

SHORT TERM ACCOMMODATION

Short term accommodation has the potential to impact the amenity of others, particularly in residential areas. The City assesses proposals for short term accommodation land uses in terms of the potential impact on the amenity of the surrounding area.

What is short term accommodation?

The City's Local Planning Scheme No. 2 (LPS2) defines 'short term accommodation' as *"temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period"*.

The following are use classes of short term accommodation under LPS2:

- **"holiday house"** means a single dwelling (i.e. a house, unit or apartment) on one lot used to provide short term accommodation but does not include a bed and breakfast;
- **"holiday accommodation"** means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;
- **"bed and breakfast"** means a dwelling –
 - (a) used by a resident of the dwelling to provide short term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
 - (b) containing not more than 2 guest bedrooms;
- **"serviced apartment"** means a group of units or apartments providing –
 - (a) self-contained short stay accommodation for guests; and
 - (b) any associated reception or recreational facilities;

Does the City of Vincent have a planning policy for short term accommodation?

The City's [Local Planning Policy – Short Term Accommodation](#) guides the development of short term accommodation in the City. The preferred location for short term accommodation is within the local, district and regional centre and commercial zones.

Do I require development approval?

Development (planning) approval **may** not be required for some forms of short term accommodation. Other approvals — including approval from your strata body (where applicable) — may still be required.

Development approval is **not required** for the following:

Use class	Zone	Host is present	Frequency of operation	Maximum number of guests	Requirements
Bed and breakfast	Local centre, District centre, Regional Centre or Commercial	Yes – as required by the use class definition	Any	Four adult guests or one family	1. There is no works component or development approval is not required for any works component; 2. Written notification is provided to the City, including a management plan and code of conduct that accord with Clause 3.3 of the Short Term Accommodation Policy; and 3. The use operates in accordance with the Management Plan and Code of Conduct.
Bed and breakfast	Residential or mixed use	Yes – as required by the use class definition	Any	Two adult guests or one family	
Holiday house and Holiday accommodation	Local centre, District centre, Regional Centre or Commercial	Yes	Any	Four adult guests or one family	
Holiday house and Holiday accommodation	Residential or mixed use	Yes	Any	Two adult guests or one family	

Use class	Zone	Host is present	Frequency of operation	Maximum number of guests	Requirements
Holiday house and Holiday accommodation	Local centre, District centre, Regional Centre or Commercial	No	A maximum of three consecutive months in any twelve month period, with no limit to the number of rentals in that three month period.	Two adult guests or one family.	<ol style="list-style-type: none"> 1. There is no works component or development approval is not required for any works component; 2. A management plan and code of conduct is prepared that accords with Clause 3.3; and 3. The use operates in accordance with the Management Plan and Code of Conduct.
Holiday house and Holiday accommodation	Residential or mixed use	No	A maximum of a single rental within any twelve month period, for a maximum of three consecutive months.	Two adult guests or one family.	<ol style="list-style-type: none"> 1. There is no works component or development approval is not required for any works component; 2. A management plan and code of conduct is prepared that accords with Clause 3.3; and 3. The use operates in accordance with the Management Plan and Code of Conduct.

You can check your property's zoning with our [Online Maps](#). Search your property address at the bottom of the page and refer to the "LPS2 Zone" of your property at the top right of the page.

If you are unsure whether your proposal would be exempt from development approval, please contact the City's Planning Team on 9273 6000 or email your query to mail@vincent.wa.gov.au.

What do I do if I am exempt from requiring development approval?

If you are exempt from requiring development approval under our policy you are still required prepare a management plan and code of conduct. You must operate in accordance with the management plan and code of conduct. Templates for these are available on our website.

The exemptions from development approval for more than one rental in a 12-month period require documentation to be submitted to the City. You must submit a covering letter, your management plan and code of conduct that meet the requirements of Clause 3.3 of the policy to mail@vincent.wa.gov.au. Details of the requirements of the Code of Conduct and Management Plan are included below.

Can I use my apartment or unit for short term accommodation?

The same development approval standards apply to all dwellings in the City. If you are in an apartment or unit, you may also require approval from the Strata Company (Body Corporate) under the *Strata Titles Act 1985*.

Is my house or apartment suitable for use as short term accommodation?

Not every dwelling is suited to short term accommodation use. Physical characteristics of the dwelling, such as its location and surrounding development context, access arrangements, and the location of outdoor living areas, inform whether the dwelling would be capable of meeting the objectives of the City's [policy](#).

Preparation of a management plan and code of conduct does not guarantee the dwelling will satisfy the objectives of the policy, or that the City will approve the use of a property for short term accommodation.

Does my development application need to be advertised to my neighbours?

All development applications for short term accommodation are required to be advertised to surrounding property owner/occupiers in accordance with the City's Policy Community and Stakeholder Engagement Policy

In the Residential and Mixed Use zones, the application must be advertised for a minimum period of 14 days. A sign is to be erected on site at the applicant's cost.

Applications for development approval for short term accommodation in the Local Centre, Regional Centre, District Centre and Commercial Zones will be advertised for a minimum 14 days. A sign is not required to be erected on site in these zones.

What information do I need to submit to the City?

You must submit the following information to lodge a development application, or use of one of the development approval exemptions which require documentation to be lodged with the City:

1) Cover Letter

All development applications received for a change of use must be accompanied by a cover letter which includes, but is not limited to the following information:

- The number of guests to be accommodated at any given time;
- The minimum length of stay for any guests;
- The location and number of car bays existing and/or proposed on site;
- The number of guest bookings that will be allowed at any given time;
- Whether the property owner will continue to reside at the property whilst the short term accommodation is in operation;
- Whether the entire dwelling will be used for the purposes of short term accommodation and if not, which areas of the dwelling will be used; and
- A brief justification addressing how the proposal meets the objectives of the zone in which the site is located. The objectives for each zone can be located under Clause 16 of the City's [Local Planning Scheme No.2](#).

