11. Planning and Sustainability Alliance Reports

6:21pm Lord Mayor Bruce Reynolds disclosed a Proximity Interest in relation to Item 11.1 (as detailed at Item 5) and departed the meeting accordingly.

6:21pm Councillor Catherine Lezer disclosed a Proximity Interest in relation to Item 11.1 (as detailed at Item 5) and departed the meeting accordingly.

6:21pm Councillor Liam Gobbert disclosed a Proximity Interest in relation to Item 11.1 (as detailed at Item 5) and departed the meeting accordingly.

6:21pm Deputy Lord Mayor David Goncalves assumed the Chair.

11.1 Outcomes of Consultation – Planning Scheme Amendments and Policies for Tourist and Visitor Accommodation and Short-Term Rental Accommodation

Responsible Officer	Maria Cooke – General Manager Planning and Sustainability
Voting Requirements	Simple Majority
Attachments	Attachment 11.1A – Amendment No.53 to City Planning Scheme No. 2 Attachment 11.1B – Amendment No.7 to Local Planning Scheme No.26 Attachment 11.1C – Amendment No. 26 to Town Planning Scheme No. 4 Attachment 11.1D – Draft Revised Planning Policy Section 3.9 - Special Residential (Serviced and Short-Term Accommodation) Policy Attachment 11.1E – Draft Tourist and Visitor Accommodation and Unhosted Short-Term Rental Accommodation Local Planning Policy Attachment 11.1F – Schedule of Submissions

Purpose

For Council to:

- consider the submissions received on Amendment No. 53 to City Planning Scheme No. 2 (CPS2), Amendment No. 7 to Local Planning Scheme No. 26 (LPS26) and Amendment No. 26 to Town Planning Scheme No. 4 (TPS4), and draft revised *Planning Policy 3.9 – Special Residential and Short-Term Rental Accommodation* and draft *Tourist and Visitor Accommodation and Unhosted Short-Term Rental Accommodation Local Planning Policy*.
- resolve whether to support the scheme amendments and adopt the planning policies.

Recommendation

That Council:

1. SUPPORTS without modification:
   a. Amendment No. 53 to City Planning Scheme No. 2 as detailed in **Attachment A**,
   b. Amendment No. 7 to Local Planning Scheme No. 26 as detailed in **Attachment B**,
   c. Amendment No. 26 to Town Planning Scheme No. 4 as detailed in **Attachment C**.
2. ADOPTS the revised *Planning Policy 3.6 – Special Residential and Short-Term Rental Accommodation* and draft *Specialised Accommodation Local Planning Policy* as per **Attachment D** and **Attachment E**

subject to the gazettal of Amendment No. 53 to City Planning Scheme No. 2, Amendment No. 7 to Local Planning Scheme No. 26, and Amendment No. 26 to Town Planning Scheme No. 4.

3. NOTES the scheme amendments will be forwarded to the Western Australian Planning Commission for consideration in accordance with Clause 22 in this report.

4. NOTES the submissions (including late submissions) received during the formal consultation period as per **Attachment F**.

Background

1. At its Ordinary Council Meeting held on 27 May 2025, Council resolved to prepare amendments to the following local planning schemes to align with the amended *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) that introduced state-wide regulation for short-term rental accommodation (STRA):
    a. Amendment No. 53 to City Planning Scheme No. 2 (CPS2), which applies to Central Perth, East Perth, West Perth, and parts of Crawley and Northbridge.
    b. Amendment No. 7 to Local Planning Scheme No. 26 (LPS26), which applies to Normalised Redevelopment Areas in Claisebrook and Northbridge.
    c. Amendment No. 26 to Town Planning Scheme No. 4, which applies to land in Nedlands-Crawley.
2. At the same meeting, Council also resolved to advertise two related local planning policies that underpin the scheme provisions and guide the exercise of discretion when determining applications for development approval:
    a. a revised *Planning Policy 3.9 – Special Residential and Short-Term Rental Accommodation Policy*, which applies to all scheme use areas under CPS2 and LPS26.
    b. a new *Tourist and Visitor Accommodation and Unhosted Short-Term Rental Accommodation Local Planning Policy* which will apply to land zoned under TPS4.
3. The amendments respond to the Minister for Planning's instruction for all local governments to align their schemes with the LPS Regulations for STRA.
4. The amendments introduce the new land uses 'Hosted Short-Term Rental Accommodation', 'Unhosted Short-Term Rental Accommodation' and 'Tourist and Visitor Accommodation', assign each land use a permissibility, and remove redundant land uses that are no longer required under the LPS Regulations.
5. The Environmental Protection Authority did not require environmental assessment of the amendments, and the Western Australian Planning Commission (WAPC), on behalf of the Minister for Planning, provided consent to advertise the amendments as follows:
    a. Amendment No. 26 to TPS4 with no modifications required.
    b. Amendment No. 53 to CPS2 with minor modifications that did not change the intent of the amendment.
    c. Amendment No. 7 to LPS26 with modifications to existing site-specific provisions for 20 Royal Street (Majestic Rise and Majestic Crest), 50-60 Royal Street (East Perth Suites Hotel), and 11 Regal Place (Regal Apartments), East Perth. These modifications removed all references to 'Serviced Apartments' and 'Short Stay Accommodation', replacing them with 'Multiple Dwelling' and 'Unhosted Short-Term Rental Accommodation'.

Discussion

6. *Council Policy 3.5 – Initiation of Local Planning Scheme Amendments* (CP 3.5) provides a framework to assess the appropriateness of preparing scheme amendments ahead of draft *Local Planning Scheme No. 3* (LPS3). The amendments satisfy the provisions of CP 3.5 as presented at the Ordinary Council Meeting held on 27 May 2025.
7. As a result of advertising, three objections were received, and one submission from Tourism WA providing comments. The key concerns raised:

a. A lack of analysis on the implications of STRA for long-term housing supply and affordability, and adequacy of policy mechanisms to manage the conversion of long-term residential dwellings to STRA and protect the hotel industry and residential housing stock.

b. Request for clarification to be included that the existing approvals for 20 Royal Street, East Perth, remain valid.

8. No changes are proposed to the amendments as a result of the submissions.

9. As at the end of October, less than 4% of dwellings in the city are registered as Unhosted STRA on the State Government Short-Term Rental Accommodation Register, with the majority of these having current approvals as 'Serviced Apartments'. Therefore, STRA is not considered to have a current significant impact on the availability of long-term rental in the city or hotel industry.

10. The approach to the land use permissibility in the amendments aligns with the WAPC's expectations set out through the *Planning Bulletin 115: Short-term Rental Accommodation* and *Planning for Tourism Position Statement.* These state that for metropolitan local governments:

a. Hosted STRA should be a permissible 'P' use in all zones.

b. Unhosted STRA should be a discretionary, or subject to advertising where any type of dwelling is capable of approval.

11. Under the proposed amendments, 'Unhosted STRA' is a 'Contemplated' or 'Discretionary' use and will require an application for development approval. Currently under both CPS2 and LPS26, short-term rental accommodation is 'Preferred' in some areas, and the use cannot be refused solely on the appropriateness of the use and does not require community consultation.

12. Having 'Unhosted STRA' as a 'Contemplated' and 'Discretionary' land use means an application for development approval can be refused based on the appropriateness of the use and may also be advertised for community consultation.

13. The requirement for development approval, and the State Government Short-Term Rental Accommodation Register provides greater visibility of the amount of STRA in operation in the city. This provides an effective way to monitor its impact and adjust policy settings if necessary.

14. In addition to the above, the Local Planning Strategy (Strategy) was endorsed by the WAPC in 2023 and sets the long-term strategic planning direction for land use and development of the City of Perth. The Strategy sets a residential population target of 55,000 by 2036 and includes actions to promote greater housing diversity and density. This is being implemented in draft *Local Planning Scheme No. 3* (LPS3), which will replace the current local planning schemes. The City will monitor and review implementation of the Strategy and LPS3 to ensure it is delivering the desired outcomes. This includes tracking residential development and feasibility, population growth, housing supply and affordability, rate of conversion of long-term residential dwelling into Unhosted STRA and uptake of development incentives for residential.

15. To address concerns regarding the existing approvals for 20 Royal Street, additional commentary has been included in the Scheme Amendment Report for Amendment No. 7 to LPS26. This clarifies that current planning approvals for the site remain valid, and the amendment does not require existing serviced apartments to seek a new approval to continue operating in accordance with these approvals.

16. The validity of existing approvals is protected through more general provisions of the LPS Regulations and local planning scheme. Including specific references to existing approvals in the scheme text is not standard practice and could inadvertently imply that only those mentioned are protected. It could also have implications should landowners seek further approvals for the property that modify these existing approvals.

Consultation

17. The amendments and planning policies were advertised for a period of 42 days in accordance with Clause 47 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015.*

18. The method of advertising included a notice placed in the newspaper, notices placed in the Council House foyer, information displayed on the Engage Perth website, and letters to landowners (through the strata management bodies) who are directly affected by modifications to site specific scheme provisions under LPS26, being 20 Royal Street, 50-60 Royal Street and 11 Regal Place.

19. The following matters were raised in the submissions:

    a. Lack of information to determine the impact of the amendments on long-term housing supply and affordability in the City;

    b. Lack of strategic framework to control or manage the uptake of Unhosted STRA; and

    c. Request for changes to clarify the scheme amendments do not remove property owners' rights with regards to existing planning approvals for Serviced Apartments in East Perth;

20. The submissions and the Administration's response is provided in Attachment F.

Decision Implications

21. Council has the option to support the scheme amendments and planning policies with or without modifications, or not support the amendments or planning policies.

22. If Council supports the recommendation:

    a. the amendments will be forwarded to the WAPC for consideration and recommendation to the Minister for Planning for a final decision.

    b. Should the Minister approve the amendments, the planning policies will come into effect following the Minister's decision.

23. If Council does not support the recommendation:

    a. the amendments will be forwarded to the WAPC for its consideration and recommendation to the Minister for Planning for a final decision.

    b. the existing *Planning Policy Section 3.9 – Special Residential (Serviced and Short-Term Accommodation) Policy* will remain unchanged, and no guidance will be provided under TPS4.

Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	**Strategic Community Plan 2022 – 2032** The scheme amendments and planning policies will manage Unhosted STRA and Special Residential land uses, ensuring residential amenity is maintained and aligns with the 'Liveable' pillar of the Strategic Community Plan 2022 – 2032. **Local Planning Strategy 2023** The Local Planning Strategy seeks to ensure land use and development

	positively contributes to the public realm and desired character of the Perth city neighbourhoods. The amendments and planning policies seek to deliver high quality 'tourist and visitor accommodation' and 'short-term rental accommodation' that supports local businesses and minimises the impact on the long-term residential population. **Events Strategy 2025** The Events Strategy sets a vision for Perth to be a destination and includes an action to promote and encourage visitors to stay and enjoy Perth for longer. The provision of a diverse variety of well-designed and managed 'tourist and visitor accommodation' and 'short-term rental accommodation' supports this vision. **Economic Development Strategy 2022 – 2032** The scheme amendments and planning policies provide certainty to the tourism industry, supporting the objective of the strategy to celebrate and leverage Perth's unique position in the world and strong international connections.

Legislation, Delegation of Authority and Policy	
Legislation:	*Planning and Development Act 2005* • Section 75 provides legislative power to the Council to prepare changes to its local planning scheme. • Section 84 requires a local scheme amendment to be advertised and for submissions to be considered by the local government. • Section 87 outlines the Minister's approval process for a local planning scheme amendment. *City of Perth Act 2016* • 8(1)(a) to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors. • 8(1)(b) to represent the community and encourage community participation in decision-making. • 8(1)(d) to continuously improve the services and facilities that the City of Perth provides to the community and to local, interstate and international visitors and tourists. • 8(1)(g) to maintain and strengthen the local, national and international reputation of the Perth metropolitan area as an innovative, sustainable and vibrant global city that attracts and welcomes everyone. *Planning and Development (Local Planning Schemes) Regulations 2015* • Regulation 49 and 50 outline the process for the consideration of submissions on a standard amendment to a local planning scheme. • Regulation 53 outlines the information required to be provided to the WAPC for the Minister's consideration of a standard amendment to a local planning scheme. • Regulation 4(1) specifies the requirements for advertising local planning policy amendments.

	• Clause 5(3) of the Deemed Provisions sets out the process for considering submissions on a local planning policy. **City Planning Scheme No. 2** • Schedule 2 refers to Use Group Categories and Use Group Tables • Schedule 4 refers to Definitions **Local Planning Scheme No. 26** • Clause 1.6 refers to the relationship to the City of Perth Planning Scheme. **Town Planning Scheme No. 4** • Schedule 1 refers to Definitions. • Table 1 refers to Zones and Land Uses and their permissibility.
Authority of Council/CEO:	• The *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015* gives local governments powers in relation to Local Planning Schemes and Local Planning Policies. The above provisions of the *Planning and Development Act 2005* requires a decision to amend a Local Planning Scheme be by Council resolution. • Clause 5(3) of the Deemed Provisions requires a local government to make a decision on a local planning policy following the consideration of submissions
Policy:	**Council Policy 3.5 – Initiation of Local Planning Scheme Amendments** CP 3.5 provides a framework to guide the preparation of scheme amendments ahead of the new Local Planning Scheme No. 3. The amendments meet the requirements of CP 3.5. **Planning Policy Section 3.9 – Special Residential (Serviced and Short-Term Accommodation) Policy**

Financial Implications

24. The advertising notice of the scheme amendments and local planning policies in the local newspaper was $650.

25. Should the Minister approve the amendments, the costs associated with gazettal of the amendments will be approximately $900.

