

# 1. Online Survey Responses

Q1 – Do you think that short term accommodation like bed & breakfasts, holiday houses and AirBnBs are beneficial to local neighbourhoods?		Yes – 5
		No – 1
		Unsure – 1
Why/Why not	Administration Response	Recommendation/Modification
Concerned about the damage caused by some people.	A significant objective of Policy 7.4.5 is to maintain the amenity of nearby residents by mitigating negative impacts resulting from Short Term Accommodation (STA) uses. The amended Planning Policy seeks to minimise negative impact by addressing issues like car parking, noise and antisocial behaviour. The requirement for STA premises to operate in accordance with a Management Plan and Code of Conduct should reduce the risks to adjoining residents. In the case that there are issues, the City can take compliance action, or there may be civil action that neighbours can initiate.	No modification.
Creates a richer more diverse community, ability for locals to house guests if they can't fit in their house, increased support for local businesses.	Noted.	No modification.
Accommodating tourists within suburban neighbourhoods is wonderful for local small business. Tourists usually eat all their meals at restaurants within walking distance. They also bring a cultural diversity to the neighbourhood.	Noted.	No modification.
Don't think it would increase or decrease economic activity, traffic or use of local amenities as long as length of stay remains restricted.	Noted.	No modification.
It gives visitors an opportunity to experience life in a range of Perth areas and gave a cheaper and more flexible alternative to hotel accommodation.	Noted.	No modification.
Q2 – Have you noticed any short term accommodation operating near where you live?		Yes – 6
		No – 1
Q3 – Have you experienced any issues with nearby short term accommodation?		Yes – 1
		No – 6
Further Explanation	Administration comment	Recommendation/Modification
Damage to common property and the impact of excess laundry by the operator.	The requirement for STA premises to operate in accordance with the objectives of the Policy, Management Plan and Code of Conduct will reduce the risk of antisocial behaviour and damage to adjoining residents. In situations where a STA operates in a Strata, it is also the responsibility of the Strata Body through their strata bylaws and management procedures.	No modification.

<b>Q4 – Considering the City’s proposed changes, do you think that issues experienced as a result of short term accommodation uses will:</b>		Increase? – 2
		Decrease? – 2
		Stay the same? – 3
<b>Why/Why not</b>	<b>Administration comment</b>	<b>Recommendation/Modification</b>
The property owner has illegally operated an Air B&B at their property and we have only been able to shut them down with persistent and constant persuasion to the City.	The City seeks to ensure that a STA premise operates in accordance with their Management Plan and Code of Conduct, however where a STA operates without the necessary approvals the Policy will support the City in seeking compliance against the unlawful use of a premise.	No modification.
In regard to residential, short term stays, I believe that property owners would already have high expectations and screening processes, to assess the kind of guests it would allow to stay in their property. All short stay booking platforms have a review process to minimise the risk of hosting a troublesome or careless guest.	Noted. The Planning Framework deals with the permissibility of STA land uses, a matter that is not provided for by online platforms. The Policy provides a standard for assessing and managing STA in the local context to ensure they are appropriately located and do not negatively impact the community regardless of individual operators or online platform requirements.	No modification.
A less restrictive and streamlined process will allow for more short stay rentals.	Noted.	No modification.
With the proposed changes, I would hope that there would be better management of homes and guests in place.	The amended Policy provides standards for assessing the suitability of STA and managing their operation to ensure negative impact to the community as a result of STA uses is mitigated.	No modification.
<b>Q5 – Do you think the City's proposed changes:</b>		Aren't restrictive/controlling enough? – 2
		Are too restrictive? – 1
		Strike the right balance between flexibility and control? – 4
<b>Q6 – Are you a resident of the City of Vincent?</b>		Yes – 6
		No – 1
<b>Q7 – Are you the owner or operator of short term accommodation within the City of Vincent?</b>		Yes – 1
		No – 6
<b>Further Comments</b>	<b>Administration response</b>	<b>Recommendation/Modification</b>
I think in Strata properties, there should be some type of bond or a percentage of their profits made from short term accommodation paid to the strata company for increased insurance premiums or potential damage. For the increased volume of foot traffic in other people’s homes. In a strata property, the owner needs to understand they share that home with other people. Having more strangers coming in and out is a security risk as well as an annoyance.	Noted. The City seeks to ensure the operation of STA is in line with the objectives of the Policy to reduce impact to adjoining neighbours through management plans and code of conduct, however the matter of a Strata levy is outside the scope of a Planning Policy. A recent Parliamentary enquiry addressed the issue in the report <i>Levelling the Playing Field - Managing the impact of the rapid increase of Short-Term Rentals in Western Australia</i> . Currently individual Strata bodies are responsible for addressing matters relating to common property, general wear and tear through their bylaws and management procedures, however the above report looks at recommendations to address these issues more universally.	No modification.
As someone who has been hosting guests via AIRBNB for almost 6 years, I am a bit confused if there are now regulations for short stay hosting? I have never had any issues in all the years of hosting guests in my home. I find the AIRBNB platform extremely transparent in helping to assess whether or not I	Notwithstanding the use of and requirements of online platforms, the operation of STA as it relates to the planning framework is a separate mechanism managed by the City. It is the responsibility of a Local Government to manage land uses throughout its municipality. STA land uses come in many different forms with	No modification.

