

TEMPORARY ACCOMMODATION

INTRODUCTION

The City of Vincent is situated within close proximity to the Perth Central Business District, public transport networks, tourist attractions and education facilities. As such, it is well located for the provision of temporary accommodation.

This policy is aimed at guiding the provision of temporary accommodation within the City.

OBJECTIVES

To:

1. Provide clear direction on the requirements for temporary accommodation within the City of Vincent.
2. Ensure a high standard of amenity for long-term residents and the occupants of temporary accommodation through management controls.
3. Provide guidance to the operators of temporary accommodation as to their responsibilities and obligations.
4. Ensure properties used for temporary accommodation purposes do not have an undue impact on the residential amenity of the area.

POLICY STATEMENT

1. DEFINITIONS

Temporary Accommodation for the purpose of this policy means accommodation which may be occupied on a short term or provisional basis for hire or reward. Temporary Accommodation are not subject to Residential Tenancy Agreements.

This policy defines and differentiates between types of accommodation used on a temporary basis. The types of Temporary Accommodation that are the subject of this policy are as follows:

- Bed and Breakfast
- Short Term Dwelling
- Lodging House
- Serviced Apartment

Bed and Breakfast means a dwelling, used by a resident of the dwelling, to provide accommodation for a maximum of six guests for a continuous maximum period of six (6) months away from their normal place of residence (to a maximum of 12 persons inclusive of the family of the keeper) and includes the provision of breakfast.

Short Term Dwelling means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.

Examples of a Short Term Dwelling accommodation include short stay private rental accommodation, holiday homes, student accommodation, short term share housing etc.

Lodging House has the same meaning as defined in the Health Act 1911 and City of Vincent Health Local Law relating to Lodging Houses.

Examples of Lodging Houses include youth hostels, boarding houses, backpackers and workers accommodation and any other form of Residential Building proposed or capable of providing accommodation for 7 or more unrelated guests/occupants.

Serviced Apartment means any part of a building which is used to provide short term, self contained accommodation for a continuous maximum period of six (6) months. Serviced apartments function in a similar way to a hotel in that they may be serviced or cleaned by the owner or manager of the apartment (or by the owner's or manager's agents) and be provided with a laundry service where the apartment does not contain laundry facilities.

Keeper for the purpose of this policy means a person who permanently resides at the dwelling or residential building and is responsible for its upkeep and management of the temporary accommodation.

Guest for the purpose of this policy means a person who accommodates a dwelling or residential building on a temporary basis for a fee, but are not covered by a Residential Tenancy Agreement.

Dwelling as defined in the Residential Design Codes.

Residential Building as defined in the Residential Design Codes.

Self contained means accommodation having its own kitchen and bathroom facilities.

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.

2. REQUIREMENTS

2.1 General Requirements for all Temporary Accommodation

2.1.1 Car Parking

Car parking standards for all Special Residential Accommodation are to comply with the requirements of the City of Vincent's Planning Policy No. 3.7.1 relating to Parking and Access.

2.1.2 Strata Title situations

Temporary Accommodation will not be supported in Strata Title situations except where the consent of the Strata Company/Council of Owners has been given in accordance with the provisions of the Strata Titles Act 1985 and associated By-Laws.

2.1.3 Planning Application

All proposals to operate Temporary Accommodation require the submission and approval of a planning application prior to commencement or operation.

All applications for Temporary Accommodation will require a detailed Management Plan to be submitted with the planning application. The Management Plan should include, but not be limited to the following issues:

- a) Control of noise and other disturbances;
- b) Complaints management procedures, which is to include the provision of the telephone number of the accommodation owner and operator to adjoining neighbours;
- c) Security of guests, residents and visitors;
- d) Control of anti-social behaviour and the potential conflict between temporary residents and permanent residents of the area. A Code of Conduct shall be prepared detailing the expected behaviour of guests/residents in order to minimise any impact on adjoining residents;

Temporary residents must be made aware of the 'House Rules' and Code of Conduct and they must be displayed in a prominent position within the premises at all times.

- e) A commitment to advising occupiers of the premise, verbally and in writing, of the negative impact that inappropriate car parking can have on permanent residents. Details are to include any relevant car parking restrictions applicable to the area in relation to parking vehicles on surrounding properties and within the streets, and instructions that parking of vehicles on the verge is not permitted.

2.1.4 Consultation

All applications for Temporary Accommodation must be advertised in accordance with the 'SA' advertising procedures defined in Clause 37 of the City of Vincent Town Planning Scheme No. 1.

Where an application involves temporary accommodation in a Strata Title situation, all owners and occupiers are to be notified of the proposal.

2.1.5 Building Approval

Premises used for Temporary Accommodation may be subject to National Construction Code Series 2012 Building Code of Australia, and Australian Standards requirements over and above those normally required for a dwelling. These may include requirements relating to Fire Resistance, Access and Egress (to include Disability Access to Premises standards), Services and Equipment, Health and Amenity and Energy Efficiency.

2.1.6 Compliance

If the manager/owner disputes the classification of a Temporary Accommodation premises, they are required to provide the City with evidence of tenancy agreements for all tenants residing at the premises which clarify occupancy in excess of six (6) months such as:

- a) copies of current lease agreements for each tenant indicating tenancy is for a period exceeding six (6) months; or
- b) Statutory Declaration for each tenant stating that the tenancy agreement is for a period exceeding six (6) months.

If no evidence is provided, then an application for planning approval is to be made to the City.

2.2 Bed and Breakfast – Specific Requirements

2.2.1 Management

- a) The keeper of the Bed and Breakfast must reside on site at all times 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.

2.3 Short Term Dwelling – Specific Requirements

2.3.1 Management

A keeper is not required to reside at the premises while it is being used for the purpose of a Short Term Dwelling.

2.4 Lodging House - Specific Requirements

2.4.1 Management

The keeper of a Lodging House accommodation must reside on site at all times while the Lodging House is in operation.

2.4.2 Health Requirements

Applications for a Lodging House are subject to the requirements set out in the Health Act 1911 and the City's Health Local Law relating to Lodging Houses.

2.4.3 Communal Open Space

Communal Open Space for Lodging Houses shall be provided in accordance with the following:

- a) Sufficient area is to be provided outside the building for external recreational in accordance with the following table and to have a minimum dimension of 4 metres:

No. of occupants/guests	Minimum area of external communal space required
100 or less	20 square metres
Greater than 100 and less than 150	30 square metres
150 or greater	40 square metres

- b) Design and location of external communal space to be easily accessible by guests.
- c) Appropriate landscaping demonstrating the use of water conservation measures and paving to be provided that meets the needs of guests and enhances security, safety and amenity of the development and adjoining properties.
- d) Landscaping to be provided to screen communal spaces from adjoining properties and/or adjoining public areas and to enhance the amenity of the property.
- e) External communal space should be designed to gain solar access.
- f) Communal space shall be located adjacent to commonly used spaces, such as kitchen, lobby entry area, managers office etc, or adjacent to the communal outdoor open space.
- g) Sufficient area is to be provided inside the building for the purpose of passive recreation.

2.5 Serviced Apartments – Specific Requirements

2.5.1 Design

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 the City's Policy No. 3.4.8 relating to Guidelines for Multiples Dwellings in Residential Zones and the relevant Precinct Policy for the area.

Applications for Serviced Apartments shall include within the entrance, foyer or lobby a reception desk which shall be attended by staff at all times when apartment check-ins and check-out can occur.

2.5.2 Servicing Strategy

In addition to the Management Plan in accordance with Clause 2.1.2, 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.

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