Further Information

26. Questions and Responses forming part of the Agenda Briefing Session on 11 November 2025 are as follows:

	Question	Response
1.	Point 13 states DA's and government register provides an "effective" way to monitor. Is the City aware of complaints, contraventions, or action taken as part of this monitoring?	The Short-Term Rental Accommodation (STRA) Register became effective January 1 2025 and provides the City with an opportunity to monitor registered STRA to track matters such as number of days

		booked, number of persons booked, and analyse trends to inform decision making. To date, the City has already used the STRA Register as a tool to successfully identify where there has been a contravention to the Planning and Development Act 2005 which has resulted in compliance enforcement.
2.	How will the city plan to protect or manage existing approvals if strata rules change later? If a strata building changes its by-laws to ban STRA after the city has already approved an unhosted STRA, does the operator keep their approval, or would the strata change override it?	A landowner and STRA operator is required to comply with all relevant legislation applicable to them. A planning approval issued under the Planning and Development Act 2005 does not override a landowners responsibility to comply with strata by-laws registered under the Strata Titles Act 1985. A local government has powers to enforce the Planning and Development Act 2005, however, the Strata Titles Act 1985 is enforced by each individual strata scheme. A local government does not have oversight of, or enforce, strata by-laws. Should a strata scheme introduce by-laws to restrict Short-Term Rental Accommodation (STRA), affected properties (including existing STRA operators) have a responsibility to comply with these by-laws and the strata scheme is responsible for the implementation and enforcement of the by-laws.
3.	Given "Hosted" STRA is exempt from approval under State regulations, what safeguards does the City have to prevent operators falsely claiming to be "hosted" when they are not genuinely living on the property. How will the city prevent circumvention, e.g. owners registering as hosted but being minimally present?	Under the State Government's Short-Term Rental Accommodation Act 2024 it is mandatory to register premises being used as STRA. The Register is maintained by the Department of Local Government, Industry, Regulation and Safety. To register, owners/occupiers must confirm they will reside at the premises at the same time it is being rented. The City is able to view the registration details of premises within the City of Perth. Should a premises be used in a way that is contrary to the exemption and/or an approval , the City can carry out a compliance investigation if necessary. This would be determined on a case by case basis.
4.	How will the City practically monitor and enforce the 90-day exemption for unhosted	Operators of a 'Unhosted' STRA are required to register the premises on the State's STRA

	STRA? Will this require new technology, data-sharing with platforms, or dedicated compliance staff not currently budgeted?	Register. The STRA Register captures the number of nights a registered premises is being rented, either automatically if the premises is advertised on a booking platform or manually if an operator manages the property independently of a booking platform. The Department of Local Government, Industry Regulation and Safety manages the STRA Register and monitors compliance with the Metro-Exemption period and sends reminders to relevant parties when 80 and 90 nights are booked. The STRA Register effectively assists the City to manage compliance of the registered premises within the City of Perth within current budget and resource levels.

Council Resolution (OCM-25/12-005)

Mover: Councillor Viktor Ko

Seconder: Councillor Chris Patton

That Council:

1. SUPPORTS without modification:
   a. Amendment No. 53 to City Planning Scheme No. 2 as detailed in **Attachment A**,
   b. Amendment No. 7 to Local Planning Scheme No. 26 as detailed in **Attachment B**,
   c. Amendment No. 26 to Town Planning Scheme No. 4 as detailed in **Attachment C**.
2. ADOPTS the revised *Planning Policy 3.6 – Special Residential and Short-Term Rental Accommodation* and draft *Specialised Accommodation Local Planning Policy* as per **Attachment D** and **Attachment E** subject to the gazettal of Amendment No. 53 to City Planning Scheme No. 2, Amendment No. 7 to Local Planning Scheme No. 26, and Amendment No. 26 to Town Planning Scheme No. 4.
3. NOTES the scheme amendments will be forwarded to the Western Australian Planning Commission for consideration in accordance with Clause 22 in this report.
4. NOTES the submissions (including late submissions) received during the formal consultation period as per **Attachment F**.

CARRIED UNOPPOSED (6/0)

For: Deputy Lord Mayor David Goncalves; Councillors Raj Doshi, Viktor Ko, Adam Pacan, Chris Patton and Lisa Ma

Against: Nil.



City of Perth

City Planning Scheme

No. 2

Amendment No. 53

This page has been left intentionally blank

CITY of PERTH

City of Perth

City Planning Scheme No. 2

Amendment No. 53

Summary of Amendment Details

Update scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for short-term rental accommodation.

This page has been left intentionally blank

FORM 2A

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO CITY PLANNING SCHEME

City of Perth

City of Perth City Planning Scheme No. 2

Amendment No. 53

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. In Clause 15(2):
    A. Insert the following additional use group categories:
        (a) 'Hosted Short-Term Rental Accommodation'; and
        (b) 'Unhosted Short-Term Rental Accommodation'.

2. In Schedule 1, 'Scheme Use Area - Description':
    A. Amend the description of the City Centre scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.
    B. Amend the description of Residential scheme use area by inserting the use group 'Hosted Short-Term Rental Accommodation' in between the words 'Residential' and 'Home Occupation', and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.
    C. Amend the description of Residential/Commercial scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' in between the words 'Residential' and 'Home Occupation', and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.
    D. Amend the description of Office/Residential scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' and 'Unhosted Short-Term Rental Accommodation' after the words 'preferred use groups are Residential,'.

3. In Schedule 2, 'Use Group Categories':

   A. Insert the following additional use group categories:

Hosted Short-Term Rental Accommodation	has the same meaning given to it in clause 1 of the Deemed Provisions. *Note: Clause 1 of the Deemed Provisions defines "hosted short-term rental accommodation" as* *"means any of the following —* *(a) 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;* *(b) short-term rental accommodation that is an ancillary dwelling where 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."*
Unhosted Short-Term Rental Accommodation	has the same meaning given to it in clause 1 of the Deemed Provisions. *Note: Clause 1 of the Deemed Provisions defines "unhosted short-term rental accommodation" as "means short-term rental accommodation that —* *(a) is not hosted short-term rental accommodation; and* *(b) accommodates a maximum of 12 people per night."*

   B. Amend the description for the Special Residential use group by replacing 'serviced apartment' with 'tourist and visitor accommodation'.

4. In Schedule 4, 'Definitions':

   A. Amend the definition for 'Hotel' as per Schedule 1 – Model provisions for local planning schemes.

Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;

   B. Delete the definitions for:

      i. 'Serviced Apartment'; and

      ii. 'Short Term Accommodation'.

   C. Insert the definition 'Tourist and Visitor Accommodation' as per Schedule 1 – Model Provisions for Local Planning Schemes.

Tourist and Visitor Accommodation	(a)	means a building, or a group of buildings forming a complex, that —	
		(i)	is wholly managed by a single person or body; and
		(ii)	is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
		(iii)	may include on-site services and facilities for use by guests; and
		(iv)	in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and
	(b)	includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but	
	(c)	does not include 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)	hosted short-term rental accommodation;
	(iv)	a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
	(v)	a park home park;
	(vi)	a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
	(vii)	a road house;
	(viii)	workforce accommodation;

5. In Schedule 3 'Use Group Tables' insert the following land use categories and permissibilities:

P1 Northbridge (CC)

Use Group	Use Symbol	
	East of Russell Square	West of Russell Square
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P3 Stirling (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P4 Victoria (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P5 Citiplace (CC)

Use Group	Use Symbol	
	King Street Heritage	Rest of Precinct
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P6 St Georges (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P7 Civic (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P9 Matilda Bay

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P10 West Perth

Use Group	Use Symbol				
	Residential R160	Residential/ Commercial	Office/ Residential	Commercial	Town Centre
Hosted short-term rental accommodation	P	P	P	P	P
Unhosted short-term rental accommodation	C	C	C	C	C

P11 Hamilton

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P13 Adelaide

Use Group	Use Symbol	
	Office/Residential	Residential R160
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P14 Goderich

Use Group	Use Symbol		
	Residential R160	Residential/ Commercial	Town Centre
Hosted short-term rental accommodation	P	P	P
Unhosted short-term rental accommodation	C	C	C

The amendment is standard under the provisions of Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;

2. the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;

3. the amendment is not considered a complex or basic amendment.

Dated this 5 day of June 2025

(Chief Executive Officer)

Scheme Amendment Report

1.0 Introduction

The purpose of this amendment is to amend the City's local planning scheme to implement the State Government's planning reforms for Short-Term Rental Accommodation (STRA).

This amendment is required to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', along with removal of superseded land uses. The following report provides further detail and background information on these changes, including specific implications for the City.

2.0 Background

Short-Term Rental Accommodation refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. The State Government has committed to various initiatives to deliver better regulation of the short-term rental accommodation sector.

In November 2023, the Western Australian Planning Commission (WAPC) released its *Position Statement: Planning for Tourism and Short-Term Rental Accommodation* (Position Statement) and associated Guidelines. The release of the Position Statement complemented other whole-of-government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry *Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia.* This included development of a state-wide registration scheme for STRA, as well as an incentive scheme to encourage transition of properties from the short to long term rental market.

Alongside the registration scheme, which sits separately to the planning system and is mandatory for all STRA, amendments to the planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint. The planning changes, which have triggered the need for the City to amend its schemes, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes. The Minister for Planning has instructed local governments to amend local planning schemes to incorporate Planning Reform changes related to STRA by 1 July 2025.

At its meeting on 30 April 2024, Council resolved to seek approval from the Western Australian Planning Commission to advertise draft *Local Planning Scheme No. 3* (LPS3). As draft LPS3 will not meet the timeframes set out in the Minister for Planning's letter, officers from the DPLH have advised that the current local planning scheme is required to be amended to implement the STRA changes in accordance with the instructions from the Minister for Planning.

The City's *Local Planning Strategy*, endorsed by the WAPC on 30 May 2023, has set directions to increase the permanent residential population of Perth city, along with housing and household diversity, and to manage land use conflict between tourism and accommodation uses and other land uses. This amendment aligns with the direction of the *Local Planning Strategy*.

3.0 Planning Framework

3.1 State Planning Framework

The State Government's planning reforms for short-term rental accommodation are being implemented predominantly through the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which in turn have been informed by policy direction provided through the Position Statement.

3.1.1 Metropolitan Region Scheme

The subject land is zoned 'Central City Area' and 'Urban' under the Metropolitan Region Scheme (MRS). The subject land also includes several MRS reserves including 'Parks and Recreation', 'Public Purposes' and 'Civic Reserves'. This amendment has no implications on the existing MRS zoning of the subject land.

3.1.2 Position Statement: Planning for Tourism and Short-term Rental Accommodation

The Position Statement foreshadowed a series of amendments to the LPS Regulations with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA. Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for Hosted STRA and a 90-night exemption for Unhosted STRA within the Perth Metropolitan Area. The Position Statement also includes guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

3.1.3 Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) are a key component of Western Australia's planning system comprising of three major parts:

- The LPS Regulations set out the process for preparing or amending a local planning scheme.
- Schedule 1 – Model provisions for local planning schemes, are to be used by local governments in preparing or amending a local planning scheme.
- Schedule 2 – Deemed provisions for local planning schemes, are to be read automatically into all local planning schemes and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to Schedules 1 and 2 of the LPS Regulations have been made to facilitate the necessary planning changes of the State Government's short-term rental accommodation (STRA) reform initiatives, as envisaged by the Position Statement. The changes are summarised as:

- New deemed land use classes of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes.
- New deemed general terms to define 'short-term rental accommodation' and link to the overarching *Short-Term Rental Accommodation Act 2024*, which provides the legal framework for the STRA Register.
- A new model land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA and consolidate several existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions.
- A state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings).

- A 90-night (cumulative) exemption within a 12-month period for 'unhosted short-term rental accommodation' in the Perth metropolitan area.

The implications of these changes for the City are detailed further in the following sections of this report.

3.2 Local Planning Framework

3.2.1 City of Perth Local Planning Strategy

The City's Local Planning Strategy (Strategy) was adopted in May 2023 to guide the growth and development of the city to 2036. It is the foundation document for the effective planning, management and delivery of development, infrastructure, facilities, places, and spaces.

Of relevance to this amendment, the Strategy identifies planning directions and actions to:

- Increase the permanent residential population of the city, along with housing and household diversity; and
- Manage land use conflict between tourism and accommodation uses and other land uses.

The State Government's planning reforms for short-term rental accommodation will assist the City in delivering these planning directions, as they will help to manage the effects of tourism and short-term rental accommodation on the local housing market, including impacts on housing supply and the availability of dwellings for long-term rental.

The amendment will introduce 'unhosted short-term rental accommodation' as its own land use group, being classified as a 'contemplated' use. This will assist the City in fulfilling the action to better manage land use conflicts between tourism and short-term rental accommodation activities and other land uses, particularly permanent residences.

3.2.2 City Planning Scheme No. 2 (CPS2)

Land Use Categories

Under CPS2, land uses that have similar functional characteristics are grouped together as a single 'use group category'. The use group categories are set out in Schedule 2 and each use group is assigned a singular land use permissibility in each scheme use area under Schedule 3 – Use Group Tables.

Currently under CPS2, short-term rental accommodation and tourist accommodation are included in the Special Residential use group, described as the following:

Use Group	Current CPS2 Definition
Special Residential	Premises providing short-term, temporary or specialised residential accommodation including: lodging house, hotel, serviced apartment.
Residential	Premises providing for long-term or permanent residential accommodation including: aged persons dwelling, caretaker's dwelling, grouped dwelling, single house, multiple dwelling.

Land Use Permissibility

Under CPS2, a 'P' use is a 'preferred use' and a 'C' use is a 'contemplated use'.

Clause 32 and 33 of CPS2 outlines the following provisions for the assessment of 'preferred' and 'contemplated' land uses:

Preferred	Where, in a precinct, a use group category is classified as a preferred use then, in considering an application involving a use from that category in that precinct, the local government – a) shall refuse the application if it involves a change of use prohibited by clause 35; and b) cannot otherwise refuse the application by reference to the proposal to begin or continue the preferred use. 'Preferred' uses do not require advertising and cannot be refused based on the merit of the land use.
Contemplated	The provisions of clause 67 of the Deemed Provisions apply to an application for a contemplated use. The local government may also require an application for a contemplated use to be advertised in accordance with clause 64 of the Deemed Provisions.

Data from the Department of Energy, Mines, Industry Regulation and Safety STRA Register (accessed 30 April 2025), shows there are 434 active STRA registrations within the City of Perth comprising of 376 Unhosted STRA and 58 Hosted STRA.

4.0 Proposed Amendment

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment seeks to introduce, modify and delete various land use and general definitions to the City's planning scheme.

The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to the use group tables to reflect:

- The Hosted STRA exemption as a preferred use.
- Unhosted STRA as a contemplated use, requiring an application for development approval if operating longer than the exempt 90 day period.

4.1 Deemed Short-Term Rental Accommodation Land Use Classes

Whilst the new 'deemed' land use classes are automatically read into the City's scheme through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into scheme use group tables to ensure absolute clarity from an interpretation perspective, particularly given these uses replace long-standing land use classes within the City's planning framework.

In addition to the LPS Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint. To reflect these requirements, this amendment proposes to insert two new use groups, 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', with the following designations for these new use groups:

- 'Hosted short-term rental accommodation' is proposed to be classified as a Preferred use in all scheme use areas where the 'Residential' use group is capable of approval, to reflect the state-wide exemption in the 'deemed provisions';
- 'Unhosted short-term rental accommodation' is proposed to be classified as a Contemplated use in all scheme use areas where the 'Residential' use group is capable of approval.

Aside from the above, where use groups are listed in other sections of the scheme text, these are introduced accordingly.

4.2 Model 'Tourist and Visitor Accommodation' Land Use

A new model land use class of 'tourist and visitor accommodation' has been introduced into the LPS Regulations Schedule 1 – Model provisions for local planning schemes. This definition supersedes various traditional accommodation land use types (excluding 'hotel') and provides a clearer delineation between these uses and 'short-term rental accommodation'.

