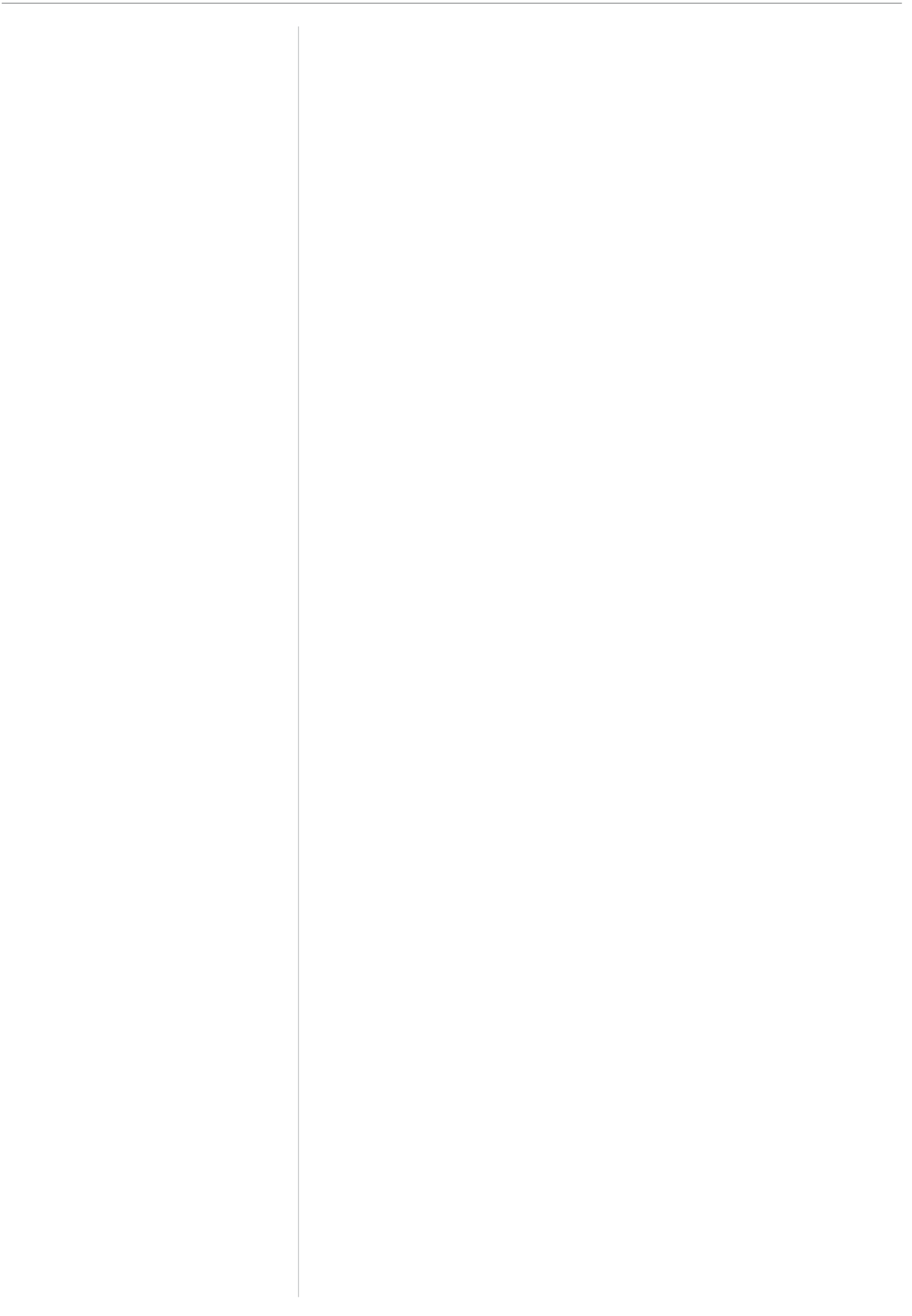


Planning Bulletin 115/2024

**Short-Term Rental Accommodation (STRA) –
Guidance for local government**

18 September 2024

1. Introduction



Development Assessment and Approval
– Unhosted STRA

The assessment of development applications for changes of use to 'unhosted short-term rental accommodation' will generally be a matter for the local government to consider on a case-by-case basis, having regard to any local planning policies prepared (refer to Local Planning Policies section below).

It is prudent to note that the premises must first be classified as a type of 'dwelling' to enable the change of use, given reference to this term within the 'deemed' general definition for 'short-term rental accommodation'.

In this regard, the Residential Design Codes (R-Codes) will, in most instances, continue to apply to works associated with a short-term rental accommodation proposal.

Local governments have the flexibility to condition occupancy numbers for 'unhosted short-term rental accommodation' through development approvals, should the maximum of 12 persons be considered inappropriate in relation to the size of the dwelling. Local planning policies can provide guidance on when and how occupancy numbers may be assessed and conditioned.

It should also be noted that in zones where a type of 'dwelling' is discretionary, it is possible for a site to have multiple active development approvals in-force at any one time allowing for changes of use between STRA and a 'dwelling' without the need to obtain further approval.

Where a development approval is required under a scheme for 'unhosted short-term rental accommodation', a local government can consider any relevant matter under clause 67 of the 'deemed provisions'.

Bushfire Considerations

Changes to the State Government's bushfire planning framework detail that a 'vulnerable land use' does not include a change of use in an existing single house or ancillary dwelling; including STRA. The proposed changes will also make clear that Part 10A of the 'deemed provisions' will be mostly concerned with the construction aspect of development (i.e. not changes to use).

The LPS Regulations amended for STRA also introduce a new 'deemed' clause 78B(1A), to ensure that exempt short-term rental accommodation proposals situated within bushfire prone areas, remain as such. This would apply in instances where the use is permitted in a zone, or otherwise exempt through cl. 61 of the 'deemed provisions'.

A Good Host Pack for short-term rental accommodation owners has been prepared by DEMIRS, which includes information from the Department of

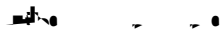







Changes to planning schemes may create uncertainty for existing STRA operators who have not previously required development approval, or where such requirements have been unclear or not consistently enforced.

Local governments should consider how best to communicate relevant planning changes to their communities and/or existing STRA operators, to allow for development approvals to be obtained by 1 January 2026. STRA owners and operators may contact their local government seeking information about approval requirements that currently exist, or may be introduced in their area.

Any communication from local government on planning requirements should also make it clear that obtaining a development approval is a separate process to registration, which is to be done online through the [DEMIRS registration portal](#). Local governments undertaking 'standard' amendments to implement the new STRA and tourism land use classes may wish to consider communications approaches during the amendment consultation period.

To assist, a dedicated website [Short-Term Rental Accommodation Planning Reforms](#) has been established to provide information to STRA operators and other interested parties. The website includes various FAQs, as well as links to the Position Statement and Guidelines.



	LPS Regulations	<p>1</p> <ul style="list-style-type: none"> Revised general definitions for 'cabin' and 'chalet'; Consolidated land use class for 'tourist and visitor accommodation'; Deleted land use classes for various accommodation types; and Revised land use definition for 'road house'. <p>2</p> <ul style="list-style-type: none"> Land use definitions for 'hosted STRA' and 'unhosted STRA'; General STRA definitions linking to the <i>Short-Term Rental Accommodation Act 2024</i>; Development approval exemption for hosted STRA (state-wide); Development approval exemption for unhosted STRA operating up to 90-nights in a 12-month period within the Perth metropolitan area (i.e. where MRS applies); and Exemption for STRA within bush re prone areas. <p> Position Statement and Guidelines to provide direction on the above was previously released in November 2023.</p>	<p>In operation.</p> <p>Local Governments to amend schemes as per Part 4 and Appendix 2 of this bulletin.</p>	DPLH Tourism Team – tourism@dph.wa.gov.au
	Local Planning Strategies	<ul style="list-style-type: none"> Strategies should acknowledge the role and impacts of STRA in the local area (as appropriate), within tourism and housing sections. Data from the Short-Term Rental Accommodation Register, accessible by local governments, to be used as evidence to justify and inform strategic direction in conjunction with other findings applicable to tourism accommodation and housing supply. 	As required during periodic strategy review process.	DPLH Land Use Planning area or scheme team
	Local Planning Schemes	Refer 2		
	Local Planning Policies (LPPs)	<ul style="list-style-type: none"> Local governments may develop new or revised LPPs to address specific STRA planning issues in their area. These should align with the LPS Regulations Amendments as well as the WAPC's Position Statement Preparation should consider matters outlined in WALGA's STRA Local Planning Policy Guidance document. LPPs should be prepared for the purpose of guiding the assessment of development applications for unhosted STRA, given the state-wide exemption for hosted STRA. LPPs cannot undo cl. 61 exemptions for hosted and unhosted STRA. 	Policy development concurrent with scheme amendment (as above) is encouraged to ensure holistic consideration of planning framework changes.	DPLH Land Use Planning area team

	<p>1' 202</p> <ul style="list-style-type: none"> <input type="checkbox"/> Introduce new 'hosted short-term rental accommodation' deemed use class, to replace 'bed and breakfast' where applicable. Assign as a 'P' use in all zones where any type of dwelling is capable of approval, to reflect state-wide exemption. <input type="checkbox"/> Introduce new 'unhosted short-term rental accommodation' deemed use class, to replace 'holiday house' and similar where applicable. Assign as a 'D' or 'A' use in all zones where any type of dwelling is capable of approval, 'P' in Tourism zones and 'X' in remaining zones, to reflect direction in the WAPC's Position Statement (November 2023). <input type="checkbox"/> Replace superseded model traditional and tourist accommodation land uses with new 'tourist and visitor accommodation' use (note – 'hotel' is retained). <input type="checkbox"/> Introduce revised general definitions of 'cabin' and 'chalet', revised land use definition of 'road house' and delete general definition for 'short-term accommodation'. 	<p>Amendments to be finalised preferably by mid-2025, and no later than 1 January 2026.</p>	<p>DPLH scheme team.</p> <p>Note - all scheme amendments relating to STRA will be processed as a priority.</p>
	<p>1' 202</p> <ul style="list-style-type: none"> <input type="checkbox"/> Introduce new 'hosted short-term rental accommodation' deemed use class, to replace 'bed and breakfast' where applicable. Assign as a 'P' use in all zones where any type of dwelling is capable of approval, to reflect state-wide exemption. <input type="checkbox"/> Introduce new 'unhosted short-term rental accommodation' deemed use class, to replace 'holiday house' and similar where applicable. Assign in zoning tables as required to reflect local housing and tourism conditions. <input type="checkbox"/> Replace superseded model traditional and tourist accommodation land uses with new 'tourist and visitor accommodation' use (note – 'hotel' is retained). <input type="checkbox"/> Introduce revised general definitions of 'cabin' and 'chalet', revised land use definition of 'road house' and delete general definition for 'short-term accommodation'. 	<p>Amendments to be finalised preferably by mid-2025, and no later than 1 January 2026.</p>	<p>DPLH area team</p> <p>Note - all scheme amendments relating to STRA will be processed as a priority.</p>

Disclaimer

This document has been published by the Western Australian Planning Commission. Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith and on the basis that the government, its employees and agents are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

© State of Western Australia

Published by the