

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;
Bed and breakfast	Residential or mixed use	Yes – as required by the use class definition	Any	Two adult guests or one family	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
Holiday house and Holiday accommodation	Local centre, District centre, Regional Centre or Commercial	Yes	Any	Four adult guests or one family	3. The use operates in accordance with the Management Plan and Code of Conduct.
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 one rental occurring on no more than one occasion every twelve months, 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](tel:92736000) 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*.

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.



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**.

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**.

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

Email: mail@vincent.wa.gov.au

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

Disclaimer:

This information is produced by the City of Vincent in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. Verification with the original Local Laws, planning schemes and other relevant documents is recommended for detailed references.