

Short-term Accommodation Local Planning Policy

Responsible Directorate: Planning and Community Development

Objectives:

- To encourage good quality, well managed short-term accommodation for use by visitors that does not compromise the amenity of residential areas or nearby residents.
- To provide guidance and development provisions for operators seeking to establish short-term accommodation within the City of Joondalup.
- To establish a clear framework for the assessment and determination of applications for short-term accommodation.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to all Bed & Breakfast, Holiday House, Holiday Accommodation and Serviced Apartment uses in all zones.

3. Definitions:

“**Bed & Breakfast**” as defined by Local Planning Scheme No. 3 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 four (4) adult persons or one family; and
- (b) containing not more than two (2) guest bedrooms.

“**Dwelling**” as defined by the Residential Design Codes of Western Australia means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

“**Holiday house**” as defined by Local Planning Scheme No. 3 means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

“**Holiday accommodation**” as defined by Local Planning Scheme No. 3 means two (2) or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.

“**R-Codes**” means the Residential Design Codes of Western Australia.

“**Serviced Apartment**” as defined by Local Planning Scheme No. 3 means a group of units or apartments providing –

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities.

“**Short-term accommodation**” as defined by Local Planning Scheme No. 3 means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than three (3) months in any 12 month period.

4. Statement:

The City of Joondalup supports diversity of accommodation types to facilitate tourism and other activities within its district. In considering applications for short-term accommodation, the City will take into consideration the siting, design and management of the short-term accommodation to ensure such accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

5. Details:

5.1 General requirements for all short-term accommodation:

5.1.1 Car parking:

- a. Car parking bays are to be provided in accordance with the following Table 1:

Table 1 – Onsite Car Parking Requirements for Short-term accommodation

Use Class	Number of on-site parking bays
Bed & Breakfast	One car parking bay per guest bedroom. In addition, car parking for permanent residents is to be in accordance with the R-Codes clause 5.3.3 Location B requirements.
Holiday House	In accordance with the R-Codes clause 5.3.3 Location B requirements.
Holiday Accommodation	In accordance with the R-Codes clause 5.3.3 Location B requirements.
Serviced Apartment	In accordance with the R-Codes clause 5.3.3 or 6.3.3 Location B requirements.

- b. All parking is to be provided on-site; no verge parking is permissible.
- c. On-site car parking is to be designed and vehicular access provided in accordance with the R-Codes.
- d. Where the provisions of the ‘Residential’ zone are applicable, the short-term accommodation must not require the provision of car parking bays in a manner that

would detract from the residential appearance of the dwelling or dominate the streetscape.

5.1.2 Management plan:

- a. A management plan is required to be submitted at the time of lodging a development application for short-term accommodation. The requirement for the operation of the short-term accommodation in accordance with the management plan will be included as a condition of any development approval issued.
- b. The management plan is to include, but not be limited to the following matters:
 - i. a code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises;
 - ii. management of complaints, in the form of a Complaints Management Procedure (which must include the provision of the short-term accommodation owners/managing agents contact telephone number for adjoining neighbours);
 - iii. control of anti-social behaviour and the potential conflict between guests and permanent residents of the area, detailing the expected behaviour of guests and control of noise;
 - iv. details regarding guest check-in and check-out procedures;
 - v. management of car parking;
 - vi. details regarding waste management which must include specifying the expectations on guests with regard to general rubbish and bin collection (if applicable);
 - vii. compliance with Strata By-Laws (if applicable) in the form of a Statement of Compliance.

5.1.3 Guest register:

- a. A register of all persons occupying the short-term accommodation is required to be kept on the premises of the short-term accommodation or at such other place as agreed by the City, and shall be open to inspection on demand by an authorised City Officer.
- b. The register shall:
 - i. show the name and address of every occupant staying within the accommodation and the unit occupied; and
 - ii. include the date of arrival and date of departure of the occupants of the accommodation.

5.1.4 Signage:

- a. Any signage associated with short-term accommodation is to be in accordance with the City of Joondalup *Signs Policy*.

