



Shire of
Serpentine
Jarrahdale

New Regulations to Short-term Rental Accommodation Amendment No.9 to Local Planning Scheme No.3

November 2024



FORM 2A

Planning and Development Act 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

Shire of Serpentine Jarrahdale Amendment Number 9

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. *In Part 6 Division 1 Clause 37, 'Terms Used':*
 - A. *Delete the definition for short-term accommodation and replace with:*
Accommodation for guests, on a commercial basis, either continuously or from time to time, with no guest accommodated for periods totalling more than 3 months in any 12-month period.
 - B. *Amend the general definition for cabin to:*
means a building that -
 - (a) *is an individual unit other than a chalet; and*
 - (b) *forms part of -*
 - (i) *tourist and visitor accommodation; or*
 - (ii) *a caravan park;**and*
 - (c) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
 - C. *Amend the general definition for chalet to:*
means a building that -
 - (a) *is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*
 - (b) *forms part of -*
 - (i) *tourist and visitor accommodation; or*
 - (ii) *a caravan park;*
 - (c) *and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
2. *In Part 6, Division 2 Clause 38, 'Land Use Terms Used':*

- A. *Delete the definitions for:*
 - o *bed and breakfast;*
 - o *holiday accommodation;*
 - o *holiday house;*
 - o *motel;*
 - o *serviced apartment; and*
 - o *tourist development.*
 - B. *Amend the existing land use term for road house by deleting paragraph (d) and inserting:*
 - (d) *accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
 - C. *Insert the definition for tourist and visitor accommodation as per Schedule 1-Model Provisions.*
3. *In Part 3, Table 3 'Zoning Table' insert in alphabetical order the following land uses and permissibility:*
 - A. *hosted-short term rental accommodation; designate as 'P' uses in zones where a dwelling is capable of approval and 'X' uses in all other zones.*
 - B. *un-hosted short term rental accommodation; designate as 'D' uses in District Centre, Neighbourhood Centre, Rural Townsite and Mixed-Use zones; as 'A' uses in Residential, Urban Development, Rural Residential, Rural Smallholdings, Rural and Environmental Conservation zones and 'X' in all other zones.*
 - C. *tourist and visitor accommodation and designate as 'A' uses in Urban Development, Rural Small holdings, Rural, District Centre, Neighbourhood Centre, Rural Townsite and Mixed-Use zones and 'X' in all other zones.*
 4. *In Part 3, Table 3 'Zoning Table', delete all references to:*
 - o *bed and breakfast;*
 - o *holiday accommodation;*
 - o *holiday house;*
 - o *motel;*
 - o *serviced apartment; and*
 - o *tourist development.*
 5. *In Schedule 2 'Special Use Zones' No. SU 1.*
 - A. *Delete the land uses for:*
 - o *bed and breakfast;*
 - o *holiday accommodation;*
 - o *holiday house;*
 - o *motel;*
 - o *serviced apartment; and*

- o *tourist development.*
 - B. *Insert 'hosted-short term rental accommodation' as 'P' use, 'un-hosted short-term rental accommodation' as an 'A' use, and 'tourist and visitor accommodation' as an 'A' use.*
6. *In Schedule 4 'Additional Site and Development Requirements' No 4.1 - Zone Development Requirements.*
- A. *Delete reference to 'holiday accommodation' in Rural Smallholdings section and replace with 'tourist and visitor accommodation'.*
 - B. *Delete reference to 'holiday accommodation' in Rural section and replace with 'tourist and visitor accommodation'.*
7. *In Schedule 4 'Additional Site and Development Requirements' No 4.3 - Car Parking Requirements.*
- A. *Replace 'bed and breakfast' land use in the car parking standards table with 'hosted short-term accommodation'.*
 - B. *Delete car parking standards for the following land uses from the table:*
 - o *holiday accommodation*
 - o *motel*
8. *In Schedule 4 'Additional Site and Development Requirements' No 4.4 - Bicycle Parking and Facilities.*
- A. *Replace 'bed and breakfast' land use in the bicycle parking standards table with 'hosted short-term accommodation'.*
 - B. *Delete bicycle parking standards for the following land uses from the table:*
 - o *holiday accommodation*
 - o *motel.*

The amendment is **standard** under the provisions of Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
2. an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve
3. the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
4. the amendment is not considered a complex or basic amendment.

Dated this _____ day of _____ 20__

(Chief Executive Officer)

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1 INTRODUCTION

The proposed scheme amendment has been prepared by the Shire of Serpentine Jarrahdale. The purpose of this amendment is to amend the Shire's local planning scheme to implement the State Government's planning reforms for short-term rental accommodation.

This amendment is required to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', along with removal of superseded land uses. The following report provides further detail and background information on these changes, including specific implications for the Shire.

2 BACKGROUND

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. The State Government has committed to various initiatives to deliver better regulation of the short-term rental accommodation sector.

In November 2023, the Western Australian Planning Commission released its Position Statement: Planning for Tourism and Short-Term Rental Accommodation (Position Statement) and associated Guidelines. The release of the Position Statement complemented other whole-of-government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry *Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia*. This included development of a state-wide registration scheme for STRA, as well as an incentive scheme to encourage transition of properties from the short to long term rental market.

Alongside the registration scheme, which sits separately to the planning system and is mandatory for all STRA, amendments to planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint. The planning changes, which have triggered the need for the City/Town/Shire to amend its scheme, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes.

3 STATE PLANNING FRAMEWORK

The State Government's planning reforms for short-term rental accommodation are being implemented predominantly through the *Planning & Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which in turn have been informed by policy direction provided through the Position Statement.

Position Statement

The Position Statement foreshadowed a series of amendments to the LPS Regulations with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA. Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for hosted STRA and a 90-night exemption for unhosted STRA within the Perth Metropolitan Area. The Position Statement also includes guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

Local Planning Scheme Regulations

The LPS Regulations are a key component of Western Australia's planning system comprising of three major parts:

- Regulations proper, which set out the process for preparing or amending a local planning scheme;
- 'Model' provisions, set out in Schedule 1, which are to be used by local governments in preparing or amending a local planning scheme; and
- 'Deemed' provisions, set out in Schedule 2, read automatically into all local planning schemes, and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to both Schedules 1 and 2 of these regulations have been made to facilitate the necessary planning changes of the State Government's short-term rental accommodation (STRA) reform initiatives, as envisaged by the Position Statement. These changes, most notably, include:

- i. new 'deemed' land use classes of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes;
- ii. new 'deemed' general terms to define 'short-term rental accommodation' and link to the overarching *Short-Term Rental Accommodation Act 2024*, which provides the legal framework for the STRA Register;
- iii. a new 'model' land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA, and consolidate a number of existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions;
- iv. a state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings); and
- v. a 90-night (cumulative) exemption within a 12-month period for 'unhosted' short-term rental accommodation in the Perth metropolitan area.

The implications for these changes to the Shire are detailed further in the following sections of this report.

4 LOCAL PLANNING CONTEXT

The Shire's Local Planning Scheme No.3 was approved by the Western Australian Planning Commission and gazetted on 22 September 2023. This Short-term Rental Accommodation Amendment is proposed Scheme Amendment No.9 to Local Planning Scheme No.3 and seeks to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. The proposed Scheme amendment No.9 is a response to the amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* which introduces new rules for hosted properties – where the host lives onsite – and un-hosted properties where guests have exclusive use of the accommodation.

The relevant statutory environment is as follows:

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

State Government Policies

- Position Statement: Planning for Tourism and Short-term Rental Accommodation

Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3

5 PROPOSED AMENDMENT

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment relates to the introduction, modification and deletion of various land use and general definitions to the Shire's planning scheme. The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to the zoning table to reflect the hosted STRA exemption as a permitted use.

5.1 Deemed Short-Term Rental Accommodation Land Use Classes

Whilst the new 'deemed' land use classes are automatically read into the Shire's scheme through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into scheme zoning tables to ensure absolute clarity from an interpretation perspective, particularly given these uses replace long-standing 'model' land use classes within the Shire's planning framework.

To implement the required changes, this amendment requires deletion of all references to the land use classes of *bed and breakfast* and *holiday house*, replaced with the new 'deemed' definitions of *hosted short-term rental accommodation* and *unhosted short-term rental accommodation*. This includes amending the Zoning Table and Definitions schedules of the scheme text accordingly.

In addition to the LPS Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint. To reflect these requirements, this amendment proposes the following designations for these new land use classes:

- 'Hosted short-term rental accommodation' is proposed as a Permitted use in all zones where any type of 'dwelling' is capable of approval, to reflect the state-wide exemption in the 'deemed provisions';
- 'Unhosted short-term rental accommodation' is proposed to be listed as a D or A use in zones where any type of 'dwelling' is capable of approval, and X in all other zones.

Aside from the above, where the uses of holiday house and bed and breakfast are referenced in other sections of the scheme text, these are to be cross-referenced accordingly.

