



## LOCAL PLANNING POLICY 2.2: Unhosted Short-Term Rental Accommodation

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| <b>1</b>   | <b>PURPOSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>1.1</b> | To provide guidance regarding the assessment of applications for development approval of Unhosted short-term rental accommodation (STRA) with the City of Nedlands.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>2</b>   | <b>APPLICATION OF POLICY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>2.1</b> | <p>This policy applies to all unhosted STRA proposals within the City of Nedlands scheme area, except where the following applies:</p> <p>(a) Unhosted STRA where the dwelling is:</p> <ul style="list-style-type: none"> <li>i. registered under the <i>Short-Term Rental Accommodation Act 2024</i> Part 3; and</li> <li>ii. used as unhosted STRA for no more than 90 nights in a relevant 12-month period; and</li> <li>iii. not located in a zone in relation to which the use of a dwelling as unhosted STRA is a class 'X' use or a use that is not consistent with the objectives of that zone.</li> </ul> |
| <b>3</b>   | <b>RELATIONSHIP TO OTHER POLICIES AND LEGISLATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>3.1</b> | This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>3.2</b> | <p>This Policy should be read in conjunction with the following legislative instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:</p> <ul style="list-style-type: none"> <li>• <i>Planning and Development Act 2005</i></li> <li>• <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></li> <li>• <i>City of Nedlands Local Planning Scheme No. 3</i></li> <li>• <i>Residential Design Codes</i></li> <li>• <i>Environmental Protection (Noise) Regulations 1997</i>.</li> </ul>                                                              |
| <b>3.3</b> | 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 instrument shall prevail.                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>4</b>   | <b>OBJECTIVES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>4.1</b> | To ensure the location and scale of unhosted STRA uses are compatible with the surrounding area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>4.2</b> | To maintain a high standard of amenity for the surrounding neighbourhood through required management controls.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>4.3</b> | To ensure properties used for unhosted STRA uses do not have an undue impact on the residential amenity of the area by way of noise, traffic or parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>4.4</b> | To establish a framework for the assessment and determination for applications for unhosted STRA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



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| <b>5</b>     | <b>POLICY MEASURES</b>                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>5.1</b>   | <b>Built Form and Site Appearance</b>                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>5.1.1</b> | On sites where the R-Codes apply, the built form shall be consistent with requirements for the relevant density coding.                                                                                                                                                                                                                                                                                                      |
| <b>5.1.2</b> | Built form should be generally consistent with requirements for the zone, including those of the Residential Design Codes, applicable Local Development Plans and applicable Local Planning Policies.                                                                                                                                                                                                                        |
| <b>5.1.3</b> | Signage shall: <ul style="list-style-type: none"> <li>i. be limited to sign types affixed to the main frontage of the building;</li> <li>ii. not exceed 0.2m<sup>2</sup> in area;</li> <li>iii. be limited to one sign per dwelling; and</li> <li>iv. be consolidated where a site contains multiple unhosted STRA.</li> <li>v. Display a current telephone number on which the landowner/manager can be reached.</li> </ul> |
| <b>5.2</b>   | <b>Dwelling Occupancy</b>                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>5.2.1</b> | Unhosted STRA should have a maximum occupancy of no more than two persons per bedroom.                                                                                                                                                                                                                                                                                                                                       |
| <b>5.3</b>   | <b>Car Parking</b>                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>5.3.1</b> | In zones where the Residential Design Codes applies, on-site car parking should be provided in accordance with standards for the relevant density coding.                                                                                                                                                                                                                                                                    |
| <b>5.4</b>   | <b>Time Limitation of Approvals</b>                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>5.4.1</b> | Development approval for Unhosted STRA may be granted for an initial period of 12-months only. This may be considered where the suitability of the Unhosted STRA land use to its setting is dependent upon the effectiveness of proposed management arrangements.                                                                                                                                                            |
| <b>5.4.2</b> | Following this initial 12-month period, a subsequent development application will be required to be submitted for the renewal of the approval for the Unhosted STRA use which may then be approved for a permanent basis.                                                                                                                                                                                                    |
| <b>5.4.3</b> | As part of considering renewal if an approval following the initial 12-month period, the City will give regard to any substantiated complaints against the operation of the Unhosted STRA in accordance with the conditions of its development approval.                                                                                                                                                                     |
| <b>5.5</b>   | <b>Development in Bushfire Prone Areas</b>                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>5.5.1</b> | Development applications for Unhosted STRA in designated bushfire prone areas should be accompanied with a Bushfire Management Plan completed by a certified Level 2 or 3 Bushfire Management Consultant to the satisfaction of the City.                                                                                                                                                                                    |



### 5.6 Management Plans and other Application Requirements

**5.6.1** Development applications for Unhosted STRA shall be accompanied by a Management Plan addressing the following matters:

- a) Measures for the control of antisocial behaviour and noise to avoid conflict with residents of the area and ensure compliance with the *Environmental Protection (Noise) Regulations 1997*.
- b) Details of the complains management process including:
  - i. Complaints procedure; and
  - ii. Contact details of the landowner/property manager to be provided to neighbouring properties for during and after hours complaints.
- c) Parking management, including that all car parking is to be provided on-site.
- d) Reservation process or booking platform. Registration number to be included.
- e) Method of waste management. Waste generated by the development will be appropriately managed. Occupants are to have convenient, legible and safe access to waste management facilities.
- f) A Code of Conduct detailing the expected behaviour and obligations of guests and visitors. The Code of Conduct is to be provided to all guests and displayed in a prominent position within the premises. At a minimum The Code of Conduct is to detail to following information:
  - i. Expected behaviour of guests to reduce noise and impact on adjoining properties;
  - ii. Details of how guests are expected to maintain the property;
  - iii. Check-in and check-out procedures;
  - iv. Whether visitors other than those who have booked the property are permitted to stay or visit;
  - v. Whether gatherings or functions are permitted at the property;
  - vi. The location of parking provided for guests;
  - vii. Any relevant car parking restrictions in the area;
  - viii. How and where general waste, recycling and FOGO is to be disposed of;
  - ix. Whether smoking is permitted at the property;
  - x. Whether pets are permitted at the property, and if so, whether or not they can be left unattended;
  - xi. Rules relating to the use of a swimming pool and/or spa (if applicable);
  - xii. Bushfire Management Plan addressing bushfire emergency procedures and how these will be communicated to guests (where the Unhosted STRA is within a bushfire prone area); and
  - xiii. Process for breaches of the Code of Conduct.

**5.6.2** Where a Unhosted STRA is proposed in a strata development, written support from the strata body is to be obtained to assist in determining the amenity impacts of the use.

**5.6.3** Applicants are advised to consult with the City's Building Services and Environmental Services to determine if a Building Permit, Food Business Registration or Aquatic Facilities approval is required for the Unhosted STRA use.

**6 DEFINITIONS****6.1** For this policy, the following definitions apply:

| Term Used                                       | Definition                                                                                                             |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| Guest                                           | A person who stays in a Unhosted STRA for a fee.                                                                       |
| Unhosted Short-Term Rental Accommodation (STRA) | As defined in the <i>Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015</i> . |

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