



LOCAL PLANNING POLICY 2.2: SHORT TERM ACCOMMODATION

1.0 PURPOSE

- 1.1 The purpose of this policy is to provide guidance and development provisions for operators seeking to establish short-term accommodation within the City of Nedlands.

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to all short-term accommodation proposals captured by the following land use categories as defined in Local Planning Scheme No. 3, within all zones:
- Bed and breakfast;
 - Holiday house;
 - Holiday accommodation; and
 - Serviced Apartments.
- 2.2 Where this Policy is inconsistent with a Local Development Plan or Local Planning Policy that applies to a specific site, area or R-Code, the provisions of that specific Local Development Plan or Local Planning Policy shall prevail.

3.0 OBJECTIVES

- 3.1 To ensure the location and scale of short-term accommodation uses are compatible with the surrounding area.
- 3.2 To maintain a high standard of amenity for the surrounding neighbourhood through required management controls.
- 3.3 To ensure properties used for a short-term accommodation uses do not have an undue impact on the residential amenity of the area by way of noise, traffic, or parking.
- 3.4 To establish a clear framework for the assessment and determination of applications for short-term accommodation.

4.0 POLICY MEASURES

Holiday house

- 4.1 Applications for Holiday House where a keeper resides on-site are generally supported in all zones where allowed under the scheme.
- 4.2 Applications for Holiday House, where a keeper does not reside on-site may be supported where:
- (a) The number of guests is limited to 6 persons; and
 - (b) Bookings must be for a minimum stay of 2 consecutive nights.

Notes: *A Holiday house land use relates to short term accommodation within a single house. Where a variation is sought, Clause 11.1 of this policy applies.*



Holiday accommodation

- 4.3 Applications for Holiday Accommodation where a keeper resides on-site are generally supported in all zones where allowed under the scheme.
- 4.4 Applications for Holiday Accommodation, where a keeper does not reside on-site may be supported where:
 - (a) The occupancy is limited to 6 persons or less; and
 - (b) Bookings must be for a minimum stay of 2 consecutive nights.

Notes: *A Holiday Accommodation land use relates to short term accommodation within grouped or multiple dwellings.*

Where a variation is sought, Clause 11.1 of this policy applies.

Bed and Breakfast Requirements

- 4.5 Management:
 - (a) The keeper of the bed and breakfast accommodation must always reside at the premises while the Bed and Breakfast is in operation;
 - (b) Breakfast is required to be provided to guests;
 - (c) Breakfast (and other meals if provided) are provided to bed and breakfast guests only;
 - (d) Access to a separate bathroom must be provided for bed and breakfast guests; and
 - (e) Access to a dining area and laundry facilities should be provided for bed and breakfast guests.

Serviced Apartments

- 4.6 Design:
 - (a) Applications for Serviced Apartments shall be subject to the siting and design requirements applicable to the site for Multiple Dwellings under the Residential Design Codes (excluding Plot Ratio requirements), and any relevant Precinct Policy, Local Planning Policy or Local development Plan applicable for the area; and
 - (b) Applications for Serviced Apartments shall include within the entrance, foyer or lobby a reception desk which shall always be attended by staff when apartment check-ins and check-out can occur.
- 4.7 Servicing Strategy:
 - 4.7.1 In addition to the Management Plan in accordance with Clause 7.1, all applications for Serviced Apartments shall include a Servicing Strategy detailing the level of servicing containing, but not limited to the following:
 - (a) Opening hours for guest check-ins and checkouts;
 - (b) Method of reservations/bookings;
 - (c) Means of attending to guest complaints;
 - (d) Cleaning and laundry services, where available;
 - (e) Company name and relevant experience of management/operator; and
 - (f) Management and accommodation of servicing vehicles within the context of the overall car parking for the development.



5.0 CAR PARKING

- 5.1 Car parking is to be in accordance with the requirements of the Parking Local Planning Policy.

SIGNAGE

- 5.2 Signage is limited to, 1 x Name Plates and wall signs and 1 x Portable sign (within property boundary) and is to be in accordance with the requirements of the Signs Local Planning Policy.