<p>approve a guest to stay. It also allows me to stipulate my own house rules that the guest need to accept before confirming their stay. I think the use of a hosting platform already minimises a lot of risk. If we are to bring in more tools to evaluate short term hosting, then I think it's only fair to expect the same for long term rentals. I have had far more issues with long term renters in the neighbourhood, however what is the protocol to avoid disruptive long term tenants or even annoying home owners? Do we introduce a code of conduct for how people should behave in and around their own homes? I think this is going too far. We should allow people the freedom to maximise on their residential property investments. If they are willing to do the extra work out of hours (that hosting requires) and they have never had any complaints, then why change it?</p>	<p>potential issues that need to be managed to ensure minimal amenity impact to the community. Under the City's current planning framework all STA uses require a planning approval. The amended Policy seeks to include exemptions for STA that are low impact such as small scale or hosted accommodation with the purpose of streamlining the approval process.</p>	
<p>All nearby residents must be advised of any application made for a property to become short term rental and must be able to appeal against such an application. There must be a public register of all short term accommodation approved.</p>	<p>All STA will be required to register STA uses with the City. Nearby neighbours will be consulted in relation to applications for STA in accordance with the City's Consultation Policy. Information pertaining to approved and registered STA can be provided upon request.</p>	<p>No modification.</p>
<p>I don't understand point 3.1.3 of the policy re strata and survey-strata properties; does this mean that the by-laws can state that short -term accommodation can/cannot occur?</p>	<p>The Strata bylaw and Panning frameworks are independent of each other. The intention of this clause was primarily for advice, informing operators that a planning approval does not negate the requirements under any Strata bylaws. Where a strata bylaw states that STA is not permitted, a planning approval does not override this or vice versa. Given the confusion caused and that this clause was for information only, it is proposed that this clause be removed.</p>	<p>Remove cl. 3.1.3.</p>
<p>I fully support the proposal as far as it relates to hosted accommodation. Hosted accommodation does not displace long term renters, the consequences of bad behaviour can be dealt with swiftly, it financially benefits residents and increases density consequently helping local business. I do not support the use of investment properties as short term accommodation. Before considering the merits of individual applications I think it is necessary to take a broader view of the planning consequences of allowing long term rentals to be converted to short term rentals. When Council is asked to exercise its discretion, their decision must be orderly and the broader planning principles relevant to the application must be taken into account. Are the consequences of allowing long term rentals to be converted to short term rentals desirable? Is it in the interest of proper and orderly planning?</p>	<p>Noted. The City acknowledges that there is a need for all forms of accommodation types including long term rental tenancies and a variety of short term accommodation. LPP 7.4.5 seeks to ensure that short term accommodation is appropriately located and managed effectively. The proposed amendment to the City's Planning framework supports a preferred location of STA uses in Town Centres and commercial zones and elsewhere when accommodation is hosted.</p>	<p>No modification.</p>

## 2. Written Submissions

Submissions relating to the Policy provisions:			
No.	Submission	Administration comment	Proposed modification
Purpose & Application			
1	The policy should be more clearly structured to make a clear distinction between the different types of accommodation types.	This should have been sufficiently addressed indirectly through other proposed modifications to the structure.	No modification.
2	Serviced apartments, tourist accommodation, hotels and motels are mentioned in the 'purpose and application' section but are not addressed through the remainder of the policy.	Unless specified, all provisions relate to the land uses listed under the 'Purpose & Application' section.	No modification.
Objectives and Definitions			
3	Suggest including a new objective about car parking.	Agreed.	Include objective 6: <u>6. Provide sufficient car parking or access to alternative transport modes to minimise negative impact on the amenity of the area.</u>
4	Suggest inserting definitions for land uses into the policy to save people having to flip to LPS2.	If these amendments are adopted, the City will develop information sheets that will set out all of the requirements associated with STA, including not just this policy and LPS 2, but also the R-Codes as well as Health local law and Building requirements.	No modification.
Clause 2 - Exemptions			
5	The exemption section could be simplified to address all the exemptions under one clause. Some exemptions are covered more than once, this is confusing.	Agreed.	Convert text provisions into a table. Remove requirement for written notification, management plan and code of conduct for house swap arrangements.
6	The exemptions should state that the use must operate in accordance with the management plan <i>and</i> code of conduct.	Agreed.	Include code of conduct in exemption conditions.
7	Exemption 2.1 is unclear and seems to be a contradiction to the other exemptions.	Exemption 2.1 refers to one off house sit/swap scenarios. These short term uses are considered to be low impact and will not require a development approval or any notification to be provided to the City. The regular use of a premises for ongoing house sit/swaps do not fall within the exemption. This should be clearer by making the modification listed in point 5.	Remove requirement for written notification, management plan and code of conduct for house swap arrangements.
8	Bed and breakfast – There should be a 4 guest limit in all zones rather than limit to 2 guests in residential and mixed use zones. This is just adding unnecessary red tape.	Since the bed and breakfast use is quite rare in residential areas, it would be prudent to maintain a limit of 2 guests until this exemption can be tested for any impacts. Larger short term accommodation operations may still be acceptable, however they will require a development application and to be assessed against the Acceptable Development Criteria.	No modification.

