

Policy P350.18 – Short-term Accommodation

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

The objectives of this policy are as follows:

- (1) To facilitate the provision of self-contained visitor accommodation for short-term occupancy, as these visitors play an important role in the economic well-being of the City; and
- (2) To guide the City's decision making in respect to the appropriateness of various forms of tourist accommodation facilities, as determined by the locality, the appropriateness of facilities and the scale of the proposal.

Policy Status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Under clause 3(2) of the Regulations (Part 2), the City may make a local planning scheme based on sound town planning principles to address a strategic or operational consideration. This policy provides principles for the assessment of planning applications involving short-term accommodation as part of a land use that are not otherwise established in Town Planning Scheme No. 6.

Policy application

The policy aims to provide criteria for the assessment of planning proposals involving the use of land for 'short-term accommodation'. This term is not defined in Town Planning Scheme No. 6, however for the purpose of this policy is taken to be as per that definition in the Model Provisions of the Regulations, being:

'temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.'

Notwithstanding the term above, the provisions of this policy apply only to the following land uses;

- (i) Bed and Breakfast,
- (ii) Hotel
- (iii) Motel,
- (iv) Serviced Apartments,
- (v) Tourist Accommodation or Tourist Development, or,
- (vi) Any 'use not listed' considered by the City to involve short-term accommodation.

Policy statement

1.0 Specific criteria for Bed and Breakfast proposals

- (a) The total floor area of the dwelling/building shall not exceed 300m² and may only be associated with a Single House or Grouped Dwelling.
- (b) A maximum of two bedrooms shall be provided for guests and not more than six guests shall be accommodated at any one time.
- (c) One vehicle parking bay per guest bedroom shall be provided in addition to the parking specified in the R-Codes applicable to the dwelling type and location.
- (d) The operator may display a non-illuminated sign on the dwelling or the street fence to advertise the Bed and Breakfast accommodation, provided that the area of the sign does not exceed 0.2m². Signage that meets these criteria shall not be subject to separate development approval.

2.0 Exercise of discretion under Town Planning Scheme No.6

In considering an application for a discretionary land use where this policy applies, including relating to Bed & Breakfast proposals, the City will have regard to the following matters in considering the development proposal:

- (a) The proximity of the development site to tourist features. The City will generally not support proposals located more than 400 metres walking distance from a site, feature or area considered to be of tourism significance, or located in isolated locations such as cul-de-sac streets or in rear grouped dwellings. Sites and features considered to be of tourism significance include Perth Zoo, regional foreshore reserves, activity centres and Curtin University.
- (b) The proximity and accessibility to transport infrastructure, including railway station, high frequency bus services as well as cycling, taxi or ride-share infrastructure.
- (c) The potential impact of increased vehicle access demand to a site, namely whether the proposal results in a significant increase in the volume of vehicle traffic and/or movements in the area. The City may request a transport impact assessment for proposals likely to generate large volumes of vehicle traffic.
- (d) The quality and appropriateness of facilities/communal areas available to occupants of the development, and,
- (e) The scale of the proposed use compared to the scale and intensity of development in the area surrounding the development site.
- (f) Any proposed management controls by the operator that will be incorporated into the Management Plan required by clause 3.0, which mitigate potential adverse amenity impacts to nearby landowners and occupiers. In the cases where the operator is known, the City shall consider any identified experience or expertise of the applicant/operator in operating other uses involving short term accommodation.
- (g) If the application relates to a retrospective development application, whether previous valid complaints have been received relating to a loss of amenity to adjoining properties and whether or not these impacts can be addressed by appropriate management under an approved management plan (refer clause 3.0).

3.0 Management plans

- (a) The City will typically require the submission of a Management Plan at lodgement of an application the subject of this policy. The Management Plan shall address the following matters:
- Duration of stay, number of guests and check in and departure procedures;
 - Control of noise and other disturbances;
 - Complaints management procedure;
 - The use and on-going maintenance of all common property and common facilities;
 - Security of guests, residents and visitors;
 - Control of anti-social behaviour and potential conflict between the short-term and long-term residents; and,
 - Vehicle parking management.
- (b) Submission of a Management Plan may be deferred in circumstances where the operator of the short term accommodation proposal are unknown. Where the City resolves to approve a land use that is subject to this policy, the following condition shall be applied to the approval:
- ‘Prior to occupation, a comprehensive [Insert Use] Management Plan shall be submitted the City for approval and be distributed to nearby landowners and occupiers for information purposes. The operation of the development shall comply with the approved Management Plan.’*

4.0 Temporary approval of short term accommodation uses

- (a) Where the City resolves to approve a ‘use not listed’ where this policy applies, the City may grant approval to the use on a temporary basis for a period of 12 months under Clause 72 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions).
- (b) At the conclusion of the 12 month period under clause 4(a) of this policy, the approval shall lapse and be of no further affect unless the City resolves to grant approval to a new development application, amends the original approval to delete the condition(s) limiting the time of approval or extends the term of the approval under Clause 77 of the Deemed Provisions.
- (c) In determining whether a subsequent approval is to be granted under Clause 77 of the Deemed Provisions, the City shall have regard to the following matters:
- Any changes to the characteristics of the area surrounding the use since the original approval was granted, including re-examination of the matters in Clause 2.0 of this policy;
 - Whether the approved Management Plan has been sufficiently complied with; and
 - The validity and severity of any complaints received relating to the operation of the approved use.

Legislation / Local Law Requirements

City of South Perth Health Local Laws 2002
Town Planning Scheme No. 6
Building Code of Australia
Environmental Protection (Noise) Regulations 1997

Other Relevant Policies / Key Documents

City of South Perth Planning Policies