5.1.5 Application information

- a. In addition to the management plan referred to above and the normal development application submission requirements, the following additional information is required to be submitted with an application for development approval for short-term accommodation:
 - i. justification as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.

5.1.6 Public consultation:

- a. For proposals where the provisions of the 'Residential' zone apply, development applications for new short-term accommodation, or applications where the existing use is proposed to be intensified, will be advertised for public comment for a minimum period of 14 days by way of letters to adjoining and nearby landowners.
- b. Where an application involves short-term accommodation in a strata title arrangement, the strata body will be consulted. Prior to submission, applicants are encouraged to seek clarification as to whether or not the operation of short-term accommodation is compliant with regulations governing ownership of the property i.e. provisions of the Strata Titles Act 1985 and associated by-laws.

5.2 Development requirements for a Bed & Breakfast

- a. The owner/resident of the accommodation must reside on-site at all times while the Bed & Breakfast accommodation is in operation.
- b. Meals may only be provided for Bed & Breakfast accommodation guests.

5.3 Development requirements for a Holiday House

- a. Development applications for a holiday house within an existing dwelling will be processed as a change of use.
- b. Development applications for a purpose built holiday house are required to meet the relevant single house requirements of the Residential Design Codes, the City of Joondalup *Residential Development Local Planning Policy* and any relevant structure plan or local planning policy.

5.4 Development requirements for Holiday Accommodation

- a. Development applications for holiday accommodation within existing grouped or multiple dwelling developments will be processed as a change of use.
- b. Development applications for purpose built holiday accommodation are required to meet the relevant grouped or multiple dwelling development requirements of the Residential Design Codes, the City of Joondalup *Residential Development Local Planning Policy* and any relevant structure plan or local planning policy.
- c. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same holiday accommodation unit.

5.5 Development requirements for Serviced Apartments

- a. Development applications for serviced apartments within an existing multiple dwelling or grouped dwelling development will be processed as a change of use and are expected to provide dedicated reception facilities and may provide recreational facilities.
- b. Applications for purpose built serviced apartments shall be subject to the siting and design requirements applicable under the relevant local planning policy, and any relevant structure plan. If applicable, serviced apartments are required to be designed so as to separate short-term accommodation from permanent occupancy dwellings located on the same site or building.
- c. Where a development involves a combination of permanent occupancy dwellings and serviced apartments, parking areas for permanent residents and their visitors shall be clearly separated and delineated from the parking area for the serviced apartments.
- d. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same serviced apartment.
- e. If required, applications for purpose built serviced apartments must also demonstrate the sufficient provision of facilities for the loading/unloading of goods on the site.

Creation Date: <mmmm yyyy (adopted by Council)>
Amendments: Not applicable
Related Documentation: • *Local Planning Scheme No. 3*



SHORT STAY ACCOMMODATION

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i>
	<i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Development
OBJECTIVE:	To specify standards of development and use for sites proposed to be used as short stay accommodation.

AUTHORITY

This policy has been prepared in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2 (DPS2) which allows Council to prepare planning policies relating to planning or development within the scheme area.

POLICY AREA

This policy applies to the Mixed Use, Business, Commercial, and Private Clubs and Recreation Zones.

POLICY STATEMENT

Short stay accommodation is defined within the District Planning Scheme as:

“the use of a single house, grouped dwelling or multiple dwelling for the purposes of providing temporary accommodation to any person or persons; for the purpose of the definition of “short stay accommodation”, temporary accommodation excludes any period of accommodation which exceeds a continuous period of 3 months;”

This policy does not apply to Residential Building, Bed and Breakfast, motel, or hotel proposals, as these are separately and specifically defined under DPS2.

Amenity Impacts

This policy aims to protect the residential amenity of permanent term residents and minimise the negative impacts that may be caused by the transient nature of the occupation, such as:

- excessive noise and/or anti-social behaviour

- potential increased demand for car parking
- sense of loss of security
- poor property appearance and maintenance

To ensure these amenity impacts are minimised, the following will apply:

1. Short Stay Accommodation within Grouped and Multiple Dwellings

Short stay accommodation is required to be separated from permanent dwellings that may be located on the same site or building. This can be achieved by exclusive access arrangements (vehicular and/or pedestrian), separate floors for short stay accommodation in multi storey buildings, provision of separate communal open space areas for short stay accommodation.

