

Unhosted Short-term Rental Accommodation

Local Planning Policy No. 5 – Unhosted Short-term Rental Accommodation	
Responsible Business Unit:	Development and Regulatory Services
Date of Adoption:	Date: 9 April 2025

Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). This policy may be cited as Local Planning Policy (LPP) No. 5 – Unhosted Short-term Rental Accommodation.

Introduction

The purpose of this policy is to establish requirements for the operation of unhosted Short-term Rental Accommodation (STRA) requiring development approval within the Town.

Objective

To ensure the scale and operation of unhosted STRA is compatible with its setting and does not result in unacceptable adverse impact on the amenity of neighbours.

Definitions

The Regulations provide the following definitions:

Short-term rental accommodation -

- (a) means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but
- (b) does not include a dwelling that is, or is part of, any of the following —
 - (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
 - (ii) a caravan park;
 - (iii) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
 - (iv) a park home park;
 - (v) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
 - (vi) workforce accommodation;

Unhosted short-term rental accommodation means short-term rental accommodation that —

- (a) is not hosted short-term rental accommodation; and
- (b) accommodates a maximum of 12 people per night;

Hosted short-term rental accommodation means any of the following —

- (a) *short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement;*
- (b) *short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement;*
- (c) *short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement.*

Application of this policy

This policy applies to all **unhosted** STRA within the Town requiring development approval in accordance with the Local Planning Scheme No. 3.

If a proposal does not satisfy the 'Policy provisions', the proposal will be considered against the Objectives of this policy.

The policy **does not** apply to:

- 1. Hosted STRA, or
- 2. Unhosted STRA if the dwelling is:
 - (a) registered under the *Short-Term Rental Accommodation Act 2024* Part 3; and
 - (b) used as unhosted STRA for no more than 90 nights in a relevant 12-month period; and
 - (c) not located in a zone in relation to which the use of a dwelling as unhosted STRA is a class X (i.e. not permitted) use.

Policy provisions

1. Dwelling occupancy

Maximum occupancy as follows:

Number of bedrooms	Maximum number of guests*
1	2
2	4
3	6
4+	8

** Excludes one child (12 years and under) per bedroom (Example: 4+ bedrooms can accommodate up to 8 adults, plus 4 children = maximum 12 guests).*

2. Car parking

- 2.1 All guest, staff and visitor parking associated with the unhosted STRA is to be contained on-site and not located on-street or within the verge.

- 2.2 Where there is no on-site car parking available, the applicant is to demonstrate how car parking for the unhosted STRA can be accommodated in the Management Plan.
- 2.3 In strata-titled developments, visitor car parking bays are not to be used for unhosted STRA.

3. Operation and management

- 3.1 Development applications for unhosted STRA is to be accompanied by a detailed Management Plan and House Rules addressing the following matters:

Management Plan

Property Manager

- (a) Name
- (b) Contact details (all hours)
- (c) Location.

Complaints management procedure:

- (a) For guests
- (b) For surrounding neighbours
- (c) During and after normal business hours
- (d) Expected response times.

Conduct:

- (a) STRA registration number
- (b) Reservation system/booking platform(s)
- (c) Minimum and maximum length of stay
- (d) Maximum number of guests
- (e) Bedroom sleeping configuration(s)
- (f) Pets, if applicable
- (g) Management of noise and anti-social behaviour
- (h) Cleaning and maintenance
- (i) Waste management
- (j) Access and car parking arrangements
- (k) Strata Company/Strata Manager approval (if applicable).

House rules provided to guests, covering:

- (a) Emergency / after-hours contact details
- (b) Guest behaviour, to minimise any impact on adjoining residents, including quiet time hours and minimising the use of outdoor lights
- (c) Restrictions on visitors or parties/events
- (d) Car parking location and restrictions (if applicable)
- (e) Alternative transport options (eg. public transport, ride share, bicycle)

- (f) Strata by-laws (if applicable)
- (g) Smoking/vaping
- (h) Use of a swimming pool/spa (if applicable)
- (i) Whether pets are permitted, and if so whether they can be left unattended
- (j) Check-in/check-out times and procedures
- (k) Waste management
- (l) Safety (eg. smoke alarms, fire blankets, extinguishers, medical supplies)
- (m) Security (eg. locks, alarms, cameras)
- (n) Emergency evacuation procedures.

3.2 House Rules are to be displayed in a prominent position within the accommodation at all times.

4. Signage

If signage is proposed for the unhosted STRA, signage is limited to a maximum of one (1) sign to:

- (a) Identify the name and address of the accommodation and/or property manager,
- (b) Be visible from the street, i.e. located on the front wall of the dwelling, front fence or entry statement,
- (c) Be within the property boundaries, and
- (d) Not exceed 0.2m² in area.

5. Built form and site appearance

5.1 In zones where the R-Codes apply, built form and site appearance of new developments or additions (eg. ancillary dwellings) for unhosted STRA is to comply with the R-Codes and Local Planning Scheme No. 3 for the relevant density coding.

5.2 In zones where the R-Codes do not apply, built form and site appearance of new developments or additions (eg. ancillary dwellings) for unhosted STRA is to comply with the relevant design standards and requirements that would apply to a dwelling on the site.

6. Time limitation of approvals

Development approval for unhosted STRA may, where appropriate, be limited to an initial period of twelve (12) months in cases where the suitability of the proposal is reliant on the effectiveness of the proposed management arrangements.

7. Restriction of operator

Due to the detailed management measures required to operate an unhosted STRA in accordance with this policy, development approval for unhosted STRA is restricted to the approved land owner and will not run with the property. A change in land owner will require a new development application for unhosted STRA to be submitted and approved.

8. Cessation of unhosted STRA

If the unhosted STRA use ceases, a development application to change the use from unhosted STRA back to a dwelling will not be required.

Additional requirements

Granting of development approval for an unhosted STRA does not negate any other requirements that may apply to the unhosted STRA. These include, but are not limited to:

Short-Term Rental Accommodation Act 2024 (registration on the STRA Register managed by the Department of Energy, Mines, Industry Regulation and Safety)

Environmental Protection (Noise) Regulations 1997

Health Act 1911 & Town of Cottesloe Health Local Laws 1987

National Construction Code of Australia

Strata Titles Act 1985

Town of Cottesloe Parking and Parking Facilities Local Law 2024

DOCUMENT CONTROL

Date initially adopted:

** 2025

Date(s) reviewed/amended: