel license other than a small bar or tavern licence granted under the provisions of the Liquor Control Act 1988 including any betting agency on the premises.</i>
Hosted Short-Term Rental Accommodation:	<p><i>means any of the following:</i></p> <ul style="list-style-type: none"> (a) <i>short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement;</i> (b) <i>short-term rental accommodation that is an ancillary dwelling where</i>

the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement;

- (c) short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement.*

Short-Term Rental Accommodation:

means:

- (a) a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but*
- (b) does not include a dwelling that is, or is part of, any of the following —*
 - (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);*
 - (ii) a caravan park;*
 - (iii) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*
 - (iv) a park home park;*
 - (v) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*

- (vi) *workforce accommodation;*

Short-Term Rental Arrangement:

means:

- (a) *an arrangement, including a lease, licence or other contract or arrangement, under which —*
 - (i) *a dwelling is provided for occupation to a person; and*
 - (ii) *the person does not occupy the dwelling for periods totalling more than 3 months in any 12-month period; and*
- (b) *includes an arrangement under which the owner or occupier of the dwelling, or an agent of the owner or occupier, also resides at the dwelling.*

Unhosted Short-Term Rental Accommodation:

means short-term rental accommodation that:

- (a) *is not hosted short-term rental accommodation; and*
- (b) *accommodates a maximum of 12 people per night.*

Relevant Legislation, Policies, Documents

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Short-Term Rental Accommodation Act 2024

Residential Design Codes

City of South Perth Local Planning Scheme No.7

City of South Perth Local Planning Policies

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