6.0 CONSULTATION

- 6.1 Consultation with affected landowners will be undertaken in accordance with the City's Consultation of Planning Proposals Local Planning Policy.
- 6.2 Applications where a short-term accommodation uses are listed as 'A' in the Zoning Table of the Scheme or where a variation is proposed to this Policy are to be advertised in accordance with the requirements of the Consultation of Planning Proposals Local Planning Policy.

7.0 MANAGEMENT PLAN

- 7.1 The Management Plan report is to include the following, **as a minimum**:
- (a) Establishing the maximum number of guests which will stay, in addition to (if applicable) those which reside at the property on a permanent basis.
 - (b) Establishing a code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises.
 - (c) Details of how complaints regarding anti-social behaviour, car parking and noise, amongst other matters, will be managed by the landowner(s).
 - (d) The contact details of the landowner(s) if a neighbour wants to lodge a complaint.
 - (e) Details regarding guest check-in and check-out procedures (i.e. days and times).
 - (f) Details of how car parking for those staying at the property and (if applicable) those residing at the property on a permanent basis, will be managed by the landowner(s). The measures proposed are to ensure vehicles will always have easy access to on site car parking spaces.
 - (g) Details of how the guests will be informed of the requirements for parking.
 - (h) Details regarding how guests are expected to maintain the property.
 - (i) Details whether pets and guests associated with those staying at the property will be permitted, and if so, how this will be managed.
 - (j) Details of compliance with Strata By-laws (if applicable) in the form of a Statement of Compliance.
 - (k) To provide details of waste disposal.

Notes: An example of a Management Plan is shown in Appendix 1.



8.0 BUSHFIRE MANAGEMENT

- 8.1 Where a property is within a designated Bushfire Prone Area, applications for Development approval will be required to comply with State Planning Policy (SPP 3.7) Planning in Bushfire Prone Areas, and any building requirements as required by the Building Code of Australia.
- 8.2 Short term accommodation is a vulnerable land use under SPP3.7 and may require a Bushfire Management Plan (BMP) submitted by a certified Level 2 or 3 Bushfire Management Consultant to the satisfaction of the City. Where a property is within a Bushfire Prone Area the application may require a referral to the Department of Fire and Emergency Services (DFES). The City will take into consideration comments from DFES in making their determination.

9.0 OTHER CONSIDERATIONS – HEALTH AND BUILDING APPROVAL

- 9.1 The applicant is advised to consult with the City's Building Services & Environmental Health Services to determine if a Building Permit, Food Business Registration or Aquatic facilities approval is required for a short-term accommodation use.

10.0 APPROVAL PERIOD

- 10.1 The City may grant temporary development approval for short-term accommodation uses for an initial 12-month period.
- 10.2 Following this initial 12-month period, a subsequent development approval will be required to be submitted for the renewal of the approval for the short-term accommodation which may then be on a permanent basis.
- 10.3 As part of considering a renewal, the City will give regard to any substantiated complaints against the operation of the short-term accommodation in accordance with the conditions of its development approval. Should a subsequent approval be granted, this may also be for a time limited period if the City is not satisfied that the use has not caused amenity impacts on neighbouring properties.

11.0 VARIATIONS TO POLICY

- 11.1 Where a variation to this policy is sought, consideration shall be given to objectives of the policy.

12.0 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

- 12.1 In addition to the general requirements for an application for development approval, the following are required:
- (a) Detailed management plan, as per clause 9.1.
- 12.2 In Strata Title situations the consent of the Strata Company is required in accordance with the provisions of the Strata Titles Act 1985 and associated By-Laws. The Strata Company are to complete and sign the landowner section of the City's Development Application Form prior to lodgement.