The new land use class of 'tourist and visitor accommodation' is proposed to be inserted into the 'Special Residential' use group category in Schedule 2 – Use Group Categories.

All references to 'serviced apartments' are proposed to be deleted, as 'serviced apartments' are specifically referenced in the new 'tourist and visitor accommodation' definition. This includes amending the Use Group Table and Definitions schedules of the scheme text accordingly.

4.3 New and Revised Land Use & General Definitions

As part of the LPS Regulations changes, amendments to some other model definitions were also introduced to not cause confusion or conflict with the new short-term rental accommodation land use terms. These include deletion of the definition for 'short-term accommodation', which has been removed from the land use definition for the Special Residential use group to avoid confusion with new terms relating to 'short-term rental accommodation' under the deemed provisions.

The land use term for 'Hotel' is also to be modified to align with the revised definition in the LPS Regulations Schedule 1 – Model provisions for local planning schemes.

Current Definition 'Hotel'	Amendment Definition 'Hotel'
means any land or buildings providing accommodation for the public the subject of a hotel licence granted under the provisions of the Liquor Control Act 1988 and may include a betting agency operated in accordance with the Racing and Wagering Western Australia Act 2009 but does not include a motel, tavern or lodging house the subject of a limited hotel licence or other licence granted under that Act.	*means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises.*

4.4 Scheme Amendment Classification

The proposed scheme amendment is considered to be a standard scheme amendment under the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:

- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- The amendment is not considered a complex or basic amendment.

This page has been left intentionally blank

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO CITY PLANNING SCHEME

City of Perth

City of Perth City Planning Scheme No. 2

Amendment No. 53

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. In Clause 15(2):
    A. Insert the following additional use group categories:
        (c) 'Hosted Short-Term Rental Accommodation'; and
        (d) 'Unhosted Short-Term Rental Accommodation'.

2. In Schedule 1, 'Scheme Use Area - Description':
    A. Amend the description of the City Centre scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.
    B. Amend the description of Residential scheme use area by inserting the use group 'Hosted Short-Term Rental Accommodation' in between the words 'Residential' and 'Home Occupation', and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.
    C. Amend the description of Residential/Commercial scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' in between the words 'Residential' and 'Home Occupation', and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.
    D. Amend the description of Office/Residential scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' and 'Unhosted Short-Term Rental Accommodation' after the words 'preferred use groups are Residential,'.

3. In Schedule 2, 'Use Group Categories':

C. Insert the following additional use group categories:

Hosted Short-Term Rental Accommodation	has the same meaning given to it in clause 1 of the Deemed Provisions. *Note: Clause 1 of the Deemed Provisions defines "hosted short-term rental accommodation" as* *"means any of the following —* *(d) 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;* *(e) short-term rental accommodation that is an ancillary dwelling where 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;* *(f) 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."*
Unhosted Short-Term Rental Accommodation	has the same meaning given to it in clause 1 of the Deemed Provisions. *Note: Clause 1 of the Deemed Provisions defines "unhosted short-term rental accommodation" as "means short-term rental accommodation that —* *(a) is not hosted short-term rental accommodation; and* *(b) accommodates a maximum of 12 people per night."*

D. Amend the description for the Special Residential use group by replacing 'serviced apartment' with 'tourist and visitor accommodation'.

4. In Schedule 4, 'Definitions':

   A. Amend the definition for 'Hotel' as per Schedule 1 – Model provisions for local planning schemes.

Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;

   B. Delete the definitions for:

      i. 'Serviced Apartment'; and

      ii. 'Short Term Accommodation'.

   C. Insert the definition 'Tourist and Visitor Accommodation' as per Schedule 1 – Model Provisions for Local Planning Schemes.

Tourist and Visitor Accommodation	(d)	means a building, or a group of buildings forming a complex, that —	
		(v)	is wholly managed by a single person or body; and
		(vi)	is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
		(vii)	may include on-site services and facilities for use by guests; and
		(viii)	in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and
	(e)	includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but	
	(f)	does not include any of the following —	
		(ix)	an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
		(x)	a caravan park;

	(xi)	hosted short-term rental accommodation;
	(xii)	a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
	(xiii)	a park home park;
	(xiv)	a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
	(xv)	a road house;
	(xvi)	workforce accommodation;

5. In Schedule 3 'Use Group Tables' insert the following land use categories and permissibilities:

P1 Northbridge (CC)

Use Group	Use Symbol	
	East of Russell Square	West of Russell Square
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P3 Stirling (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P4 Victoria (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P5 Citiplace (CC)

Use Group	Use Symbol	
	King Street Heritage	Rest of Precinct
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P6 St Georges (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P7 Civic (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P9 Matilda Bay

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P10 West Perth

Use Group	Use Symbol				
	Residential R160	Residential/ Commercial	Office/ Residential	Commercial	Town Centre
Hosted short-term rental accommodation	P	P	P	P	P
Unhosted short-term rental accommodation	C	C	C	C	C

P11 Hamilton

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P13 Adelaide

Use Group	Use Symbol	
	Office/Residential	Residential R160
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P14 Goderich

Use Group	Use Symbol		
	Residential R160	Residential/ Commercial	Town Centre
Hosted short-term rental accommodation	P	P	P
Unhosted short-term rental accommodation	C	C	C

SECTION 83A CHANGES REQUESTED BY MINISTER

Under section 83A(2)(b) of the *Planning and Development Act 2005*, the Minister required the following modifications to be made to the proposed amendment prior to the amendment being advertised:

1. Update point 2 that relates Schedule 1 'Scheme Use Area-Description' to add in the following:
   E. Amend the description of Town Centre scheme use area by inserting the use group 'Hosted Short-Term Rental Accommodation' after the words 'Preferred uses abutting Hay Street are therefore those in the'.
   F. Amend the description of Commercial scheme use area by inserting the use group 'Hosted Short-Term Rental Accommodation' after the words 'preferred use groups include'

2. Update point 3 to read as follows; In Schedule 2, 'Use Group Categories':
   A. Insert the following additional use group categories:

Hosted Short-Term Rental Accommodation	-
Unhosted Short-Term Rental Accommodation	-

Section 83A – Modified Scheme Amendment

SECTION 83A: CHANGES REQUESTED BY MINISTER

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO CITY PLANNING SCHEME

City of Perth

City of Perth City Planning Scheme No. 2

Amendment No. 53

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. In Clause 15(2):
    A. Insert the following additional use group categories:
        (a) 'Hosted Short-Term Rental Accommodation'; and
        (b) 'Unhosted Short-Term Rental Accommodation'.

2. In Schedule 1, 'Scheme Use Area - Description':
    A. Amend the description of the City Centre scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.
    B. Amend the description of Residential scheme use area by inserting the use group 'Hosted Short-Term Rental Accommodation' in between the words 'Residential' and 'Home Occupation', and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.

C. Amend the description of Residential/Commercial scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' in between the words 'Residential' and 'Home Occupation', and 'Unhosted Short-Term Rental Accommodation' after 'Special Residential'.

D. Amend the description of Office/Residential scheme use area by inserting the use groups 'Hosted Short-Term Rental Accommodation' and 'Unhosted Short-Term Rental Accommodation' after the words 'preferred use groups are Residential,'.

E. Amend the description of Town Centre scheme use area by inserting the use group 'Hosted Short-Term Rental Accommodation' after the words 'preferred uses abutting Hay Street are therefore those in the'.

F. Amend the description of Commercial scheme use area by inserting the use group 'Hosted Short-Term Rental Accommodation' after the words 'preferred use groups include'

3. In Schedule 2, 'Use Group Categories':

A. Insert the following additional use group categories:

Hosted Short-Term Rental Accommodation	-
Unhosted Short-Term Rental Accommodation	-

A. Amend the description for the Special Residential use group by replacing 'serviced apartment' with 'tourist and visitor accommodation'.

4. In Schedule 4, 'Definitions':

   A. Amend the definition for 'Hotel' as per Schedule 1 – Model provisions for local planning schemes.

Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;

   B. Delete the definitions for:

      i. 'Serviced Apartment'; and

      ii. 'Short Term Accommodation'.

   C. Insert the definition 'Tourist and Visitor Accommodation' as per Schedule 1 – Model Provisions for Local Planning Schemes.

Tourist and Visitor Accommodation	(a)	means a building, or a group of buildings forming a complex, that —	
		(i)	is wholly managed by a single person or body; and
		(ii)	is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
		(iii)	may include on-site services and facilities for use by guests; and
		(iv)	in the case of a single building — contains more than 1 separate accommodation unit or is capable of

	accommodating more than 12 people per night; and (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but (c) does not include 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) hosted short-term rental accommodation; (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1); (v) a park home park; (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1); (vii) a road house; (viii) workforce accommodation;

5. In Schedule 3 'Use Group Tables' insert the following land use categories and permissibilities:

P1 Northbridge (CC)

Use Group	Use Symbol	
	East of Russell Square	West of Russell Square
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P3 Stirling (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P4 Victoria (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P5 Citiplace (CC)

Use Group	Use Symbol	
	King Street Heritage	Rest of Precinct
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P6 St Georges (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P7 Civic (CC)

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P9 Matilda Bay

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P10 West Perth

Use Group	Use Symbol				
	Residential R160	Residential / Commercial	Office/ Residential	Commercial	Town Centre
Hosted short-term rental accommodation	P	P	P	P	P
Unhosted short-term rental accommodation	C	C	C	C	C

P11 Hamilton

Use Group	Use Symbol
Hosted short-term rental accommodation	P
Unhosted short-term rental accommodation	C

P13 Adelaide

Use Group	Use Symbol	
	Office/Residential	Residential R160
Hosted short-term rental accommodation	P	P
Unhosted short-term rental accommodation	C	C

P14 Goderich

Use Group	Use Symbol		
	Residential R160	**Residential/ Commercial**	**Town Centre**
Hosted short-term rental accommodation	P	P	P
Unhosted short-term rental accommodation	C	C	C

FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Perth at the **Ordinary Meeting of the Council held on the** 21st **day of** May, **20**25.

.....
LORD MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 27th **day of** May, **20**25, **proceed to advertise this Amendment.**

.....
LORD MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended _____ by resolution of the City of Perth at the Ordinary Meeting of the Council held on the____ day of _____, 20 ___and the Common Seal of the City of Perth was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
LORD MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF

THE P&D ACT 2005

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....



Amendment No. 7

This page has been left intentionally blank

CITY of PERTH

City of Perth

Local Planning Scheme No. 26

Amendment No. 7

Summary of Amendment Details

Update scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for short-term rental accommodation.

This page has been left intentionally blank

FORM 2A

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO CITY PLANNING SCHEME

City of Perth

City of Perth Local Planning Scheme No.26

Amendment No. 7

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. Amend clause 3.2 'Land Use Categories' by replacing '*seven*' with '*eight*'.

2. In Table 1: Land Use Categories:

   A. Amend 'Category 5: Residential Land Uses' to:

      i. Delete the following land uses under 5B Transient Residential:

         - *Short Term Accommodation*; and
         - *Serviced Apartments*.

      ii. Insert the land use *Tourist and Visitor Accommodation* under 5B Transient Residential.

   B. Insert the following new Land Use Category:

CATEGORY 8: SHORT-TERM RENTAL ACCOMMODATION **Description:** Short-term Rental Accommodation (STRA) refers to the practice of renting out a dwelling or part of a dwelling to paying guests for stays of up to three months in duration. STRA is either hosted - where the host lives on the property during the short-term stay, or unhosted -	**LAND USES** 8A Hosted Short-term Rental Accommodation 8B Unhosted Short-term Rental Accommodation

where guests have exclusive use of an entire dwelling, for example a whole house or apartment.	

3. Amend Part 4: Claisebrook Village Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	**Use Symbol**
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 4.2.2, Precinct EP1: Claisebrook Inlet

B. clause 4.2.5, Lot 70 (No. 75) Haig Park Circle

C. clause 4.3.2, Precinct EP2: Constitution Street

D. clause 4.4.2 , Precinct EP3: Royal Street Central

E. clause 4.5.2 , Precinct EP4: Silver City

F. clause 4.6.2 , Precinct EP5: Royal Street West

G. clause 4.7.2, Precinct EP6: Boans

H. clause 4.8.2, Precinct EP7: East Parade

I. clause 4.9.2, Precinct EP8: Belvidere

J. clause 4.10.2, Precinct EP9: Brown Street

K. clause 4.13.2, Precinct EP12: Waterloo

L. clause 4.14.2, Precinct EP13: Plain Street

4. Amend Part 4: Claisebrook Village Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	**Use Symbol**
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

A. clause 4.11.2, Precinct EP10: Riverbank

B. clause 4.12.2, Precinct EP11: Cemeteries

5. Amend Part 5: New Northbridge Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 5.4.2, Precinct NB1: Russell Square

B. clause 5.5.2, Precinct NB2: Lake Street

C. clause 5.6.2, Precinct 22: Museum Street

6. Amend Part 6: Perth City Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 6.2.2, Precinct 35: Horseshoe Bridge Plaza (Yagan Square)

7. Amend Part 7: Perth Cultural Centre Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 7.2.2, Precinct 36: James Street

B. clause 7.3.2, Precinct 37: William Street

8. Amend Part 8: Elizabeth Quay Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

A. clause 8.2.2, Precinct 40: Barrack Street

9. Amend Part 9: Riverside Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

   A. clause 9.2.2, Precinct EP25: Queens

   B. clause 9.4.2, Precinct EP29: WACA

   C. clause 9.6.2, Precinct EP31: Gloucester Park

   D. clause 9.7.2, Precinct EP32: Hillside

10. Amend Part 9: Riverside Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

   A. clause 9.5.2, Precinct EP30: Trinity College

11. Amend clauses 4.2.4(e)(i) and 4.4.4(c)(i):

    From:

    "Serviced Apartments means buildings which include self-contained units used for short stay accommodation together with associated office and service facilities, but the term does not include a hostel, a hotel, a motel or a lodging house; and"

    To:

    "Serviced Apartments means buildings which include self-contained units used for short-stay accommodation together with associated office and service facilities, but the term does not include hostel, hotel, lodging house, or other types of tourist and visitor accommodation."

12. In Schedule 1: Interpretations, insert the following land use definitions as per Schedule 1 – Model Provisions for Local Planning Schemes:

Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;

Tourist and Visitor Accommodation	(a) means a building, or a group of buildings forming a complex, that — (i) is wholly managed by a single person or body; and (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and (iii) may include on-site services and facilities for use by guests; and (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but (c) does not include 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) hosted short-term rental accommodation; (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1); (v) a park home park; (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1); (vii) a road house; (viii) workforce accommodation;

The amendment is standard under the provisions of Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;

2. the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;

3. the amendment is not considered a complex or basic amendment.

Dated this 5 day of June 2025

(Chief Executive Officer)

Scheme Amendment Report

1.0 Introduction

The purpose of this amendment is to amend the City's local planning scheme to implement the State Government's planning reforms for Short-Term Rental Accommodation (STRA).

