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Western
Australian
Planning
Commission

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BY:

Our ref: TPS/3320
Enquiries: Local Planning Schemes
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Chief Executive Officer
City of Perth
GPO Box C120
PERTH WA 6839

Transmission via electronic mail to: planning@cityofperth.wa.gov.au

Dear Sir/Madam

CITY OF PERTH LOCAL PLANNING SCHEME NO. 26 AMENDMENT NO. 7

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act.

In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the *Government Gazette*.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier and Cabinet on (08) 6552 6000. One signed set of the amending documents are returned for your records.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au

Yours sincerely

Ms Sam Boucher
Secretary
Western Australian Planning Commission

4/02/2026

Planning and Development Act 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

**City of Perth
Local Planning Scheme No. 26 Amendment No. 7**

File: TPS/3320

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the abovementioned amendment to the City of Perth Local Planning Scheme No. 26 on 2 February 2026 for the purpose of:

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	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: Horeshoe Bridge Plaze (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. clauses 9.2.2, Precinct EP25: Queens

B. clauses 9.4.2, Precinct EP29: WACA

C. clauses 9.6.2, Precinct EP32: Hillside

10. Amend Part 9: Riverside Project Area to insert the following Land Use Category 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 rental accommodation' as a development use within 4.2.4(b) and 4.4.4(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 <i>Liquor Control Act 1988</i> 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 one 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 <i>Land Tax Assessment Act 2002</i> section 38A(1); (ii) a caravan park; (iii) hosted short-term rental accommodation; (iv) a lodging-house as defined in the <i>Health (Miscellaneous Provisions) Act 1911</i> section 3(1); (v) a park home park; (vi) a retirement village as defined in the <i>Retirement Villages Act 1992</i> section 3(1); (vii) a road house; (viii) workforce accommodation.

B REYNOLDS
LORD MAYOR

M REYNOLDS
CHIEF EXECUTIVE OFFICER

City of Perth
Local Planning Scheme
No. 26



Page 10 of 10

Amendment No. 7

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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.



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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	LAND USES
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 -	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.	
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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:

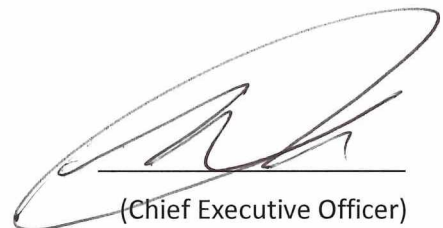
Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;
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<i>Tourist and Visitor Accommodation</i>	(a) means a building, or a 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;
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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 30/5/25 day of _____ 20__



(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: - encouragement of a socially diverse inner city population; - the provision of a diversity of housing and accommodation types, size and tenure; - the provision of social and affordable housing; - the provision of universally accessible and adaptive housing; - the compatibility of new residential development with existing land uses; and - 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 – - shall refuse the application if it involves a change of use prohibited by clause 35; and - 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'
<i>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.</i>	<i>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.</i>

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:

- 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.

- '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'
<i>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.</i>	<i>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.</i>

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.

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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	LAND USES
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.	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:

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

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) and 4.4.4(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
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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) and 4.4.4(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:

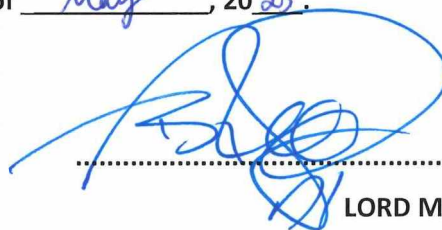
Hotel	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises;
Tourist and Visitor Accommodation	(g) means a building, or a group of buildings forming a complex, that — (ix) is wholly 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;
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	(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;
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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, 20 25.



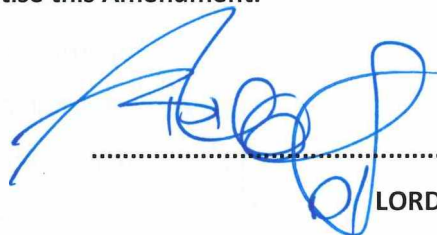
LORD MAYOR



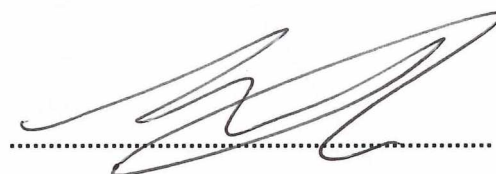
CHIEF EXECUTIVE OFFICER

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.



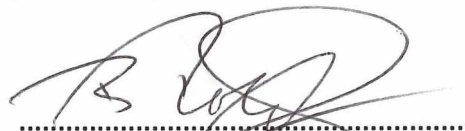
LORD MAYOR



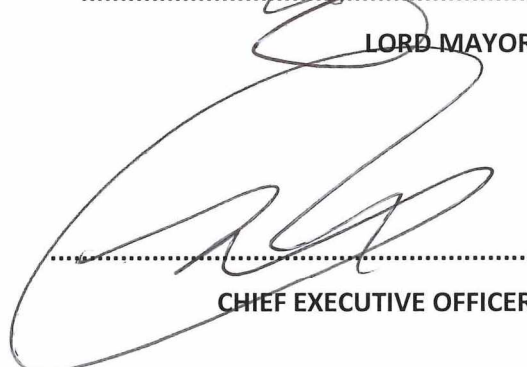
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the City of Perth at the Ordinary Meeting of the Council held on the 9th day of December, 20 25 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)

Cellums

DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....15/1/26.....

APPROVAL GRANTED

It is hereby certified that this is a true copy of the
~~Scheme Amendment~~, final approval to which was
endorsed by the Minister for Planning on 2/2/2026

Certified by*AS. Secker*.....

Officer of the Commission Duty authorised pursuant
to Section 24 of the Planning and Development Act
2005 and Regulation 32(3) Scheme and Regulation
63(3) (Amendment) of the Planning and Development
(Local Planning Scheme) Regulations 2015.

.....
MINISTER FOR PLANNING

DATE.....