**13.0 RELATED LEGISLATION**

13.1 This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

13.2 This policy should be read in conjunction with the following additional planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:

- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Scheme No. 3
- State Planning Policy 7.3 – Residential Design Codes
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- Parking Local Planning Policy
- Consultation of Planning Proposals Local Planning Policy
- Signs Local Planning Policy

14.0 DEFINITIONS

14.1 For this policy the following definitions apply:

Definition	Meaning
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.
Grouped dwelling	As per the R-Codes, being, a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise and includes a dwelling on a survey strata with common property.
Guest	Means a person who accommodates a short-term accommodation for a fee.
Keeper	Means a person who permanently resides on site and is responsible for its upkeep and management of the accommodation.
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.
Holiday house	Means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
Multiple dwelling	As per the R-codes, being, a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio of the dwelling is vertically above any part of the plot ratio area of any other but: <ul style="list-style-type: none"> • does not include a grouped dwelling; and • includes any dwellings above the ground floor in a mixed-use development.
Serviced Apartment	Means a group of units or apartments providing- (a) self-contained short stay accommodation for guests; and (b) any associated reception or recreation facilities.
Single house	As per the R-Codes, being, a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.



Self-contained	Means accommodation having its own kitchen, bathroom and bedroom facilities.
Short term accommodation	Means temporary accommodation provided either continuously or from time to time with no guest/s accommodated for periods totalling more than 3 months in any 12-month period.
Strata Company	Means a body corporate constituted under section 32 of the Strata Titles Act 1985 whether for a strata scheme or a survey-strata scheme. Council of Owners means an elected representative council of a strata company constituted or deemed to have been constituted under the Strata Titles Act 1985.

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Appendix 1 – Management Plan Template

Note: When developing a Management Plan, the headings below are to be followed as a minimum guide in terms of level of detail required by the City of Nedlands.

1.0 Introduction

Property address and overview of the short-term accommodation you wish to conduct at the property.

2.0 Check In

Check in time for guests.

3.0 Check out

Check out time for guests.

4.0 Complaints Management

How will you deal with complaints how do you wish for complaints to be received and whom to?

5.0 Use of Premises

How many people will the property be rented to at any given time and for how long?

6.0 On-Site Register

An onsite register should be provided for all residents to provide their full name, usual place of residence and check in and out dates.

7.0 Maintenance

Refers to both maintenance of the gardens and the buildings.

8.0 Guest Guide

Information to be provided in the Guest Guide e.g.:

- *Manager and contact details*
- *Code of Conduct*
- *Wi-Fi Device name and password*
- *Key lockbox code*
- *TV Information*
- *Air Conditioner operation*
- *Location of the first aid kit*
- *Extra towels and sheets*
- *Hot water systems operation*
- *Rubbish bin location*
- *Check in time*
- *Check out time*
- *Local restaurant and shopping*



- *Local parks and recreation services*
- *Important contact numbers*
- *Other major attractions*
- *Any other information required*

9.0 Managers Guide

A guide shall be prepared for the manager and kept in a folder by the manager, documenting tasks and processes for the following:

- *General hosting (Including liaisons with clients, providers and Local Government)*
- *Cleaning information between occupants*
- *Laundry requirements*
- *Garden preventative maintenance*
- *Building preventative maintenance*

10.0 Code of Conduct for Guests and Visitors

Provide information under all below headings to show how each of these requirements will be adequately managed.

10.1 General Principles

Short term Accommodation is a unique experience and the guiding principles of this Code of Conduct are as follows.

10.2 General Requirements

General Requirements Guests must adhere to.

10.3 Noise and Residential Amenity

Noise requirements for guests.

10.4 Visitors

Will visitors other than those who have booked be able to stay or visit the property?

10.5 Gathering or Functions

Are gatherings or functions allowed at the property?

10.6 Parking

How much parking is provided for guests?

10.7 Garbage and Recycling

How will rubbish and recycled goods be disposed of?



10.8 Security

What security measures will be at the property?

10.9 Smoking

Will smoking be tolerated at the property?

10.10 Pets

Will pets be allowed at the property?

10.11 Damages and Breakages

How will damages and breakages be dealt with at the property?

10.12 Compliance

How will breaches of this code of conduct be dealt with?