Short stay accommodation is not to form the predominant land use in situations where residential dwellings and short stay accommodation are located on the same site.

2. Management Plan

A management plan is required to be submitted at the time of lodging the application. The operation of the short stay accommodation is then required to be in accordance with that approved Plan. The management plan shall cover and/or include:

- The control of noise
- Complaints management procedure, which is to include the provision of the short stay accommodation owners contact telephone number to adjoining neighbours
- The ongoing maintenance of the premises and all common property areas
- Security of guests, residents and visitors
- Control of antisocial behaviour and potential conflict between long term and short term guests. A Code of Conduct shall be prepared detailing the expected behaviour of residents in order to minimise any impact on adjoining properties.
- Parking Management Plan
- Compliance with House Rules such as recycling
- Exclusive use of storage areas by the occupier of the accommodation.
- If located on a strata-titled development, appropriate by-laws being entered into the strata management statement acknowledging the short stay activity on the site.

The management plan shall be kept at the premises at all times, and the Code of Conduct shall be displayed in a prominent position within the premises.

3. Guest Register

A register of all persons occupying the accommodation is required to be kept.

The register shall:

- (a) show the name and address of every person staying within the accommodation and the unit occupied



- (b) be signed by the person
- (c) include the date of arrival and departure
- (d) be kept on the premises of the short stay accommodation or at such other place as agreed to by the Council and shall be open to inspection on demand by an authorised City Officer.

4. Annual Renewal

Where short stay accommodation abuts the Residential Zone, or where a short stay accommodation is located on the same site or building as dwelling/s, the time limit for any approval granted will be not more than 12 months. A fresh approval will be required after that time if the use is proposed to continue.

Details Required For Planning Application

In addition to the management plan referred to above, and normal planning application requirements (for lodgement of plans), the following additional information is required be submitted on application for planning approval:

1. Information justifying the proposed location of the accommodation, and
2. Justification as to how and why the proposed accommodation will be compatible with the adjoining area.

Compliance with Health Act 1911 and City Of Joondalup's Health Local Law.

The development of short stay accommodation may be classified as a Lodging House under the City of Joondalup Health Local Law. ***Strict requirements apply to Lodging Houses, and potential applicants are advised to be familiar with these requirements and incorporate those requirements into the proposal, prior to the application being submitted.***

Advertising of Proposal

Advertising requirements are established in District Planning Scheme No 2.

Amendments:

Related Documentation: District Planning Scheme No 2
 Planning Application Fact Sheet
 Health Local Law

Issued: September 2011

Bed and Breakfast Accommodation Policy

Council Policy

Responsible Directorate: Planning and Community Development

Objective: To provide guidance and provisions for the establishment of bed and breakfast accommodation that will minimise the impact on adjoining properties.

1. Authority:

This Policy has been prepared in accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2* which allows Council to prepare planning policies relating to planning or development within the Scheme area.

2. Application:

This Policy applies to the Residential, Mixed-Use, Business, Commercial, Private Clubs/Recreation, Special Residential and Rural Zones.

3. Definitions:

“bed and breakfast” means any dwelling in which the resident of the dwelling provides accommodation on an overnight or short-term basis, usually to the travelling public, and may include the provision of breakfast, as defined within the *City of Joondalup District Planning Scheme No. 2*.

“ancillary accommodation” means self-contained living accommodation on the same lot as a single house that may be attached or detached from the single house occupied by members of the same family as the occupiers of the main dwelling, as defined within the *Residential Design Codes of Western Australia*.

“short-term basis” means a period of accommodation that does not exceed a continuous period of 3 months.

4. Statement:

The City of Joondalup supports diversity of accommodation types to facilitate tourism activities within its district. In considering applications for bed and breakfast accommodation, Council shall take into consideration the location, siting and design of the bed and breakfast to ensure such

accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

5. Details:

In assessing any Development Application for bed and breakfast accommodation the following will be considered.