This amendment is required to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', along with removal of superseded land uses. The following report provides further detail and background information on these changes, including specific implications for the City.

2.0 Background

Short-Term Rental Accommodation refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. The State Government has committed to various initiatives to deliver better regulation of the short-term rental accommodation sector.

In November 2023, the Western Australian Planning Commission (WAPC) released its *Position Statement: Planning for Tourism and Short-Term Rental Accommodation* (Position Statement) and associated Guidelines. The release of the Position Statement complemented other whole-of-government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry *Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia.* This included development of a state-wide registration scheme for STRA, as well as an incentive scheme to encourage transition of properties from the short to long term rental market.

Alongside the registration scheme, which sits separately to the planning system and is mandatory for all STRA, amendments to the planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint. The planning changes, which have triggered the need for the City to amend its schemes, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes. The Minister for Planning has instructed local governments to amend local planning schemes to incorporate Planning Reform changes related to STRA by 1 July 2025.

At its meeting on 30 April 2024, Council resolved to seek approval from the Western Australian Planning Commission to advertise draft *Local Planning Scheme No. 3* (LPS3). As draft LPS3 will not meet the timeframes set out in the Minister for Planning's letter, officers from the DPLH have advised that the current local planning scheme is required to be amended to implement the STRA changes in accordance with the instructions from the Minister for Planning.

The City's *Local Planning Strategy*, endorsed by the WAPC on 30 May 2023, has set directions to increase the permanent residential population of Perth city, along with housing and household diversity, and to manage land use conflict between tourism and accommodation uses and other land uses. This amendment aligns with the direction of the *Local Planning Strategy*.

3.0 Planning Framework

3.1 State Planning Framework

The State Government's planning reforms for short-term rental accommodation are being implemented predominantly through the *Planning & Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which in turn have been informed by policy direction provided through the Position Statement.

3.1.1 Metropolitan Region Scheme

The subject land is zoned 'Central City Area' and 'Urban' under the Metropolitan Region Scheme (MRS). The subject land also includes several MRS reserves including 'Parks and Recreation', 'Public Purposes' and 'Civic Reserves'. This amendment has no implications on the existing MRS zoning of the subject land.

3.1.2 Position Statement: Planning for Tourism and Short-term Rental Accommodation

The Position Statement foreshadowed a series of amendments to the LPS Regulations with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA. Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for Hosted STRA and a 90-night exemption for Unhosted STRA within the Perth Metropolitan Area. The Position Statement also includes guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

3.1.3 Planning & Development (Local Planning Schemes) Regulations 2015

The *Planning & Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) are a key component of Western Australia's planning system comprising of three major parts:

- The LPS Regulations set out the process for preparing or amending a local planning scheme.
- Schedule 1 – Model provisions for local planning schemes, are to be used by local governments in preparing or amending a local planning scheme.
- Schedule 2 – Deemed provisions for local planning schemes, are to be read automatically into all local planning schemes and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to Schedules 1 and 2 of the LPS Regulations have been made to facilitate the necessary planning changes of the State Government's short-term rental accommodation (STRA) reform initiatives, as envisaged by the Position Statement. The changes are summarised as:

- New deemed land use classes of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes.
- New deemed general terms to define 'short-term rental accommodation' and link to the overarching *Short-Term Rental Accommodation Act 2024*, which provides the legal framework for the STRA Register.
- A new model land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA and consolidate several existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions.
- A state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings).
- A 90-night (cumulative) exemption within a 12-month period for 'unhosted short-term rental accommodation' in the Perth metropolitan area.

The implications of these changes for the City are detailed further in the following sections of this report.

3.2 Local Planning Framework

3.2.1 City of Perth Local Planning Strategy

The City's Local Planning Strategy (Strategy) was adopted in May 2023 to guide the growth and development of the city to 2036. It is the foundation document for the effective planning, management and delivery of development, infrastructure, facilities, places, and spaces.

Of relevance to this amendment, the Strategy identifies planning directions and actions to:

- Increase the permanent residential population of the city, along with housing and household diversity; and
- Manage land use conflict between tourism and accommodation uses and other land uses.

The State Government's planning reforms for short-term rental accommodation will assist the City in delivering these planning directions, as they will help to manage the effects of tourism and short-term rental accommodation on the local housing market, including impacts on housing supply and the availability of dwellings for long-term rental.

The amendment will introduce 'unhosted short-term rental accommodation' as its own land use group, being classified as a 'contemplated' use. This will assist the City in fulfilling the action to better manage land use conflicts between tourism and short-term rental accommodation activities and other land uses, particularly permanent residences.

3.2.2 Local Planning Scheme No.26 (LPS26)

Land Use Categories

Under LPS26 land uses that have similar functional characteristics are grouped together as a single 'land use category.' Each land use category is assigned a singular land use permissibility under the scheme in each precinct.

Currently under LPS26, short-term rental accommodation and tourist accommodation are included in the Transient Residential use category, being a sub-category of Residential.

Category 5: Residential	**Land Uses**
A building or a portion of a building that is designed or adapted for habitation. In determining an application for development approval for a land use within the Residential land use category, in addition to other provisions of the Scheme, the local government shall have regard to the following objectives: a) encouragement of a socially diverse inner city population; b) the provision of a diversity of housing and accommodation types, size and tenure; c) the provision of social and affordable housing; d) the provision of universally accessible and adaptive housing; e) the compatibility of new residential development with existing land uses; and f) the need to separate permanent residential development from transient accommodation or other land uses, where appropriate.	**5A Permanent Residential** Single House Multiple Dwelling Grouped Dwelling Specific Purpose Housing Home Occupation **5B Transient Residential** Lodging House Short Term Accommodation Serviced Apartments Hotel Hostel

Land Use Permissibility

Under LPS26, a 'P' use is a 'preferred use' and a 'C' use is a 'contemplated use'. The following provisions are provided for the assessment of 'preferred' and 'contemplated' land uses:

Preferred	Where, in a precinct, a use group category is classified as a preferred use then, in considering an application involving a use from that category in that precinct, the local government – a) shall refuse the application if it involves a change of use prohibited by clause 35; and b) cannot otherwise refuse the application by reference to the proposal to begin or continue the preferred use. 'Preferred' uses do not require advertising and cannot be refused based on the merit of the land use.
Contemplated	The provisions of clause 67 of the Deemed Provisions apply to an application for a contemplated use. The local government may also require an application for a contemplated use to be advertised in accordance with clause 64 of the Deemed Provisions.

Data from the Department of Energy, Mines, Industry Regulation and Safety STRA Register (accessed 30 April 2025), shows there are 434 active STRA registrations within the City of Perth comprising of 376 Unhosted STRA and 58 Hosted STRA.

Proposed Amendment

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment seeks to introduce, modify and delete various land use and general definitions to the City's planning scheme.

The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to the use group tables to reflect:

- The Hosted STRA exemption as a preferred use.
- Unhosted STRA as a contemplated use, requiring an application for development approval if operating longer than the exempt 90-day period.

4.1 Deemed Short-Term Rental Accommodation Land Use Classes

Whilst the new 'deemed' land use classes are automatically read into the City's scheme through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into scheme zoning tables to ensure absolute clarity from an interpretation perspective, particularly given these uses replace long-standing land use classes within the City's planning framework.

In addition to the LPS Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint. To reflect these requirements, this amendment proposes to insert two new use categories, 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', with the following designations for these new use groups:

- 'Hosted short-term rental accommodation' is proposed to be classified as Preferred use in all precincts where 'Permanent Residential' use category is capable of approval, to reflect the state-wide exemption in the 'deemed provisions'.
- 'Unhosted short-term rental accommodation' is proposed to be classified as Contemplated use in all precincts where 'Permanent Residential' use category is capable of approval.

Aside from the above, where use groups are listed in other sections of the scheme text, these are introduced accordingly.

4.2 Model 'Tourist and Visitor Accommodation' Land Use

A new model land use class of 'tourist and visitor accommodation' has been introduced into the LPS Regulations Schedule 1 – Model provisions for local planning schemes. This definition supersedes various traditional accommodation land use types (excluding 'hotel') and provides a clearer delineation between these uses and 'short-term rental accommodation'.

The new land use class of 'tourist and visitor accommodation' is proposed to be inserted into the 'Transient Residential' land use group category in Table 1 – Land Use Categories.

4.3 New and Revised Land Use & General Definitions

As part of the LPS Regulations changes, amendments to some other model definitions were also introduced to not cause confusion or conflict with the new short-term rental accommodation land use terms. The scheme amendment includes the deletion of the term 'short-term accommodation' from Table 1: Land Use Categories, to avoid confusion with new terms relating to 'short-term rental accommodation'.

The land use term for 'Hotel' is also to be modified to align with the revised definition in the LPS Regulations Schedule 1 – Model provisions for local planning schemes.

Current Definition 'Hotel'	**Amendment Definition 'Hotel'**
means any land or buildings providing accommodation for the public the subject of a hotel licence granted under the provisions of the Liquor Control Act 1988 and may include a betting agency operated in accordance with the Racing and Wagering Western Australia Act 2009 but does not include a motel, tavern or lodging house the subject of a limited hotel licence or other licence granted under that Act.	*means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises.*

4.4 Minister's Modification

LPS26 includes site specific provisions that define the land use term 'Serviced Apartments' for the purpose of three lots and set specific management controls to guide the operation of this land use within the developments on these lots.

In accordance with the *Planning and Development Act 2005*, consent from the Minister for Planning is required to proceed to advertise Amendment No.7 for public comment. The Minister for Planning directed the City to modify clauses applicable to 20 Royal Street, 50-60 Royal Street and 11 Regal Place, East Perth to align with the LPS Regulations by:

a. Replacing terms 'Serviced Apartment' and 'Short Stay Accommodation' with 'Multiple Dwelling' and 'Unhosted Short-Term Rental Accommodation'.

b. Removing provisions for a minimum number of dwellings to be Serviced Apartments, and short stay accommodation being up to 12 months.

These changes do not impact the current planning approvals for the sites. These current approvals remain valid and landowners can continue to operate Serviced Apartments in accordance with these approvals. No new approvals are required to be sought as a result of this amendment.

4.5 Scheme Amendment Classification

The proposed scheme amendment is considered to be a standard scheme amendment under the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:

- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- The amendment is not considered a complex or basic amendment.

This page has been left intentionally blank

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO CITY PLANNING SCHEME

City of Perth

City of Perth Local Planning Scheme No.26

Amendment No. 7

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. Amend clause 3.2 'Land Use Categories' by replacing '*seven*' with '*eight*'.

2. In Table 1: Land Use Categories:

   A. Amend 'Category 5: Residential Land Uses' to:

      iii. Delete the following land uses under 5B Transient Residential:

         - *Short Term Accommodation*; and
         - *Serviced Apartments*.

      iv. Insert the land use *Tourist and Visitor Accommodation* under 5B Transient Residential.

   B. Insert the following new Land Use Category:

CATEGORY 8: SHORT-TERM RENTAL ACCOMMODATION **Description:** Short-term Rental Accommodation (STRA) refers to the practice of renting out a dwelling or part of a dwelling to paying guests for stays of up to three months in duration. STRA is either hosted - where the host lives on the property during the short-term stay, or unhosted - where guests have exclusive use of an entire dwelling, for example a whole house or apartment.	**LAND USES** 8A Hosted Short-term Rental Accommodation 8B Unhosted Short-term Rental Accommodation

3. Amend Part 4: Claisebrook Village Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

   A. clause 4.2.2, Precinct EP1: Claisebrook Inlet
   B. clause 4.2.5, Lot 70 (No. 75) Haig Park Circle
   C. clause 4.3.2, Precinct EP2: Constitution Street
   D. clause 4.4.2 , Precinct EP3: Royal Street Central
   E. clause 4.5.2 , Precinct EP4: Silver City
   F. clause 4.6.2 , Precinct EP5: Royal Street West
   G. clause 4.7.2, Precinct EP6: Boans
   H. clause 4.8.2, Precinct EP7: East Parade
   I. clause 4.9.2, Precinct EP8: Belvidere
   J. clause 4.10.2, Precinct EP9: Brown Street
   K. clause 4.13.2, Precinct EP12: Waterloo
   L. clause 4.14.2, Precinct EP13: Plain Street

4. Amend Part 4: Claisebrook Village Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

   A. clause 4.11.2, Precinct EP10: Riverbank
   B. clause 4.12.2, Precinct EP11: Cemeteries

5. Amend Part 5: New Northbridge Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 5.4.2, Precinct NB1: Russell Square

B. clause 5.5.2, Precinct NB2: Lake Street

C. clause 5.6.2, Precinct 22: Museum Street

6. Amend Part 6: Perth City Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 6.2.2, Precinct 35: Horseshoe Bridge Plaza (Yagan Square)

7. Amend Part 7: Perth Cultural Centre Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 7.2.2, Precinct 36: James Street

B. clause 7.3.2, Precinct 37: William Street

8. Amend Part 8: Elizabeth Quay Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

A. clause 8.2.2, Precinct 40: Barrack Street

9. Amend Part 9: Riverside Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

   A. clause 9.2.2, Precinct EP25: Queens

   B. clause 9.4.2, Precinct EP29: WACA

   C. clause 9.6.2, Precinct EP31: Gloucester Park

   D. clause 9.7.2, Precinct EP32: Hillside

10. Amend Part 9: Riverside Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

   A. clause 9.5.2, Precinct EP30: Trinity College

11. Amend clauses 4.2.4(e)(i) and 4.4.4(c)(i):

    From:

    "Serviced Apartments means buildings which include self-contained units used for short stay accommodation together with associated office and service facilities, but the term does not include a hostel, a hotel, a motel or a lodging house; and"

    To:

    "Serviced Apartments means buildings which include self-contained units used for short-stay accommodation together with associated office and service facilities, but the term does not include hostel, hotel, lodging house, or other types of tourist and visitor accommodation."

12. In Schedule 1: Interpretations, insert the following land use definitions as per Schedule 1 – Model Provisions for Local Planning Schemes:

Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;
Tourist and Visitor Accommodation	(d) means a building, or a group of buildings forming a complex, that —

	(v) is wholly managed by a single person or body; and (vi) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and (vii) may include on-site services and facilities for use by guests; and (viii) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and (e) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but (f) does not include any of the following — (ix) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1); (x) a caravan park; (xi) hosted short-term rental accommodation; (xii) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1); (xiii) a park home park; (xiv) a retirement village as defined in the Retirement Villages Act 1992 section 3(1); (xv) a road house; (xvi) workforce accommodation;

SECTION 83A CHANGES REQUESTED BY MINISTER

Under section 83A(2)(b) of the *Planning and Development Act 2005*, the Minister required the following modifications to be made to the proposed amendment prior to the amendment being advertised:

1. Modify point 2B of the Form 2A to read as follows:

   Insert the following new Land Use Category:

Category 8: Short-Term Rental Accommodation *Description:* *Includes hosted and unhosted short-term rental accommodation*	*Land Use* *8A Hosted Short-term Rental Accommodation* *8B Unhosted Short-term Rental Accommodation*

2. Modify Point 11 of the Form 2A to delete and replace the following text:

   Amend clauses 4.2.4(e)(i) and 4.4.4(c)(i):

   From:

   "Serviced Apartments means buildings which include self-contained units used for short stay accommodation together with associated office and service facilities, but the term does not include a hostel', a hotel, a motel or a lodging house; and"

   To:

   "Serviced Apartments means buildings which include self-contained units used for short-stay accommodation together with associated office and service facilities, but the term does not include hostel, hotel, lodging house, or other types of tourist and visitor accommodation.'