5.2 Model 'Tourist and Visitor Accommodation' Land Use

A new model land use class of 'Tourist and Visitor Accommodation' has been introduced to supersede various traditional accommodation land use types (excluding 'hotel') and provide a clearer delineation between these uses and 'short-term rental accommodation'. In the context of the Shire's scheme, uses to be deleted through this change include:

- Motel – specifically referenced in the new land use class definition;
- Serviced apartment – specifically referenced in the new land use class definition;
- Tourist development – directly replaced by the new use class; and
- Holiday Accommodation – directly replaced by the new class

5.3 New and Revised Land Use & General Definitions

As part of the LPS Regulations changes, amendments to some other model definitions were also introduced so as to not cause confusion or conflict with the new short-term rental accommodation land use terms. These include deletion of the definition for 'short-term accommodation', which has been removed to avoid confusion with new terms relating to 'short-term rental accommodation'. This has consequentially resulted in modifications to the general model terms of 'cabin' and 'chalet', as well as the land use term for 'road house'. The new model terms are proposed to be introduced into the scheme text through this amendment.

Through deletion of the general term 'short term accommodation' it is proposed to insert into the scheme text the deleted model definition in-full wherever referenced, to replicate the changes made in the model provisions; this being:

accommodation for guests, on a commercial basis, either continuously or from time to time, with no guest accommodated for periods totalling more than 3 months in any 12-month period.

5.4 Tables and Schedules amended to reflect textual changes

As part of the LPS Regulation changes, amendments to tables and schedules within in the Shire's scheme will need to be amended to reflect the textual changes and new model provisions introduced in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The sections of the scheme that will need to address the STRA amendment include:

- Table 3 – Zoning Permissibility Table
- Part 6 – Terms referred to in Scheme
- Schedule 2 – Special Use Zones

- Schedule 4 – Additional Site and Development Requirements;

Table 3 - Zoning Permissibility Table

The Zoning Table 3 under LPS3 currently references the land uses of 'bed and breakfast', 'holiday accommodation', 'holiday house', 'motel', 'serviced apartment', and 'tourist development'. These terms are to be deleted from the table and replaced with new terms and definitions. The new definitions to be introduced include 'hosted-short term accommodation', 'un-hosted short-term rental accommodation' and, 'tourist and visitor accommodation'.

Hosted short-term rental accommodation

The hosted short-term rental accommodation designation is set to replace the current 'bed and breakfast' land use and is proposed as a Permitted 'P' use in all zones where any type of 'dwelling is capable of approval' and a Not Permitted 'X' use in all other zones, to align with the State-wide exemption in the Deemed Provisions.

Un-hosted short-term rental accommodation

The un-hosted short-term rental accommodation designation is set to replace the current 'holiday house' land use and is proposed as a Discretionary 'D' or Advertisement Required 'A' use in zones where any type of dwelling is capable of approval and a Not Permitted 'X' use in all other zones, to align with the State-wide exemption in the Deemed Provisions. Scheme Amendment No. 9 proposes to amend LPS3 to designate 'un-hosted short-term rental accommodation' as a 'D' use in the District Centre, Neighbourhood Centre, Rural Townsite and Mixed-Use zones and as an 'A' use in the Residential, Urban Development, Rural Residential, Rural Smallholdings, Rural and Environmental Conservation zones and as an 'X' use in all other zones.

Tourist and Visitor Accommodation

The 'tourist and visitor accommodation' land use has been introduced to supersede the various land use types as mentioned below and provide a clear description between these uses and 'short-term rental accommodation'. The land uses to be deleted and replaced through this change include:

- Motel - specifically referenced in the new land use class definition;
- Serviced apartment - specifically referenced in the new land use class definition;
- Tourist development - directly replaced by the new use class; and
- Holiday Accommodation - directly replaced by the new class.

Scheme Amendment No. 9 proposes to amend LPS3 to designate 'tourist and visitor accommodation' as an 'A' use in the Urban Development, Rural Smallholdings, Rural, District Centre, Neighbourhood Centre, Rural Townsite and Mixed-Use zones and as an 'X' use in all other zones.

Part 6 - Terms referred to in Scheme

Division 1 - General definitions used in Scheme Clause 37. Terms used

Part 6, Division 1 of LPS3 will require modifications to 'general definitions' used in the Scheme. These changes will be introduced following amendments to definitions for STRA and are necessary to remove conflict and confusion with these land use

definition changes. This has resulted in modifications to terms such as 'cabin and chalet'.

Scheme Amendment No. 9 proposes to amend the general definitions for 'cabin' and 'chalet' within Part 6; Division 1 of the Scheme to reflect the State Government's amendments and definitions introduced to the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Division 2 - Land use terms used in Scheme Clause 38. Land use terms used

Part 6, Division 2 of LPS3 will require modifications to 'Land use terms' used in the Scheme. These changes will include the deletion of a number of terms as has been identified in the Table 3 - Zoning Permissibility section of this report and, will include amendments to definitions to land use terms to ensure consistency with new definitions introduced to *Planning and Development (Local Planning Schemes) Regulations 2015*.