<b>Submissions relating to the Policy provisions:</b>			
<b>No.</b>	<b>Submission</b>	<b>Administration comment</b>	<b>Proposed modification</b>
9	Holiday House – the limit for Holiday House in Residential/Mixed Use zone should remain at 2 guests as there may not be a host on site.	Noted.	No modification.
10	Works component – there is no need to say ‘there is no works component’. If there is a works component requiring development approval it should be treated as a separate matter and assessed accordingly. It should not be a factor in a decision for a change of use.	The wording of this exemption is consistent with that set out under the Deemed Provisions, Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulation 2015</i> and has been included to ensure that any use that requires a works component that itself needs development approval, is not exempt.	No modification.
<b>Clause 3 – General provisions</b>			
11	Section 3 appears to be a catch all for all short term accommodation from bed and breakfast to motels/hotels and is confusing.	Yes, essentially any application for a short term accommodation use will be assessed against these requirements, the objectives of the policy, and the relevant Local Planning Scheme No. 2 provisions.	No modification.
	3.1 - The last sentence in section 2 should be moved to the start of section 3 as it provides the necessary introduction. It reads “ <i>Unless exempt, proposals ...</i> ”	Agreed.	Move “Unless exempt, proposals to operate short term accommodation require the submission and approval of an application for development approval in accordance with the following requirements.” under section 3.
12	The Policy states that the preferred location for short term accommodation uses is in Local Centres/District Centres etc. While this might be true for motels and hotels, it is not true for Bed and Breakfast, Holiday Houses and Holiday Accommodation. These are better in residential zones as they are essentially just a form of single dwelling, residential accommodation – albeit one that charges per day rather than per week or month.	In terms of the actual building structure, not all short term accommodation comprises a standard detached house. Some operate within apartments or grouped dwellings. The Policy states a preference for commercial zones in order to utilise nearby entertainment, commercial and recreational facilities that are often sought after by tourists and visitors.  Further, the State Administrative Tribunal has ruled that short term accommodation is considered a ‘commercial’ land use, rather than a ‘residential’ land use. Under the provisions of Local Planning Scheme No. 2, commercial land uses are preferred to operate in commercial zones.	No modification.
13	Section 3.1.1 2 says a host must be present on site. The need for host is required by the definition of a bed and breakfast but is not required for Holiday Houses or Holiday Accommodation – it should not be imposed for these uses. It is not required for exempt applications so why make it necessary here.	A host is not required on site for Holiday House and Holiday Accommodation. Proposals for short term accommodation assessed under Section 3 that include a host on site would be considered acceptable. Un-hosted accommodation not meeting the ‘Acceptable Development Criteria’ will be assessed against the Objectives of the Policy in conjunction with the Management Plan and Code of Conduct to determine suitability. It is proposed that this be clarified in the acceptable development standards.	Add the following “Proposals where a host is present on site <u>or the Management Plan and Code of Conduct achieves the objectives of the policy.</u> ”