   With

   Amend clauses 4.2.4 and 4.4.4:

   i. *Remove reference to 'Serviced Apartments' and replace it with 'Multiple dwelling' within clauses 4.2.4(b) and 4.4.4(b),*

   ii. *Add in 'Unhosted short term accommodation' as a development use within 4.2.4(b) and4.4.4(b),*

   iii. *Delete the following subclauses 4.2.4 (c) 4.2.4 (d) 4.2.4(e) 4.4.4(c).*

Section 83A – Modified Scheme Amendment

SECTION 83A: CHANGES REQUESTED BY MINISTER

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO CITY PLANNING SCHEME

City of Perth

City of Perth Local Planning Scheme No. 26

Amendment No. 7

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. Amend clause 3.2 'Land Use Categories' by replacing '*seven'* with '*eight'*.
2. In Table 1: Land Use Categories:
   A. Amend 'Category 5: Residential Land Uses' to:
      v. Delete the following land uses under 5B Transient Residential:
         - *Short Term Accommodation*; and
         - *Serviced Apartments*.
      vi. Insert the land use *Tourist and Visitor Accommodation* under 5B Transient Residential.
   B. Insert the following new Land Use Category:

CATEGORY 8: SHORT-TERM RENTAL ACCOMMODATION	**LAND USES**
Description: Includes hosted and unhosted short-term rental accommodation	8A Hosted Short-term Rental Accommodation 8B Unhosted Short-term Rental Accommodation

3. Amend Part 4: Claisebrook Village Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

   A. clause 4.2.2, Precinct EP1: Claisebrook Inlet
   B. clause 4.2.5, Lot 70 (No. 75) Haig Park Circle
   C. clause 4.3.2, Precinct EP2: Constitution Street
   D. clause 4.4.2, Precinct EP3: Royal Street Central
   E. clause 4.5.2, Precinct EP4: Silver City
   F. clause 4.6.2, Precinct EP5: Royal Street West
   G. clause 4.7.2, Precinct EP6: Boans
   H. clause 4.8.2, Precinct EP7: East Parade
   I. clause 4.9.2, Precinct EP8: Belvidere
   J. clause 4.10.2, Precinct EP9: Brown Street
   K. clause 4.13.2, Precinct EP12: Waterloo
   L. clause 4.14.2, Precinct EP13: Plain Street

4. Amend Part 4: Claisebrook Village Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

   A. clause 4.11.2, Precinct EP10: Riverbank
   B. clause 4.12.2, Precinct EP11: Cemeteries

5. Amend Part 5: New Northbridge Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 5.4.2, Precinct NB1: Russell Square

B. clause 5.5.2, Precinct NB2: Lake Street

C. clause 5.6.2, Precinct 22: Museum Street

6. Amend Part 6: Perth City Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 6.2.2, Precinct 35: Horseshoe Bridge Plaza (Yagan Square)

7. Amend Part 7: Perth Cultural Centre Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 7.2.2, Precinct 36: James Street

B. clause 7.3.2, Precinct 37: William Street

8. Amend Part 8: Elizabeth Quay Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

A. clause 8.2.2, Precinct 40: Barrack Street

9. Amend Part 9: Riverside Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	Use Symbol

Category 8A Hosted Short-term Rental Accommodation	P
Category 8B Unhosted Short-term Rental Accommodation	C

A. clause 9.2.2, Precinct EP25: Queens

B. clause 9.4.2, Precinct EP29: WACA

C. clause 9.6.2, Precinct EP31: Gloucester Park

D. clause 9.7.2, Precinct EP32: Hillside

10. Amend Part 9: Riverside Project Area to insert the following Land Use Categories and Use Symbols into the following clauses:

Land Use Category	**Use Symbol**
Category 8A Hosted Short-term Rental Accommodation	X
Category 8B Unhosted Short-term Rental Accommodation	X

A. clause 9.5.2, Precinct EP30: Trinity College

11. Amend clauses 4.2.4 and 4.4.4:

A. Remove reference to 'Serviced Apartments' and replace it with 'Multiple dwelling' within clauses 4.2.4(b) and 4.4.4(b),

B. Add in 'Unhosted short term accommodation' as a development use within 4.2.4(b) and4.4.4(b),

C. Delete the following subclauses 4.2.4 (c) 4.2.4 (d) 4.2.4(e) 4.4.4(c).

12. In Schedule 1: Interpretations, insert the following land use definitions as per Schedule 1 – Model Provisions for Local Planning Schemes:

Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;
Tourist and Visitor Accommodation	(g) means a building, or a group of buildings forming a complex, that — (ix) is wholly managed by a single person or body; and (x) is used to provide accommodation for guests, on a commercial basis, with no individual guest

	accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and (xi) may include on-site services and facilities for use by guests; and (xii) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and (h) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but (i) does not include any of the following — (xvii) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1); (xviii) a caravan park; (xix) hosted short-term rental accommodation; (xx) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1); (xxi) a park home park; (xxii) a retirement village as defined in the Retirement Villages Act 1992 section 3(1); (xxiii) a road house; (xxiv) workforce accommodation;

FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 27th day of May, 2025.

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 27th day of May, 2025, proceed to advertise this Amendment.

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended _____ by resolution of the City of Perth at the Ordinary Meeting of the Council held on the___ day of _____, 20 ___and the Common Seal of the City of Perth was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....

DELEGATED UNDER S.16 OF

THE P&D ACT 2005

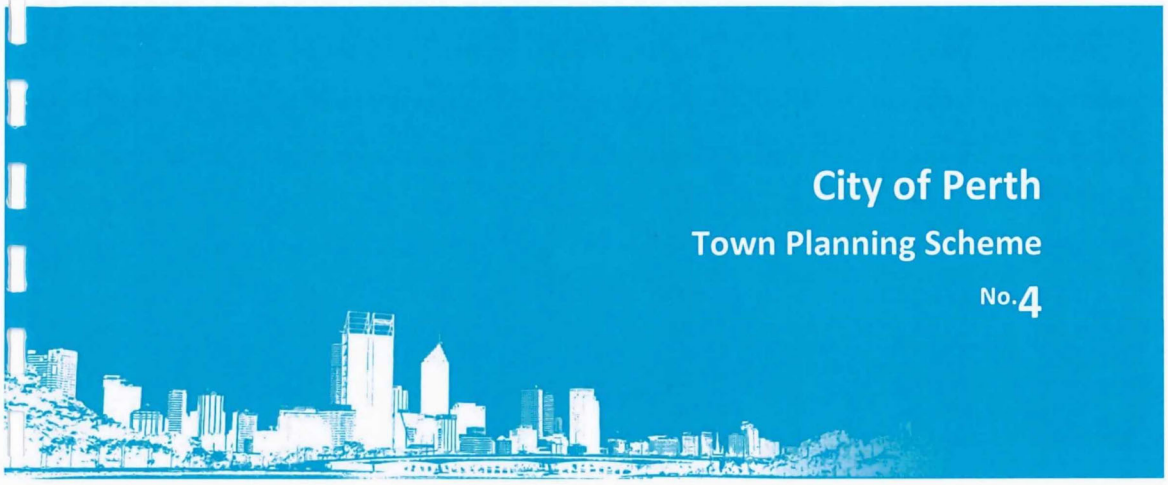
DATE.....

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....



City of Perth
Town Planning Scheme
No. 4

Amendment No. 26



This page has been left intentionally blank

CITY of PERTH

City of Perth
Town Planning Scheme No. 4

Amendment No. 26

Summary of Amendment Details

Update scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for short-term rental accommodation.

This page has been left intentionally blank

FORM 2A

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO LOCAL PLANNING SCHEME

City of Perth

Town Planning Scheme No. 4

Amendment No. 26

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. In Schedule 1: Definitions:

   A. Delete the definitions for:

      (a) Bed and Breakfast

      (b) Motel; and

      (c) Serviced Apartments.

   B. Insert the definition 'Tourist and Visitor Accommodation' as per Schedule 1 – Model Provisions for Local Planning Schemes.

      Tourist and Visitor Accommodation: *means*

      (a) a building, or a group of buildings forming a complex, that —

         (i) is wholly managed by a single person or body; and

         (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and

         (iii) may include on-site services and facilities for use by guests; and

         (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and

      (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or

cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but

(c) does not include 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) hosted short-term rental accommodation;

(iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);

(v) a park home park;

(vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);

(vii) a road house;

(viii) workforce accommodation;

C. Amend the definition of Floor area of a building by deleting paragraph (b)(ii) and inserting:

(b)(ii) those parts of each of the floors used for residential purposes of a hotel, tourist and visitor accommodation, an educational establishment, an institutional building or a hospital which accommodates members of the staff of the hospital, including the area of passages, lobbies, amenities and accessways, but shall not include the area of lift shafts, stairs, plant rooms, non-habitable floorspace in basements, private car parks and any portion of an open balcony which portion is of not more than 2.4 metres in depth provided that the longest open side of the balcony has no enclosure other than a balustrade of not more than 1.05 metres in height and to which there is no access other than by way of the tenancy of which it forms an exclusive part; and

D. Amend the definition for Hotel as per Schedule 1 – Model provisions for local planning schemes.

***Hotel:** means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;*

2. In Table 1 – Zoning Table, insert the following land uses and permissibility:

USE CLASSES	RESIDENTIAL R15 AND R20	RESIDENTIAL R30, R35, R40, R50 AND R60	RESIDENTIAL R80	TOWN CENTRE	COMMERCIAL/ RESIDENTIAL	NEIGHBOURHOOD MIXED USE	LOCAL CENTRE	TOWN CENTRE DEVELOPMENT ZONE
Hosted Short-Term Rental Accommodation	P	P	P	-	-	P	-	REFER TO SCHEDULE 8
Tourist and Visitor Accommodation	X	D	D	-	-	D	-	
Unhosted Short-Term Rental Accommodation	D	D	D	-	-	D	-	

3. In Table 1 – Zoning Table, delete the following land uses and associated permissibility:
   A. Bed & Breakfast; and
   B. Serviced Apartments.

4. In Table No. 2 – Car Parking Requirements, insert the following land uses and corresponding number of parking bays:
   A. Unhosted Short-term Rental Accommodation; as per Residential Design Codes.
   B. Tourist and Visitor Accommodation; 1 per unit of accommodation.

5. In Table No. 2 – Car Parking Requirements, delete the following land uses and associated parking requirements:
   A. Bed and Breakfast Establishment
   B. Motel; and
   C. Serviced Apartments.

6. In Schedule 7: End of Trip Facilities for Bicycle Users, insert in alphabetical order the following:

Tourist and Visitor Accommodation	1 per 750m^2 net lettable area	1 or 2	Nil	N/A

7. In Schedule 7: End of Trip Facilities for Bicycle Users, delete the following land uses and associated end of trip facility requirements:
   A. Bed and Breakfast Establishment
   B. Motel; and
   C. Serviced Apartments.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

1. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
2. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
3. The amendment is not considered a complex or basic amendment.

Dated this 5 **day of** June **20**25

CHIEF EXECUTIVE OFFICER

Scheme Amendment Report

1.0 Introduction

The purpose of this amendment is to amend the City's Town Planning Scheme No. 4 (TPS4) to implement the State Government's planning reforms for Short-Term Rental Accommodation (STRA).

This amendment is required to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', along with removal of superseded land uses. The following report provides further detail and background information on these changes, including specific implications for the City.

2.0 Background

Short-Term Rental Accommodation refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. The State Government has committed to various initiatives to deliver better regulation of the short-term rental accommodation sector.

In November 2023, the Western Australian Planning Commission (WAPC) released its Position Statement: Planning for Tourism and Short-Term Rental Accommodation (Position Statement) and associated Guidelines. The release of the Position Statement complemented other whole-of-government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia. This included development of a state-wide registration scheme for STRA, as well as an incentive scheme to encourage transition of properties from the short to long term rental market.

Alongside the registration scheme, which sits separately to the planning system and is mandatory for all STRA, amendments to the planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint. The planning changes, which have triggered the need for the City to amend its schemes, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes. The Minister for Planning has instructed local governments to amend local planning schemes to incorporate Planning Reform changes related to STRA by 1 July 2025.

At its meeting on 30 April 2024, Council resolved to seek approval from the Western Australian Planning Commission to advertise draft Local Planning Scheme No. 3 (LPS3). As draft LPS3 will not be gazetted prior to 1 July 2025, officers from the DPLH have advised that the current local planning scheme is required to be amended to implement the STRA changes in accordance with the instructions from the Minister for Planning.

The City's Local Planning Strategy, endorsed by the WAPC on 30 May 2023, has set directions to increase the permanent residential population of Perth city, along with housing and household diversity, and to manage land use conflict between tourism and accommodation uses and other land uses. This amendment aligns with the direction of the Local Planning Strategy.

3.0 Planning Framework

3.1 State Planning Framework

3.1.1 Position Statement

The Position Statement foreshadowed a series of amendments to the Regulations with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA. Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for hosted STRA and a 90-night exemption for unhosted STRA within the Perth Metropolitan Area. The Position Statement also includes guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

3.1.2 *Planning and Development (Local Planning Schemes) Regulations 2015*

The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) are a key component of Western Australia's planning system comprising of three major parts:

- The LPS Regulations set out the process for preparing or amending a local planning scheme.
- Schedule 1 – Model provisions for local planning schemes, are to be used by local governments in preparing or amending a local planning scheme.
- Schedule 2 – Deemed provisions for local planning schemes, are to be read automatically into all local planning schemes and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to Schedules 1 and 2 of the LPS Regulations have been made to facilitate the necessary planning changes of the State Government's STRA reform initiatives, as envisaged by the Position Statement. The changes are summarised as:

- New deemed land use classes of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes.
- New deemed general terms to define 'short-term rental accommodation' and link to the overarching *Short-Term Rental Accommodation Act 2024*, which provides the legal framework for the STRA Register.
- A new model land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA and consolidate several existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions.
- A state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings).
- A 90-night (cumulative) exemption within a 12-month period for 'unhosted short-term rental accommodation' in the Perth metropolitan area.

The implications of these changes for the City are detailed further in the following sections of this report.

