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Western
Australian
Planning
Commission

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25 FEB 2026

Our ref: TPS/3323
Enquiries: Local Planning Schemes
Email: localplanningschemes@dplh.wa.gov.au

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. 5 AMENDMENT NO. 26A

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

Sam Boucher

Ms Sam Boucher
Secretary
Western Australian Planning Commission
20/02/2026

Planning and Development Act 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Perth

Local Planning Scheme No. 4 Amendment No. 26A

File: TPS/3323

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. 4 on 18 February 2026 for the purpose of:

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;

1. 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	A	A	A	-	-	D	-	

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

- A. Bed & Breakfast; and
- B. Serviced Apartments.

3. 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.

4. 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. Service Apartments.

5. 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
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6. 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. Service Apartments.

B REYNOLDS
LORD MAYOR

M REYNOLDS
CHIEF EXECUTIVE OFFICER

City of Perth
Town Planning Scheme
No. 4



Amendment No. 26

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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.



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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
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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 2025



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
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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
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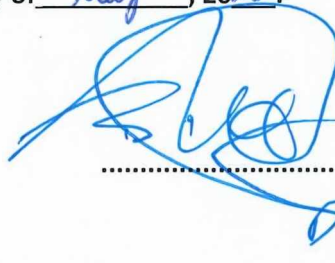
7. In Schedule 7: End of Trip Facilities for Bicycle Users, delete the following land uses and associated end of trip facility requirements:

- A. Bed and Breakfast Establishment
- B. Motel; and
- C. Serviced Apartments.

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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, 2025.



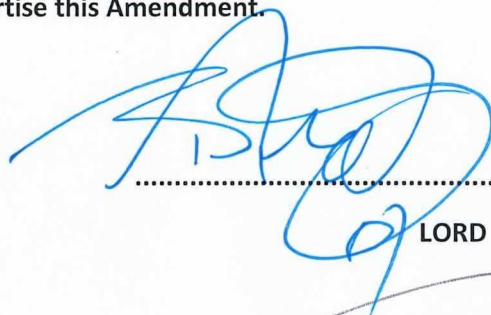
LORD MAYOR



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.



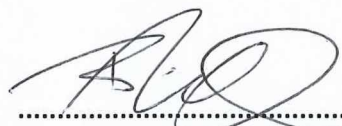
LORD MAYOR



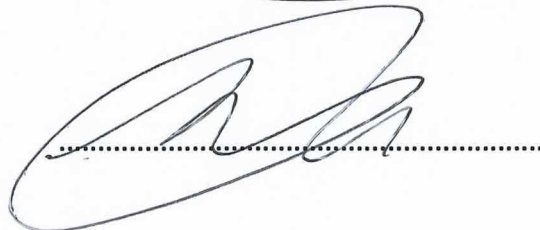
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the City of Perth at the Ordinary Meeting of the Council held on the 9th day of December, 2025 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



**Amendment modified as directed by the
Minister for Planning**

Letter dated 4 February 2026



Western
Australian
Planning
Commission

Our ref: TPS/3323
Enquiries: Local Planning Schemes
Email: localplanningschemes@dplh.wa.gov.au

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. 5 AMENDMENT NO. 26A

The Western Australian Planning Commission (Commission) has considered Amendment No 26A 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 required the amendment to be modified in the following manner in accordance with section 87(2)(b) of the Act, before it is resubmitted under section 87(1):

To modify the scheme amendment by replacing the 'D' use permissibility with an 'A' for the unhosted use in residential zones and resubmit for final approval

In order for the amendment documents to be finalised in a timely manner, please ensure the following:

- the maps in the modified document accurately reflect the intentions of the amendment as detailed in the amending text; and
- in carrying out modification to the amendment document, previous Council resolutions pursuant to clauses 35(1), 41(3) and/or 50(3) are not to be modified.

Please email the modified text of the amendment, in word format, to localplanningschemes@dplh.wa.gov.au to assist in limiting the *Government Gazette* publishing costs.

Yours sincerely

A handwritten signature in black ink that reads 'Sam Boucher'.

Ms Sam Boucher
Secretary
Western Australian Planning Commission

4/02/2026

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;

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

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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	A	A	A	-	-	D	-	

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

- A. Bed & Breakfast; and
- B. Serviced Apartments.

3. 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.
4. 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.

5. 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
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6. 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.

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

Pinal Cere

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

DATE.....*16/2/2026*.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

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 *18/2/2026*

Certified by*ASrocks*.....

DATE.....

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.