<b>Submissions relating to the Policy provisions:</b>											
<b>No.</b>	<b>Submission</b>	<b>Administration comment</b>	<b>Proposed modification</b>								
14	Section 3.1.1 Acceptable Development Criteria says that accommodation must be for a minimum of 2 days. This may prove to be too restrictive and is unjustified for all short term accommodation uses. A number of successfully run short term accommodation require a minimum one night stay and should not be penalised (i.e. visiting for medical appointments/work requirements etc).	Noted. On review of the overall policy provisions proposed by this amendment, there are now sufficient requirements to specifically address potential amenity impacts such that the minimum night stay requirement is no longer essential. This includes locational requirements, mandatory management plans and codes of conduct and requirements for a host or management plans that address any potential noise, traffic/parking, antisocial behaviour and complaints management issues that could occur from a specific proposal. It is recommended that two-night minimum stay be removed.	Remove minimum 2 night stay.								
15	A better approach to Compliance could include a condition that states that any verifiable complaint relating to noise/antisocial behaviour will result in automatic suspension for one week (say) in the first instance, and significantly more for subsequent verifiable complaints. It is important that it be 'verifiable complaints' to stop vexatious complaints driven by some unrelated level of animosity between neighbours.	Noted. Compliance procedures are currently adequate to address complaints relating to noise/antisocial behaviour with the support of Policy 7.4.5.	No modification.								
16	<p>1. Policy 7.7.1 does not include car parking requirements for Bed and Breakfast, Holiday House, Holiday Accommodation and Serviced Apartments.</p> <p>2. With regards to parking requirements for the 'three low impact' uses I feel that no extra parking requirements should be imposed and that applicants with a possible shortage of parking are given the option of advertising the place as having no parking.</p>	<p>Further clarity is required in the draft Policy to address parking for short term accommodation uses that are not addressed by Policy 7.7.1.</p> <p>Noted. Reference is proposed to be made to the R-Codes, which contains sufficient guidance on when to require additional bays.</p>	<p>Replace car parking section with the following:</p> <p>The following car parking requirements apply to all short term accommodation where a development application is required:</p> <table border="1"> <thead> <tr> <th><b>Use Class</b></th> <th><b>Parking Provisions</b></th> </tr> </thead> <tbody> <tr> <td>Bed and Breakfast, Holiday House and Holiday Accommodation</td> <td>In accordance with the R-Codes.</td> </tr> <tr> <td>Serviced Apartment</td> <td>In accordance with the R-Codes.</td> </tr> <tr> <td>Hotel, Motel, Park Home Park, Lodging House, Tourist Accommodation</td> <td>In accordance with the requirements of the City's <i>Local Planning Policy No. 7.7.1 - Non-Residential Development Parking Requirements (LPP 7.7.1)</i>.</td> </tr> </tbody> </table>	<b>Use Class</b>	<b>Parking Provisions</b>	Bed and Breakfast, Holiday House and Holiday Accommodation	In accordance with the R-Codes.	Serviced Apartment	In accordance with the R-Codes.	Hotel, Motel, Park Home Park, Lodging House, Tourist Accommodation	In accordance with the requirements of the City's <i>Local Planning Policy No. 7.7.1 - Non-Residential Development Parking Requirements (LPP 7.7.1)</i> .
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<b>Submissions relating to the Policy provisions:</b>			
<b>No.</b>	<b>Submission</b>	<b>Administration comment</b>	<b>Proposed modification</b>
17	The requirements for Lodging House and Residential Buildings don't make sense. There are conflicts between the policy and the local law. The policy should clarify which uses require registration as lodging houses.	A lodging house, as set out under the City's local law, is classified as a 'Residential Building' under the City's Local Planning Scheme No. 2. The requirements for Lodging Houses under the Local Law apply regardless of the planning requirements set out in the proposed Policy. If these amendments are adopted, the City will develop information sheets that will set out all of the requirements associated with STA, including not just this policy and LPS 2, but also the R-Codes as well as Health local law and Building requirements.	No modification.
18	Section 3.3.1 says that Serviced Apartments must comply with the provisions of the Built Form policy with regards to Multiple Dwellings in Residential Zones. Does this apply to Serviced Apartments in Town Centres etc.?	This clause is no longer required since Amendment 2 to the Built Form Policy has been finalised.	Modify 3.3.1 as follows:  1. Design <del>Applications for Serviced Apartments shall be subject to the siting and design requirements applicable under the Residential Design Codes – Volume 2 – Apartments, and the City's Policy No. 7.1.1 Built Form relating to Guidelines for Multiple Dwellings in Residential Zones.</del> Serviced Apartments shall include a reception desk which shall be attended by staff at all times when apartment check-ins and check-out can occur.
19	More houses being converted to short term accommodation increases the cost of rentals and decreases local trade.  Concerned that by allowing the operation of short term accommodation, the City should consider the resulting impact to the long term residential tenancies in their assessment of orderly and proper planning.  Short term rental areas haven't been planned and hubs have appeared contrary to the intent of the Local Planning Scheme.	The City acknowledges that there is a need for all forms of accommodation types including affordable long term rental tenancies and a variety of short term accommodation options. Amendment 1 to LPP 7.4.5 seeks to ensure that short term accommodation is appropriately located and effectively managed.	No modification.