3.1.3 Improvement Plan No. 63 – UWA QEII (Specialised) Activity Centre

The WAPC's State Planning Framework identifies the University of Western Australia, the QEII Medical Centre, and immediate surrounds, as a specialised activity centre. These types of centres focus on regionally significant economic and institutional activities and the State Planning Framework requires that they are comprehensively planned, with a primary aim being to protect the underlying land use while fostering growth and further clustering.

On 28 June 2024, Improvement Plan No. 63 came into effect, covering TPS4 within the City of Perth district, except for the Derbarl Yerrigan / Swan River foreshore reserves.

Section 122A of the *Planning and Development Act 2005* enables the WAPC to introduce an Improvement Scheme in areas where an improvement plan is in place, with the provisions of an Improvement Scheme prevailing over the applicable local planning scheme. It is anticipated that a UWA QEII (Specialised) Activity Centre Improvement Scheme will be introduced in the near-term and will supersede TPS4.

3.2 Local Planning Framework

3.2.1 City of Perth Local Planning Strategy

The City's Local Planning Strategy (Strategy) was adopted in May 2023 to guide the growth and development of the city to 2036. It is the foundation document for the effective planning, management and delivery of development, infrastructure, facilities, places, and spaces.

Of relevance to this amendment, the Strategy identifies planning directions and actions to:

- Increase the permanent residential population of the city, along with housing and household diversity; and
- Manage land use conflict between tourism and accommodation uses and other land uses.

The State Government's planning reforms for short-term rental accommodation will assist the City in delivering these planning directions, as they will help to manage the effects of tourism and short-term rental accommodation on the local housing market, including impacts on housing supply and the availability of dwellings for long-term rental.

The amendment will introduce 'unhosted short-term rental accommodation' as a 'discretionary' use. This will assist the City in fulfilling the action to better manage land use conflicts between tourism and short-term rental accommodation activities and other land uses, particularly permanent residences.

3.2.3 City of Subiaco Town Planning Scheme No. 4

TPS4 was prepared by the City of Subiaco and gazetted on 23 March 2001 and last updated via an amendment gazetted on 1 April 2016; however, the *City of Perth Act 2016* had received Royal Assent on 3 March 2016 and came into full operation on 4 March 2016, transferring portions of the suburbs of Crawley and Nedlands from the City of Subiaco district to the City of Perth. Since that time, the City of Perth has continued to administer TPS4 within its district, under s.73(2) of the *Planning and Development Act 2005*.

TPS4 contains eight zones; however, within the City of Perth district, only four of those zones are applicable, namely:

- Residential R15 and R20
- Residential R30, R35, R40, R50, R60

- Residential R80; and
- Neighbourhood Mixed Use.

The short-term accommodation land uses include only 'bed and breakfast' and 'serviced apartments'. The short-term rental of individual dwellings (i.e., unhosted STRA) does not fit within the current land use classes and therefore would be treated as a use not listed.

The relevant uses in TPS4 are assigned the following permissibility in each of the applicable zones:

Table 1 – Current short-term accommodation land use permissibility

USE CLASSES	RESIDENTIAL R15 AND R20	RESIDENTIAL R30, R35, R40, R50, R60	RESIDENTIAL R80	NEIGHBOURHOOD MIXED USE
Bed & Breakfast	A	A	A	A
Serviced Apartments	X	D	P	D

There have been no applications made for the use of individual dwellings as short-term rental accommodation during the period in which the City of Perth has administered TPS4. Similarly, no compliance issues surrounding the use of individual dwellings for this purpose have arisen.

4.0 Proposed Amendment

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment relates to the introduction, modification and deletion of various land use and general definitions in TPS4. The new exemptions are also deemed and as such are already operative; however, this amendment does include changes to the zoning table to reflect the hosted STRA exemption as a permitted use.

4.1 Deemed Short-Term Rental Accommodation Land Use Classes

Whilst the new deemed land use classes are automatically read into the City's scheme through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into scheme zoning tables to ensure absolute clarity from an interpretation perspective, particularly given these uses replace long-standing 'model' land use classes within the City's planning framework.

To implement the required changes, this amendment requires deletion of all references to the land use class of 'bed and breakfast', replaced with the new deemed definition of 'hosted short-term rental accommodation', and the introduction of the new deemed definition of 'unhosted short-term rental accommodation'. This includes amending the Zoning Table and Definitions schedules of the scheme text accordingly.

In addition to the Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint. To reflect these requirements, this amendment proposes the following designations for these new land use classes:

- 'Hosted short-term rental accommodation' is proposed as a Permitted use in all applicable zones within TPS4, to reflect the state-wide exemption in the deemed provisions.
- 'Unhosted short-term rental accommodation' is proposed to be listed as a D use in the Neighbourhood Mixed Use zone, Residential R15 and R20, Residential R30, R35, R40, R50, R60, and Residential R80 zones.

Where a zone within TPS4 does not exist within the City of Perth district, it is proposed to leave the land use permissibility for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' blank and insert the following explanatory note below the Zoning Table to clarify the situation:

NOTE: Land use classes introduced following the City of Perth Act 2016 coming into operation have not been assigned permissibility in zones that do not occur within the City of Perth district.

4.2 Model 'Tourist and Visitor Accommodation' Land Use

A new model land use class of 'tourist and visitor accommodation' has been introduced into the LPS Regulations Schedule 1 – Model provisions for local planning schemes. This definition supersedes various traditional accommodation land use types (excluding 'hotel') and provides a clearer delineation between these uses and 'short-term rental accommodation'.

It is proposed to insert the new land use class of 'tourist and visitor accommodation' into Table 1 – Zoning Table and delete 'motel' and 'serviced apartments'.

Currently, land use permissibility is assigned to 'motel' and 'serviced apartments' in the applicable zones under TPS4 as follows:

Table 2 – Current land use permissibility of 'motel' and 'serviced apartments'

USE CLASSES	RESIDENTIAL R15 AND R20	RESIDENTIAL R30, R35, R40, R50, R60	RESIDENTIAL R80	NEIGHBOURHOOD MIXED USE
Motel	X	X	X	A
Serviced Apartments	X	D	P	D

Recognising that short-term accommodation should not be precluded in any zone where it would have been previously permissible, whether as a 'motel' or 'serviced apartments', it is proposed to assign land use permissibility to 'tourist and visitor accommodation' as follows:

Table 1 – Proposed land use permissibility for 'tourist and visitor accommodation'

USE CLASSES	RESIDENTIAL R15 AND R20	RESIDENTIAL R30, R35, R40, R50, R60	RESIDENTIAL R80	NEIGHBOURHOOD MIXED USE
Tourist and Visitor Accommodation	X	D	D	D

It is acknowledged that 'serviced apartments' is currently a P use in the Residential R80 zone; however, it is considered that the introduction of a requirement to obtain development approval is not unreasonable, as there is no guarantee that 'tourist and visitor accommodation' would have an on-site manager, which could lead to amenity impacts that do not align with the level of residential amenity expected in the zone. By requiring an operator to obtain development approval, the City could apply appropriate planning conditions to ensure a degree of control over how the premises is managed, in the interests of protecting the amenity of surrounding residents.

Although a 'motel' is currently designated as an A use in the Neighbourhood Mixed Use zone, it is considered that the designation of 'tourist and visitor accommodation' as a D use in the zone, consistent with 'serviced apartments', is more appropriate, as the mix of permissible land uses is such that there is less likelihood of any significant amenity impacts occurring. As a D use, advertising can still occur through the development application process.

4.3 New and Revised Land Use and General Definitions

As part of the changes to the Regulations, amendments to some other model definitions were also introduced so as not to cause confusion or conflict with the new short-term rental accommodation land use terms. These include deletion of the definition for 'short-term accommodation', which has been removed to avoid confusion with new terms relating to 'short-term rental accommodation'.

In addition, the definition of 'floor area of a building' in TPS4 references 'a motel, a private hotel, and a serviced apartment' in part (b)(ii):

> ***Floor area of a building:*** *means*
>
> *(a) for a private residential building : the meaning outlined in the definition of plot ratio in the Codes;*
>
> *(b) for a non-private residential building : the gross total area of:*
>
> *(i) each of the floors of a lodging house; or*
>
> *(ii) those parts of each of the floors used for residential purposes of a hotel, a motel, a private hotel, a serviced apartment, an educational establishment, an institutional building or a hospital which accommodates members of the staff of the hospital, including the area of passages, lobbies, amenities and accessways, but shall not include the area of lift shafts, stairs, plant rooms, non-habitable floorspace in basements, private car parks and any portion of an open balcony which portion is of not more than 2.4 metres in depth provided that the longest open side of the balcony has no enclosure other*

than a balustrade of not more than 1.05 metres in height and to which there is no access other than by way of the tenancy of which it forms an exclusive part; and

(c) *for a non-residential building: the gross total area of each of the floors of the building including the area of carparking spaces in public fee-paying car parks but shall not include the area of private car parks, the areas of lift shafts, stairs, toilets, amenities, plant rooms and the thickness of any external walls.*

It is therefore proposed to replace 'a motel, a private hotel, a serviced apartment' with 'tourist and visitor accommodation' for consistency with changes to the model provisions:

(iii) those parts of each of the floors used for residential purposes of a hotel, tourist and visitor accommodation, an educational establishment, an institutional building or a hospital which accommodates members of the staff of the hospital, including the area of passages, lobbies, amenities and accessways, but shall not include the area of lift shafts, stairs, plant rooms, non-habitable floorspace in basements, private car parks and any portion of an open balcony which portion is of not more than 2.4 metres in depth provided that the longest open side of the balcony has no enclosure other than a balustrade of not more than 1.05 metres in height and to which there is no access other than by way of the tenancy of which it forms an exclusive part; and

The definition of 'hotel' in TPS4 also references a 'motel' and is inconsistent with the model definition given in the Regulations:

> ***Hotel**: means any land or buildings providing accommodation for the public the subject of a hotel licence granted under the provisions of the Liquor Control Act 1988 and may include a betting agency operated in accordance with the Racing and Wagering Western Australia Act 2009 but does not include a motel, tavern or lodging house the subject of a limited hotel licence or other licence granted under that Act.*

It is therefore proposed to replace this definition with the model definition:

> ***hotel** means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises.*

4.4 Revised Car Parking Requirements and End of Trip Facilities for Bicycle Users

In addition to the changes proposed to land uses and definitions, it is proposed to make corresponding amendments to Table No. 2 – Car Parking Requirements and Schedule 7: End of Trip Facilities for Bicycle Users to ensure that adequate parking and end of trip facilities continue to be provided in new developments. This includes deletion of all references to:

- 'Bed and breakfast establishment'
- 'Motel'; and
- 'Serviced apartments'.

In Table No. 2 – Car Parking Requirements, it is proposed to insert in alphabetical order the following land uses and number of parking bays:

- Tourist and visitor accommodation; 1 per unit of accommodation.
- Unhosted short-term rental accommodation; as per Residential Design Codes.

The proposed requirement for 'tourist and visitor accommodation' is consistent with those of 'serviced apartments' and the accommodation component of a 'motel'. As 'unhosted short-term rental accommodation' is the short-term rental of a single dwelling, it is only considered necessary that the parking requirements of the Residential Design Codes are met.

In Schedule 7: End of Trip Facilities for Bicycle Users, it is proposed to insert in alphabetical order the following:

Tourist and Visitor Accommodation	1 per 750m^2 net lettable area	1 or 2	Nil	N/A

These requirements are consistent with those of 'serviced apartments' and will ensure an adequate level of on-site bicycle parking and the provision of suitable end of trip facilities.

4.5 Scheme Amendment Classification

The proposed scheme amendment is considered to be a standard scheme amendment under the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:

- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- The amendment is not considered a complex or basic amendment.

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT

TO LOCAL PLANNING SCHEME

City of Perth

City of Subiaco Town Planning Scheme No. 4

Amendment No. 26

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. In Schedule 1: Definitions:

   A. Delete the definitions for:

      (a) Bed and Breakfast

      (b) Motel; and

      (c) Serviced Apartments.

   B. Insert the definition 'Tourist and Visitor Accommodation' as per Schedule 1 – Model Provisions for Local Planning Schemes.

      Tourist and Visitor Accommodation: *means*

      (a) a building, or a group of buildings forming a complex, that —

      (i) is wholly managed by a single person or body; and

      (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and

      (iii) may include on-site services and facilities for use by guests; and

      (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and

      (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but

      (c) does not include 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) *hosted short-term rental accommodation;*

(iv) *a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*

(v) *a park home park;*

(vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*

(vii) *a road house;*

(viii) *workforce accommodation;*

C. Amend the definition of Floor area of a building by deleting paragraph (b)(ii) and inserting:

(b)(ii) those parts of each of the floors used for residential purposes of a hotel, tourist and visitor accommodation, an educational establishment, an institutional building or a hospital which accommodates members of the staff of the hospital, including the area of passages, lobbies, amenities and accessways, but shall not include the area of lift shafts, stairs, plant rooms, non-habitable floorspace in basements, private car parks and any portion of an open balcony which portion is of not more than 2.4 metres in depth provided that the longest open side of the balcony has no enclosure other than a balustrade of not more than 1.05 metres in height and to which there is no access other than by way of the tenancy of which it forms an exclusive part; and

D. Amend the definition for Hotel as per Schedule 1 – Model provisions for local planning schemes.

Hotel: *means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;*

2. In Table 1 – Zoning Table, insert the following land uses and permissibility:

USE CLASSES	RESIDENTIAL R15 AND R20	RESIDENTIAL R30, R35, R40, R50 AND R60	RESIDENTIAL R80	TOWN CENTRE	COMMERCIAL/ RESIDENTIAL	NEIGHBOURHOOD MIXED USE	LOCAL CENTRE	TOWN CENTRE DEVELOPMENT ZONE
Hosted Short-Term Rental Accommodation	P	P	P	-	-	P	-	REFER TO SCHEDULE 8
Tourist and Visitor Accommodation	X	D	D	-	-	D	-	
Unhosted Short-Term Rental Accommodation	D	D	D	-	-	D	-	

3. In Table 1 – Zoning Table, delete the following land uses and associated permissibility:
   A. Bed & Breakfast; and
   B. Serviced Apartments.

4. In Table No. 2 – Car Parking Requirements, insert the following land uses and corresponding number of parking bays:
   A. Unhosted Short-term Rental Accommodation; as per Residential Design Codes.
   B. Tourist and Visitor Accommodation; 1 per unit of accommodation.

5. In Table No. 2 – Car Parking Requirements, delete the following land uses and associated parking requirements:
   A. Bed and Breakfast Establishment
   B. Motel; and
   C. Serviced Apartments.