2) Management Plan

All development applications for short term accommodation must be accompanied by a detailed management plan which must address the following issues:

- a) Control of noise and other disturbances such that at a minimum the use accords with the Environmental Protection (Noise) Regulations 1997;
- b) Screening and assessment procedures for all prospective guests;
- c) Complaints management procedures, which are to include:
 - after hours complaints procedures including expected response times;
 - the provision of the telephone number of the accommodation owner and operator for during and after hours complaints to adjoining and adjacent neighbours prior to the use commencing;
 - that guests are provided with the code of conduct prior to and on arrival; and
 - that guests are made aware that anti-social behaviour and breaches of the code of conduct will not be tolerated.
- d) The premises are secure and guests are aware of emergency phone numbers and protocols; and
- e) Control of parking in accordance with Clause 3.1.2 of the Short Term Accommodation Policy and that all guests are made aware, verbally and in writing, of the parking rules and regulations and the acceptable parking requirements.

3) Code of Conduct

A Code of Conduct shall be prepared by the applicant detailing the expected behaviour of guests in order to minimise any impact on adjoining residents that includes:

- a) Contact details of owner/operator;
- b) Parking rules and regulations and acceptable parking requirements (details are to include any relevant car parking restrictions applicable to the area in relation to parking vehicles on surrounding properties and within the local streets and any parking arrangements required for the development to comply with Clause 3.1.2 of the Short Term Accommodation Policy);
- c) Requirements around noise and antisocial behaviour;
- d) House rules for guests; and



- e) Guests must be made aware of the Code of Conduct, which must be displayed in a prominent position within the premises at all times.

Please refer to the [Change of Use – Development Application Checklist](#) for a full list of information to be submitted as part of your application.

Short-Term Rental Accommodation Register

What is the Short-Term Rental Accommodation Register?

The Short Term Rental Accommodation Register (STRA) is an initiative to assist the State Government in making informed policy and regulatory decisions on short term accommodation in Western Australia. It is separate from the requirement to obtain development approval from the City of Vincent.

When do I need to register my Short-Term Accommodation?

The register opened on 1 July 2024. All short-term accommodation is required to be registered by 1 January 2025.

What does the register mean for my Short-Term Accommodation?

The changes do not introduce a cap on the number of nights a property can be leased on the short-term market. This continues to be controlled by the City of Vincent planning policies and terms of any planning approval.

What happens if I don't register my Short-Term Accommodation?

If you don't register your short-term accommodation, you will not be able to advertise or take booking after 1 January 2025. The new legislation requires all advertising and booking platforms and channels to check that the address is registered before advertising or taking bookings. If you are found operating without registration you, as the owner, will be liable for penalties.

How much does registration cost?

The initial registration fee will be around \$250. The cost to renew each year is anticipated to be approximately \$100. If you register in July - September 2024 you will not be required to pay the initial registration fee.

Is the register public?

Yes, the public will be able to check whether a particular premises is registered. They will also be able to confirm that a registration number is valid. They will not be able to see details about the property or see contact details for the premises. There will also be a heat map available to give the public an understanding of how many short-term accommodation properties there are in a particular area.

What if my guest stays for more than 3 months?

The registration requirement under the STRA Act applies to premises used for stays of less than 3 months in total, in a 12-month period. If your guests stay for more than 3 months, they may be subject to the requirements of the *Residential Tenancies Act 1987(WA)* if they stay is not for a holiday. Under the City of Vincent's planning framework, stays of more than 3 months are not considered to be short stay.

More information

Further information is available from the Department of Energy, Mines, Industry Regulation and Safety's [website](#).

How long does the Development Application process take?

All development application for short term accommodation are required to be advertised in accordance with the City's Consultation and Stakeholder Engagement Policy. The City has 90 days to determine the application. Applications may take longer than 90 days to determine where it is agreed to in writing between the local government and the applicant.

How long do I have to commence the use as a Short-Term dwelling?

Development approvals are valid for 2 years. The use of the dwelling for short term accommodation is to be commenced within this period.



Do I require building approval?

Applying for development approval and a building permit are two separate processes, controlled under different legislation. A building permit ensures that the building is structurally safe and complies with the relevant building legislation.

Applications for short term accommodation which change the class of a building or involve any works *may* require assessment for Fire Resistance, Access and Egress (to include Disability Access to Premises standards), Services and Equipment, Health and Amenity and Energy Efficiency.

If you would like further information on the Building Permit process and short term accommodation requirements please visit our website or contact the City's Building Services on [9273 6000](tel:92736000).

Do I require health approval?

Applying for development approval and a health approval are two separate processes, controlled under different legislation.

Applications for short term accommodation which would accommodate more than 6 guests at any one time may be classified a Lodging House. These are required to be registered with our Health team.

Applications for short term accommodation which involve a host preparing, selling and/or serving food (for example, a bed and breakfast) would be classified as a Food Business. These are required to be registered with our Health team.

If you would like further information on the Lodging House and Food Business requirements please visit our website or contact the City's Health Services on [9273 6000](tel:92736000).

Do you have more questions?

The City can't confirm if a proposal will be supported in the absence of a formal development application. However, applicants can discuss development proposals and preliminary plans with the City's Urban Planners. Urban Planners can provide general advice to applicants on a proposed development or land use and the information required to lodge a complete application.

A Duty Planner is available in person at the City's Administration Office, or on the phone Monday to Friday, 8.30am to 5.00pm.

Phone: [9273 6000](tel:92736000)

Email: mail@vincent.wa.gov.au

Address: Main Administration Building, 244 Vincent Street, Leederville WA 6007

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