Scheme Amendment No. 9 proposes to delete the following land use terms to reflect the new STRA definitions. The land use terms include:

- bed and breakfast;
- holiday accommodation;
- holiday house;
- motel;
- serviced apartment;
- tourist development.

Additionally, Scheme Amendment No. 9 proposes to insert a new definition for tourist and visitor accommodation to align with the *Planning and Development (Local Planning Schemes) Regulations 2015*. Part 6, Division 2 of LPS3 will require land use term changes for 'road house' to reflect the State Government's amendments and definitions introduced to the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Schedule 2 - Special Use Zones

Special Use No. 1

Schedule 2, Special Use Zones within LPS3 provides information regarding land use permissibility for Special Use zones which are not identified in the Zoning Table No. 3. Special Use (SU) No. 1, which relates to the 'Jarrahdale Heritage Precinct', contains the land use permissibility for that zone.

Scheme Amendment No. 9 proposes to amend the existing land use permissibility for SU1 to align with the new State Regulations for STRA in accordance with the amended *Planning & Development (Local Planning Schemes) Regulations 2015*. The land uses to be deleted have been highlighted in the figure below.

As part of the State wide changes and exemptions for hosted STRA, and the inclusion of 'hosted STRA' as a land use to be a Permitted 'P' use in all zones where any type of 'dwelling is capable of approval', the proposed amendment therefore includes a Permitted 'P' use section within SU No. 1 in the 'Special Use' column for hosted STRA within the Jarrahdale Heritage Precinct.

The land uses of 'un-hosted short-term rental accommodation' and 'tourist and visitor accommodation' are proposed to be included as a 'A' uses within the table where

applicable and in alphabetical order. This aligns with the previous land use permissibility for the now superseded land uses highlighted in the table below.

Schedule 2 – Special Use Zones

No.	Description of land	Special use	Conditions
SU 1	Lot 200 Foster Way, Jarrahdale; Lots 1338, 801, 2495, 804, 4, 5, 815 and 814, Jarrahdale Road, Jarrahdale; Lots 816, 817, 818, 819, 820 and 821 Staff Street, Jarrahdale, and Lots 807, 808, 809, 810, 811, 812 and 2090 Millars Road, Jarrahdale	<p>Jarrahdale Heritage Precinct</p> <p>1. The following shall be considered as 'D' uses:</p> <ul style="list-style-type: none"> • ancillary dwelling • art gallery • civic use • community purpose • convenience store • educational establishment • family day care • home business • home occupation • home office • shop • single house <p>2. The following shall be considered as 'A' uses:</p> <ul style="list-style-type: none"> • aged care facility • bed and breakfast • brewery • caravan park • childcare premises • cinema/theatre • exhibition centre • holiday accommodation • holiday house • market • motel • place of worship • reception centre • recreation – private • restaurant/café • road house • small bar • tavern • telecommunications infrastructure • tourist development 	

Schedule 4 - Additional Site and Development requirements

4.1 Zone Development Requirements

Schedule 4, Additional Site and Development requirements, set out development requirements for each zone identified within LSP3. As part of the changes to STRA, the land use term 'holiday accommodation' will be deleted and as such, Scheme Amendment No. 9 proposes to replace this land use with 'tourist and visitor accommodation' in the 'Rural Smallholdings' and 'Rural' sections of Schedule 4 4.1 as per the amendments and definitions introduced to the *Planning and Development (Local Planning Schemes) Regulations 2015*. The sections to be amended are as highlighted below.