6. In Schedule 7: End of Trip Facilities for Bicycle Users, insert in alphabetical order the following:

Tourist and Visitor Accommodation	1 per 750m^2 net lettable area	1 or 2	Nil	N/A

7. In Schedule 7: End of Trip Facilities for Bicycle Users, delete the following land uses and associated end of trip facility requirements:
   A. Bed and Breakfast Establishment
   B. Motel; and
   C. Serviced Apartments.

This page has been left intentionally blank

FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 27th day of May, 2025.

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 27th day of May, 2025, proceed to advertise this Amendment.

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended _____ by resolution of the City of Perth at the Ordinary Meeting of the Council held on the _____ day of_____, 20___ and the Common Seal of the City of Perth was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....

DELEGATED UNDER S.16 OF

THE P&D ACT 2005

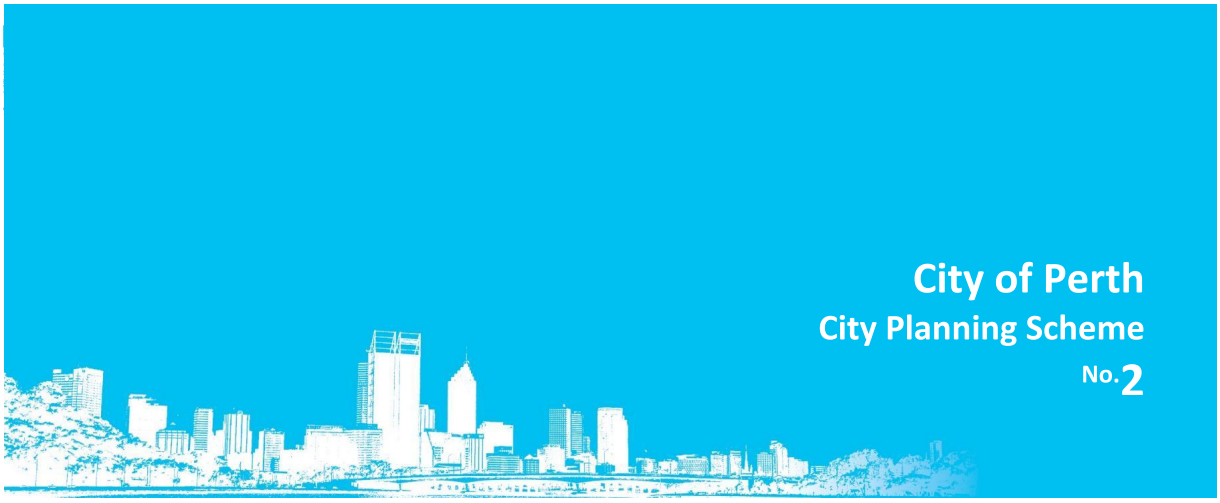
DATE.....

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....



Planning Policy Manual – Part 1

Section 3.9
Special Residential and Short-Term Rental Accommodation



Version #	Decision Reference	Synopsis
1.	18 September 2007	Adopted
2.	26 February 2013	Amended
3.	11 April 2017	Amended



CONTENTS

SECTION	TITLE	PAGE
1.0	CITATION	4
2.0	PURPOSE AND APPLICATION	4
2.1	Application	4
2.2	Relationship to other Planning Documents	4
3.0	OBJECTIVES	4
4.0	POLICY – SPECIAL RESIDENTIAL	4
4.1	Design Requirements	4
4.2	Management	5
4.2.1	Management Plan	5
4.2.2	Registration	6
5.0	POLICY – UNHOSTED SHORT-TERM RENTAL ACCOMMODATION (STRA)	6
5.1	Occupancy	6
5.2	Parking	6
5.3	Signage	6
5.4	Strata Schemes	6
5.5	Management	7
5.5.1	Management Plans	7
5.5.2	Registration	8
5.6	Time Limitation of Development Approvals	8



1.0 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 3.9 – Special Residential and Short-Term Rental Accommodation* (LPP 3.9).

2.0 PURPOSE AND APPLICATION

As the capital city of Western Australia, the City of Perth plays an important role in the promotion of tourism and business for Perth and Western Australia.

As the long-term residential population increases in line with the City of Perth *Local Planning Strategy*, it is important to balance the amenity of the residential population with the supply of quality tourism accommodation as an international tourism destination.

The Special Residential land use category comprises of different commercial accommodation land uses that support the tourism industry in the city, ranging from hotels to serviced apartments.

Short-Term Rental Accommodation (STRA) is where a residential dwelling, or portion of a residential dwelling, is occupied by guests for periods of three months or less on a commercial basis. This provides an alternative type of accommodation to Special Residential uses.

This Policy provides guidance to support well designed and managed Special Residential and STRA uses that respond to its setting and positively contributes to the city.

2.1 Application

This Policy applies to all applications for development approval for any Special Residential and Unhosted Short-Term Rental Accommodation (Unhosted STRA) under City Planning Scheme No. 2 (CPS2) and Local Planning Scheme No.26 (LPS26).

2.2 Relationship to other Planning Documents

This policy should be read in conjunction with CPS2 and other relevant planning policies.

Where this policy is inconsistent with CPS2, the provisions of CPS2 prevail to the extent of any inconsistency.

Where this policy is inconsistent with another planning policy, the requirements of this planning policy prevail to the extent of inconsistency.

3.0 OBJECTIVES

To ensure Special Residential and Unhosted STRA uses:

- maintain the amenity and character of the area through ensuring the location, scale, design and operation is appropriate for its location and setting.
- provide a high level of amenity for occupants.
- do not adversely affect the significance of heritage places.
- maintain residential amenity when located near residential uses.

4.0 POLICY – SPECIAL RESIDENTIAL

4.1 Design Requirements

(a) Hotels shall include an entrance foyer with reception desk.



(b) Where permanent Residential and Special Residential uses are proposed within the same building:

i. applications shall demonstrate how the amenity and security of all occupants will be protected through the design and management of the building including separation of these uses;

ii. Communal facilities for the exclusive use of permanent residents are to be provided to maintain residential amenity.

Note:

- *Under the National Construction Code (Class 3 buildings), a proportion of Special Residential accommodation may be required to be designed to accommodate people with a disability; with adequate on-site disabled car parking and universal access to any facilities in the development.*
- *Australian Standard 1670 applies to a change of use to Special Residential for buildings two storeys or higher, which will require a building wide alarm and Fire Indicator Panel to be installed.*

4.2 Management

4.2.1 Management Plan

The most effective method for managing amenity issues is via a Management Plan. The purpose of a Management Plan is to demonstrate the use can operate without undue impact on immediate neighbours and the locality more broadly.

(a) Applications for development approval for any use within the Special Residential use group shall be accompanied by a Management Plan which details how potential amenity impacts will be addressed. This shall include matters such as:

i. details of the property manager;

ii. check in and check out hours and booking procedure;

iii. type or extent of additional services to be offered (e.g. food, beauty treatments, child care);

iv. safety and security arrangements including for the occupants and their guests;

v. management of and access to any shared facilities and communal spaces;

vi. cleaning and laundry facility services/arrangements;

vii. control of noise and other disturbances;

viii. complaints management procedure;

ix. Code of Conduct; and

x. an Emergency Response Plan and Evacuation Plan.

(b) The complaints management procedure shall include:

i. property manager's contact details and how these are made available to guests and nearby owners and occupants;

ii. details of how the property manager will respond to complaints in a timely manner; and

iii. details of how complaints will be recorded. Recorded information shall include:



- name, address, and contact details of complainant;
- details of complaint;
- record of response (date, name and contact of responder, response details); and
- further details of any follow up actions.

(c) A Code of Conduct is to be provided for guests, including details of the property manager, emergency procedures and any other important information guests may need;

(d) With any change of operator, the relevant new details are to be provided to the local government and incorporated into an updated revised management plan.

4.2.2 Registration

All applications should include written evidence demonstrating that the operator has valid membership, licence or accreditation to an appropriate professional board or body, which operates within a code of practice or licensing system. This may be the Australian Hotels Association (WA), Tourism Council of WA, or another appropriate organisation.

Where the operator of the use is unknown at the planning application stage, written evidence of membership will be required prior to occupation.

5.0 POLICY – UNHOSTED SHORT-TERM RENTAL ACCOMMODATION (STRA)

The impact of an Unhosted STRA on neighbouring properties is an important consideration when determining an application for development approval. The following provides requirements for an Unhosted STRA to be addressed in an application for development approval.

5.1 Occupancy

(a) Unhosted STRA shall have a maximum occupancy of two persons per bedroom, up to a maximum of six persons per dwelling.

5.2 Parking

(a) Where car parking is provided for a dwelling, it shall be available for the Unhosted STRA.

5.3 Signage

(a) Signage should be minimised. Where signage is proposed, it shall comply with the following:

i. be affixed to the front/entrance door of the unhosted STRA;

ii. not greater than an A4 sheet of paper;

iii. not illuminated;

iv. be of high quality material;

v. include the current telephone number for the property manager; and

vi. For multiple and grouped dwelling developments, signage shall not be visible from the public realm.

5.4 Strata Schemes

(a) For properties located within a strata scheme, applications for development approval are required to provide the following additional information:



i. a letter from the strata company (or strata management company on behalf of the strata company):

a. confirming there is no by-law effecting a prohibition on Unhosted STRA within individual apartments.

b. confirming there is no by-law effecting a prohibition or management controls on the use of common property by the Unhosted STRA.

ii. a site and floor plan clearly indicating any areas that are proposed to be accessed by guests. This includes the strata lot, and any common property, for example: car parking area, lifts, pool and gym.

(b) Where a lock box is proposed, the lock box shall not be visible from the public realm. A strata scheme should consider a centralised location to reduce visual clutter.

5.5 Management

5.5.1 Management Plan

The most effective method to managing any possible amenity issues is via Management Plan, which will demonstrate that the Unhosted STRA can operate without undue impact on immediate neighbours and the locality more broadly.

(a) Applications for development approval are to be accompanied by a Management Plan which details how potential amenity impacts will be addressed. This should include matters such as:

i. details of the property manager;

ii. check in and check out hours and booking procedure;

iii. minimum and maximum stay requirements;

iv. maximum number of guests;

v. management of visitors;

vi. confirmation of designated on-site parking bays;

vii. alternate transport options to on-site car parking, such as public transport details, and/or nearby paid car parking locations where on-site car parking is not provided;

viii. access to any communal facilities (if allowed), and how guest and visitor usage is managed;

ix. waste management information;

x. cleaning arrangements;

xi. complaints management procedure;

xii. Code of Conduct; and

xiii. an Emergency Response Plan and Evacuation Plan.

(b) The complaints management procedure is to include:

i. property manager's contact details and how these are made available to guests and nearby owners and occupants.

ii. details of how the property manager will manage and respond to complaints in a timely manner.



iii. details of how complaints will be recorded. Recorded information shall include:

- name, address, and contact details of complainant.
- details of complaint.
- record of response (date, name and contact of responder, response details)
- further details of any follow up actions.

Note: Nuisance behaviour that may trigger a complaint include:

- *Violence or threats.*
- *Loud aggressive behaviour including yelling, screaming, or arguing.*
- *Excessively loud noise nuisance.*
- *Light spill.*
- *Barking dogs.*
- *Smoke or odours.*

(c) A Code of Conduct shall be provided for guests, including details of the Property Manager, emergency procedures and any other important information guests may need.

(d) With any change of operator, the relevant new details should be provided to the local government and should incorporate an updated management plan.

5.5.2 Registration

Whilst it is not a requirement at application stage, all STRA require Registration in accordance with the State Government Short-Term Rental Accommodation (STRA) Register.

5.6 Time Limitation of Development Approvals

(a) Development approval for Unhosted STRA may be conditionally granted for an initial period of twelve months. This will be applied where the appropriateness of the Unhosted STRA land use to its setting is dependent upon the effectiveness of proposed management arrangements.

(b) Where a time limited development approval is granted in accordance with clause 5.6 a), the assessment of a subsequent application for development approval to continue the use will consider the management arrangements during the initial 12-month period, with regard to any complaints received during this period.

Tourist and Visitor Accommodation and Unhosted Short-Term Rental Accommodation Local Planning Policy

TOWN PLANNING SCHEME NO.4

Draft May 2025

Version Control

Version #	Date	Action
1	Date of Adoption (00/00/00)	Adopted

Table of Contents

1. Citation 3
2. Purpose and Application 3
2.1 Purpose 3
2.2 Application 3
3. Objectives 3
4. Provisions 4
4.1 Tourist and Visitor Accommodation 4
4.1.1 Management 4
4.2 Unhosted Short-Term Rental Accommodation 5
4.2.1 Occupancy 5
4.2.2 Parking 5
4.2.3 Signage 5
4.2.4 Strata Properties 6
4.2.5 Management 6
4.3 Approval Period 7

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 the Tourist and Visitor Accommodation and Unhosted Short-Term Rental Accommodation Local Planning Policy.

2. Purpose and Application

2.1 Purpose

The purpose of this policy is to:

(a) Guide appropriate design outcomes for tourist and visitor accommodation and unhosted short-term rental accommodation.

(b) Detail the management requirements to balance appropriate standards of amenity for occupants and the long-term residents.

2.2 Application

This policy applies to all applications for development approval for tourist and visitor accommodation and unhosted short-term rental accommodation (unhosted STRA) on land zoned under City of Subiaco Town Planning Scheme No. 4 (TPS4).

3. Objectives

To ensure tourist and visitor accommodation and unhosted STRA:

(a) maintain the amenity and character of the area through ensuring the location, scale, design and operation is appropriate for its location and setting.

(b) provide a high level of amenity for occupants.

(c) do not adversely affect the significance of heritage places.

(d) maintain residential amenity when located near residential uses.

4. Provisions

4.1 Tourist and Visitor Accommodation

4.1.1 Management

4.1.1.1 Management Plan

(a) Applications for development approval are to be accompanied by a management plan which details how potential amenity impacts will be addressed. This shall include matters such as:

i. details of the property manager;

ii. check in and check out hours and booking procedure;

iii. type or extent of additional services to be offered (e.g. food, beauty treatments, child care);

iv. safety and security arrangements including for the occupants and their guests;

v. management of and access to any shared facilities and communal spaces;

vi. cleaning and laundry facility services/arrangements;

vii. control of noise and other disturbances;

viii. Code of Conduct;

ix. complaints management procedure; and

x. an Emergency Response Plan and Evacuation Plan.

(b) The complaints management procedure shall include:

i. property manager's contact details and how these are made available to guests and nearby owners and occupants;

ii. details of how the property manager will respond to complaints in a timely manner; and

iii. details of how complaints will be recorded. Recorded information shall include:

- name, address, and contact details of complainant;
- details of complaint;
- record of response (date, name and contact of responder, response details); and
- further details of any follow up actions.

(c) A Code of Conduct shall be provided for guests, including details of the property manager, emergency procedures and any other important information guests may need.

(d) With any change of operator, the relevant new details must be provided to the local government and incorporated into an updated revised management plan.