5.1. Location:

- a. Bed and breakfast accommodation located close to high frequency public transport, Commercial Centres, beaches or tourist attractions is encouraged.
- b. The appearance of the bed and breakfast accommodation must be in keeping with the surrounding environment, and should not be detrimental to the amenity of the adjoining properties or surrounding area by way of excessive noise or vehicle movement and parking.

5.2. Car Parking:

- a. One car parking bay is required per guest bedroom. In addition, car parking for permanent residents is to be in accordance with the *Residential Design Codes of Western Australia*.
- b. All parking is to be provided on-site; no verge parking is permissible.
- c. The bed and breakfast accommodation must not require the provision of car parking bays in a manner that would detract from the residential appearance of the dwelling or dominate the streetscape.

5.3. Management:

- a. The owner/resident of the bed and breakfast accommodation must reside on-site at all times while the bed and breakfast is in operation.
- b. Up to 6 guests may be accommodated at any one time, exclusive of the permanent residents. (N.b.: additional guests will lead to the premises being required to be registered and comply as a Lodging House under the *Health Act 1911*.)
- c. The provision of separate bathroom facilities is encouraged for each bed and breakfast room.
- d. Access to a dining area must be provided for guests within the dwelling, along with communal laundry facilities or a laundry service.
- e. Meals may only be provided for bed and breakfast guests. This is usually breakfast, but may include other meals.
- f. A Management Plan must be submitted at the time of lodging the application. The operation of the bed and breakfast is then required to be in accordance with that approved Plan and the Management Plan must be kept on the premises at all times. The Plan must include measures to address the following:

- ongoing maintenance of the premises and all common property areas;
 - control of noise;
 - management of car parking;
 - use of exclusive storage areas by the permanent occupier(s) of the dwelling;
 - management of complaints, in the form of a formal Complaints Management Procedure (which must include the provision of the bed and breakfast accommodation owner's contact telephone number for adjoining neighbours); and
 - compliance with Strata By-Laws (if applicable) in the form a Statement of Compliance.
- g. A 'Code of Conduct' or 'House Rules' is required to be submitted at the time of lodging the application. This document must detail the expected behaviour of guests in order to manage anti-social behaviour and potential conflict between guests, residents and neighbours. The document must then be displayed in a prominent position within the premises.
- h. Ancillary accommodation that is no longer needed for that purpose, may be utilised for bed and breakfast purposes with the approval of the City. In the event that the bed and breakfast activity ceases, approval will again be required in order to use the addition as ancillary accommodation.
- i. Self-contained dwelling additions up to 60 square metres in area, whether separate from the main dwelling or not, may be utilised for bed and breakfast purposes with the approval of the City. In the event that the bed and breakfast activity ceases:
- any kitchen facilities are to be removed in order ensure that the addition is no longer self contained; or
 - approval must be granted by the City to utilise the addition as ancillary accommodation.

5.4. Signage:

One advertising sign, not exceeding 0.2 square metres in area, is permitted on site, in accordance with the City's *Signs Policy*.

5.5. Public Consultation:

- a. All new applications for bed and breakfast accommodation will be advertised for public comment for a minimum period of 21 days by way of:
- letters to adjoining and nearby landowners; and
 - a notice on the City's website.

Additionally, if, on renewal of the business, any changes have occurred or are proposed to the operation of the business, or if complaints have been received within the previous 12 months, advertising of the application may be required.

- b. The City will arrange the public consultation process; however, all costs associated with advertising are to be borne by the applicant.

5.6. Approval Period:

Any approval issued is valid for 12 months. Prior to the expiry of the approval, an application to renew the bed and breakfast must be submitted and approved by the City to enable the continuation of the activity.

Creation Date: March 2012

Amendments: N/A

Related Documentation:

- *Bed and Breakfast Information Sheet*
- *City of Joondalup District Planning Scheme No. 2*
- *Health Act 1911*
- *Health Local Law 1999*
- *Signs Policy*