4.1.1.2 Registration

(a) All applications are to include written evidence demonstrating that the operator has valid membership to an appropriate professional board or body, which operates within a code of practice or licensing system. This may be the Tourism Council of WA, or another appropriate organisation.

(b) Where the operator of the use is unknown when the development application is submitted, written evidence of membership will be required prior to occupation.

4.2 Unhosted Short-Term Rental Accommodation

4.2.1 Occupancy

(a) Unhosted STRA shall have a maximum occupancy of two persons per bedroom and a maximum of six occupants per dwelling.

4.2.2 Parking

(a) Where car parking is provided for a dwelling, it shall be available for the unhosted STRA.

4.2.3 Signage

Signage should be minimised. Where signage is proposed, it shall comply with the following:

(a) be affixed to the front/entrance door of the unhosted STRA;

(b) not greater than an A4 sheet of paper;

(c) not illuminated;

(d) be of high quality material;

(e) include the current telephone number for the property manager; and

(f) for multiple and grouped dwelling developments, signage shall not be visible from the public realm.

4.2.4 Strata Properties

(a) For properties located within a strata scheme, applications for development approval are required to provide the following additional information:

i. a letter from the strata company (or strata management company on behalf of the strata company):

a. confirming there is no by-law effecting a prohibition on unhosted STRA within individual apartments.

b. confirming there is no by-law effecting a prohibition or management controls on the use of common property by the unhosted STRA.

ii. a site and floor plan clearly indicating any areas that are proposed to be accessed by guests. This includes the strata lot, and any common property, for example: car parking area, lifts, pool and gym.

(b) Where a lock box is proposed, the lock box shall not be visible from the public realm. A strata scheme should consider a centralised location to reduce visual clutter.

4.2.5 Management

4.2.5.1 Management Plan

(a) Applications for development approval are to be accompanied by a Management Plan which details how potential amenity impacts will be addressed. This shall include matters such as:

i. details of the property manager;

ii. check in and check out hours and booking procedure;

iii. minimum and maximum stay requirements;

iv. maximum number of guests;

v. management of visitors;

vi. confirmation of designated on-site parking bays;

vii. alternate transport options to on-site car parking, such as public transport details, and/or nearby paid car parking locations where on-site car parking is not provided;

viii. access to any communal facilities (if allowed), and how guest and visitor usage is managed;

ix. waste management information;

x. cleaning arrangements;

xi. complaints management procedure; and

xii. an Emergency Response Plan and Evacuation Plan.

(b) The complaints management procedure shall include:

i. property manager's contact details and how these are made available to guests and nearby owners and occupants;

ii. details of how the property manager will manage and respond to complaints in a timely manner; and

iii. details of how complaints will be recorded. Recorded information shall include:

- name, address, and contact details of complainant;
- details of complaint;
- record of response (date, name and contact of responder, response details); and
- further details of any follow up actions.

Note. Nuisance behaviour that may trigger a complaint include:

- violence or threats.
- loud aggressive behaviour including yelling, screaming, or arguing.
- excessively loud noise nuisance.
- light spill.
- barking dogs.
- smoke or odours.

(c) A Code of Conduct shall be provided for guests, including details of the property manager, emergency procedures and any other important information guests may need.

(d) With any change of operator, the relevant new details must be provided to the local government and incorporated into an updated revised management plan.

4.2.5.2 Registration

Whilst it is not a requirement at application stage, all STRA require Registration in accordance with the State Government Short-Term Rental Accommodation (STRA) Register.

4.3 Approval Period

(a) Development approval for unhosted STRA may be granted for an initial period of twelve months. This will be applied where the appropriateness of the unhosted STRA land use is dependent upon the effectiveness of proposed management arrangements.

(b) Where a time limited development approval is granted in accordance with clause 4.3 (a), the assessment of a subsequent application for development approval to continue the use will consider the management arrangements during the initial 12 month period, with regard to any complaints received during this period.

ATTACHMENT F: SCHEDULE OF SUBMISSIONS

SHORT-TERM RENTAL ACCOMMODATION - LOCAL PLANNING SCHEME AMENDMENTS AND PLANNING POLICIES

No.	SUBMITTER	SUBMISSION	ADMINISTRATION RESPONSE
1	Damon Brown Unit 125/101 Murray Street, Perth, 6000	**Object to the proposal.** Dear Council, I am writing as an owner of an apartment in the Perth CBD to object to the draft "Tourist and Visitor Accommodation and Unhosted Short-Term Rental Accommodation Local Planning Policy," and the associated amendments to the Local Planning Schemes, due to the complete lack of analysis and guidance regarding long-term housing supply. Specifically, the State Government's Planning for Tourism and Short-term Rental Accommodation Position Statement and Guidelines explicitly require local councils to consider the impact of short-term rentals on long-term housing: • "If land and housing supply pressures are evident or predicted in a local government area, the tourism component of the local planning strategy should be informed by an accommodation demand-supply study and analysis that forecasts future tourism growth, including likely demand for tourist and short-term rental accommodation and long-term (permanent and rental) housing supply." (Page 10, Guidelines) • "Local governments with areas subject to a high supply of short-term rental accommodation and relatively stable housing growth are encouraged to monitor the situation in their communities and adjust policy settings as appropriate." (Page 4, Position Statement) • "Where tourism and/or short-term rental accommodation is significant to the locality or region, the local planning strategy should include substantial detail on issues such as accommodation supply and demand, the rationale for determining	The City provides one response to Submission 1 and 2 as follows: The City acknowledges the importance of balancing short-term rental accommodation (STRA) with long-term housing needs and recognises STRA as a complementary accommodation option to the hotel sector. As at the end of October, less than 4% of dwellings in the City of Perth are registered as Unhosted STRA on the State Government's Short-Term Rental Register. Importantly, the majority of these properties were originally approved as 'Serviced Apartments' and have not been developed or historically used as permanent residential dwellings. On this basis, Unhosted STRA is not currently considered to have a significant impact on the availability of long-term housing within the City.

No.	SUBMITTER	SUBMISSION	ADMINISTRATION RESPONSE
		future land allocation (site size and location), suitable planning controls, and anticipated tourism-infrastructure needs." (Page 3, Position Statement) However, the draft amendment fails to provide any demand-supply analysis, housing impact assessment, or strategic framework for managing unhosted short-term rentals. That said, while it does acknowledge there are more than 350 unhosted short-term rental premises currently operating in the Perth area (a figure already high compared with similar localities) the only strategy proposed is to simply categorise them as "contemplated." There is no guidance on caps, monitoring mechanisms, or policies linking short-term rentals to housing supply outcomes, and without proper controls, this proposal risks further reducing long-term housing availability where housing pressures are already being felt. Furthermore, while I fully acknowledge the role of short-term rentals in supporting tourism, Perth is uniquely positioned compared to other WA local governments because we already have a strong hotel sector that is more than capable of meeting tourist demand. As such, we should be encouraging visitors to stay in these existing hotels, rather than expanding short-term rentals that compete with permanent housing and undermine affordability. Therefore, I respectfully request that the Council reject this draft amendment and instead prepare a revised version that establishes clear caps and monitoring frameworks for unhosted short-term rentals, while prioritising and protecting long-term housing supply for Perth residents. I love living in the City of Perth and want others to have that same opportunity. However, the rapid rise of Airbnb and similar short-term rental platforms is making that dream harder for many people, and this policy, as it stands, does nothing to address this issue. Thank you for your consideration.	The land use permissibility assigned to Unhosted STRA aligns with the expectations of the Western Australian Planning Commission (WAPC), which recommends the use be classified as 'Discretionary' or 'Contemplated' within metropolitan local governments, as outlined in Planning Bulletin 115 and the Planning for Tourism Position Statement. Under the current local planning schemes, Unhosted STRA may be considered as 'Special Residential' (City Planning Scheme No. 2) or 'Transient Residential' (Local Planning Scheme No. 26). To date, there has been a limited number of proposals for permanent dwellings to be utilised as STRA and it is not anticipated that the amendments will result in a significant increase in applications. Assigning Unhosted STRA as a 'Contemplated' or 'Discretionary' use introduces a higher level of regulation than the current schemes and means development applications may be refused based on the appropriateness

No.	SUBMITTER	SUBMISSION	ADMINISTRATION RESPONSE
2	Renata Lowe Executive Director Destination Development Tourism WA	**Submission** I am pleased to provide Tourism Western Australia's (Tourism WA) input into amendments to the abovementioned documents that form part of the planning framework for the City of Perth (CoP). As the State's tourism agency, Tourism WA grows the tourism sector by promoting Western Australia globally as an incredible holiday and business events destination; attracting and promoting world-class sporting, cultural and arts events; improving access, accommodation and tourism experiences; and by informing and empowering the WA tourism industry. Our capital city plays a key role in delivering these outcomes, featuring prominently in international and interstate marketing campaigns; as a destination for events; and as the doorway to our regions. Within this context, an appropriate range of visitor accommodation within the CoP is vital to supporting and growing visitation to the State. For the year to September 2025, Perth hotels recorded the second highest occupancy rates in Australia (just behind Sydney) of 80 per cent (national rate 72 per cent), an increase of around 2 per cent from the same period in 2024. The average daily room rate of $234 (an increase of 5 per cent from the previous year) and RevPAR of $186 (up 8 per cent), compared to $173 nationally, demonstrates the potential demand for accommodation investment in Perth. (Source: STR, CBRE Research). Tourism WA recognises that Short Term Rental Accommodation provides an alternative accommodation choice that is attractive to some visitor markets. While Tourism WA is actively seeking to attract more investment into hotels (including apartment hotels) through its tourism investment attraction initiatives, high construction costs makes new hotel development challenging, and investor confidence is critical to ensure parity with other asset classes. Policy mechanisms to	of the use and can be subject to public consultation. This approach ensures that each proposal is assessed on its merits, with consideration of local amenity and community feedback. The planning policies provide appropriate guidance on assessing amenity impacts on permanent residential dwellings. In conjunction with the State Government's Short-Term Rental Register, this provides the City with a mechanism to monitor the prevalence and impact of Unhosted STRA and adjust policy settings if necessary. In addition to the above, the Local Planning Strategy (Strategy) was endorsed by the WAPC in 2023 and sets the long-term strategic planning direction for the City. The Strategy sets a residential population target of 55,000 by 2036 and includes actions to promote greater housing diversity and density. This has been implemented in LPS3 by increased plot ratio, and development incentives for residential. The City will monitor and review implementation of the Strategy and

No.	SUBMITTER	SUBMISSION	ADMINISTRATION RESPONSE
		regulate, and contain, the conversion of residential apartments into short term accommodation is encouraged to ensure that hotel demand metrics remain consistent and measurable. An increase in the supply of housing in Perth and broader Western Australia is a State Government mandate. While short stay accommodation is critical for a growing visitor economy, Tourism WA recognises that a permanent residential population is essential for the city to function effectively. A critical mass of permanent city-based residents creates vibrancy and supports the establishment and retention of businesses, enabling new and existing enterprises to thrive. With the Edith Cowan University Campus nearing completion, additional long-term accommodation will be required for students and supporting industry workers. Tourism WA further notes that mixed residential/short stay buildings can cause amenity conflicts between permanent residents and short stay guests and that these uses should be separated, where possible. Thank you for the opportunity to provide input into this amendment. Should you have any enquiries please do not hesitate to contact *(email address withheld).*	LPS3 to ensure the City is delivering the outcomes. This includes tracking residential development and feasibility, population growth, housing supply and affordability, rate of conversion of long-term residential dwelling into long-term Unhosted STRA and uptake of development incentives.
3	Resident No Fixed Address. Details withheld at submitters request.	**Object to the proposal.**	The submission is noted.

No.	SUBMITTER	SUBMISSION	ADMINISTRATION RESPONSE
4	Landowner. 20 Royal Street East Perth. Details withheld at submitters request.	**Object to the proposal.** 1. Obviously aware and understand requirement to align policy wording, but wording change to unhosted short term needs clarification to avoid future problems 2. Would support proposal with amendments (no option to select for this) I write in relation to the proposed Amendment No.7 to Local Planning Scheme No.26 and the associated revisions to Planning Policy 3.9 – Special Residential and Short-Term Rental Accommodation. Thank you for the opportunity to provide feedback. We appreciate the City's clarification that: • Existing approvals for *Serviced Apartments* remain valid and are not replaced by the new terms "Multiple Dwelling" or "Unhosted Short-Term Rental Accommodation." • Properties already approved for serviced apartments may continue to operate as short-stay accommodation year-round, without being subject to the 90-day cap that applies to unhosted STRA. To ensure there is no ambiguity in future interpretation, we respectfully request that the following points are explicitly recorded in the scheme amendment documentation or explanatory notes: 1. **Continuation of Existing Rights** That existing approvals for Serviced Apartments at 20 Royal Street, East Perth remain valid and unaffected by the introduction of the terms "Multiple Dwelling" and "Unhosted Short-Term Rental Accommodation." 2. **Exemption from 90-day Cap** That properties at 20 Royal Street already approved for Serviced Apartments are not subject to the 90-day exemption for Unhosted STRA and may continue to operate year-round as short-stay accommodation.	Amending provisions and/or notes in the scheme text to include details of planning approvals is not considered appropriate. The validity of existing approvals is protected through more general provisions of the LPS Regulations and local planning scheme. Including specific references to existing approvals in the scheme text is not standard practice and could inadvertently imply that only those mentioned are protected. It could also have implications should landowners seek further approvals for the property that modify these existing approvals. Additional text has been inserted into the Scheme Amendment Report for Amendment No.7 to LPS26 to clarify the scheme amendment does not change any current valid planning approvals. All planning approvals that are valid continue to apply.

No.	SUBMITTER	SUBMISSION	ADMINISTRATION RESPONSE
		3. **Pathway to Permanent Occupancy** That where "Multiple Dwelling" is introduced, landowners may apply for development approval to enable permanent residency beyond the current 12-month same-tenant restriction. We support the City's efforts to align with State reforms while maintaining certainty for existing landowners. However, we believe recording these clarifications will provide long-term consistency for both owners and City officers. Our points we would like to make regarding the changes to wording: The final scheme amendment (or at least the explanatory report) should clearly states • Existing approvals at 20 Royal St remain valid and are not subject to the 90-day cap. • Owners may lawfully continue to operate as short-stay/serviced apartments year-round without further development approval without this clarity. • Some owners may assume "Multiple Dwelling" allows permanent residential use. • Others may assume "Unhosted STRA" forces them under the 90-day cap. That uncertainty undermines confidence in the scheme and property values. To avoid the above, we suggest inserting a note in Clause 4.2.4 (or in the amendment explanatory text) along the lines of: "For the avoidance of doubt, the existing development approvals for Lots 1-85 and 1-79 at 20 Royal Street, East Perth, permitting short-stay accommodation use, remain valid and unaffected by the 90-day limit applicable to unhosted short-term rental accommodation under the deemed provisions.	