Rural Smallholdings	<ul style="list-style-type: none"> • No more than one (1) single house per lot shall be approved by the local government in the Rural Smallholdings zone. • Lot boundary fencing shall be a minimum 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity. • Where a lot is not connected to reticulated water, dwellings shall be provided with an adequate supply of potable water from either an underground bore, a rainwater storage system or an alternative system as approved by the local government, with a minimum capacity of 120,000 litres and an appropriate roof catchment where relevant in addition to an adequate supply of water for fire fighting purposes as required by State Planning Policy 3.7 - Planning in Bushfire Prone Areas. • Holiday Accommodation development shall not exceed more than two (2) chalets or cabins. • Removal of existing vegetation, which is not exempted from requiring development approval under Schedule 4.7 of this Scheme, will require a landscaping and revegetation plan to be prepared and implemented in accordance with Schedule 4.6 of this Scheme to the satisfaction of the local government. • The keeping of animals shall not exceed the stocking rate guidelines recommended by the Department of Primary Industries and Regional Development for the applicable pasture types. • Due regard shall be given to building envelopes.
Rural	<ul style="list-style-type: none"> • Lot boundary fencing shall be a minimum 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity. • Where Agriculture – Intensive land uses are proposed, vegetated screening to a minimum of 10 metres wide shall be required. • Where a lot is not connected to reticulated water, dwellings shall be provided with an adequate supply of potable water from either an underground bore, a rainwater storage system or an alternative system as approved by the local government, with a minimum capacity of 120,000 litres and an appropriate roof catchment where relevant in addition to an adequate supply of water for fire fighting purposes as required by State Planning Policy 3.7 - Planning in Bushfire Prone Areas. • Holiday Accommodation development shall not exceed six (6) chalets or cabins. Caravan park development shall not exceed twelve (12) caravan or camping bays. • Removal of existing vegetation, which is not exempted from requiring development approval under Schedule 4.7 of this Scheme, will require a landscaping and revegetation plan to be prepared and implemented in accordance with Schedule 4.6 of this Scheme to the satisfaction of the local government. • The keeping of animals shall not exceed the stocking rate guidelines recommended by the Department of Primary Industries and Regional Development for the applicable pasture types. • Due regard shall be given to building envelopes.

4.3 Car Parking Requirements

Schedule 4, Section 4.3 Car Parking Requirements refers to land use terms ‘bed and breakfast’, ‘holiday accommodation’ and ‘motel’. To ensure consistency with the changes to the STRA planning framework, these land use terms for car parking standards are required to be deleted from the Scheme. Scheme Amendment No. 9 proposes to replace ‘bed and breakfast’ land use with ‘hosted STRA’ and retain the current car parking standards. See below section proposed to be changed as highlighted:

Land Use	Number of Required Car Parking Bays
amusement parlour	1 bay per 20m ² of NLA.
animal establishment	1 bay per 10 animals accommodated under maximum occupancy and 1 bay per employee*.
art gallery	1 bay per 40m ² of NLA.
bed and breakfast	1 bay per guestroom and 1 bay per 2 employees.
betting agency	1 bay per 20m ² of NLA.
bulky goods showroom	1 bay per 40m ² of NLA.

There are different car bay parking requirements for both 'holiday accommodation' and 'motel' under the Scheme. These land use terms are to be amalgamated into the one broader land use term 'tourist and visitor accommodation' under the STRA regulation changes and as such, Scheme Amendment No. 9 proposes to delete these land use terms from section 4.3 with no replacement. Future standards relating to car parking requirements for 'tourist and visitor accommodation' would then be assessed on a case-by-case basis and in accordance with section 4.3 cl (2) of the Scheme as stated below:

(2) Where parking standards are not specified or the relevant land use is not contained within the Table below, the local government shall determine the number of required bays with regard to the following:

(a) nature of the proposed development;

(b) number of employees, other persons and/or visitors likely to be associated with the proposed development; and

(c) the parking requirements of similar land uses contained within the Table below.

4.4 Bicycle Parking and Facilities

Schedule 4, Section 4.4 Bicycle Parking and Facilities refers to land use terms 'bed and breakfast', 'holiday accommodation' and 'motel'. To ensure consistency with the changes to the STRA planning framework, these land use terms for bicycle parking standards are required to be deleted from the Scheme. Scheme Amendment No. 9 proposes to replace 'bed and breakfast' land use with 'hosted STRA' and retain the current bicycle parking standards. See below section proposed to be changed as highlighted:

Land Use	Minimum Number of Required Bicycle Parking Bays
amusement parlour	1 bay per 250m ² .
art gallery	1 bay per 50m ² .
bed and breakfast	1 bay per 2 guestrooms.
betting agency	1 bay per 250m ² .
bulky goods showroom	1 bay per 750m ² .

There are different bicycle parking requirements for both 'holiday accommodation' and 'motel' under the Scheme. These land use terms are to be amalgamated into the one broader land use term 'tourist and visitor accommodation' under the STRA regulation changes and as such, Scheme Amendment No. 9 proposes to delete these land use terms from section 4.4 with no replacement. Future standards relating to bicycle parking requirements for 'tourist and visitor accommodation' would then be assessed

on a case-by-case basis and in accordance with section 4.4 cl (2) of the Scheme as stated below:

- (2) *Where parking standards are not specified or the relevant land use is not contained within the Table below, the local government shall determine the number of required bays with regard to the following:*
- (a) *nature of the proposed development;*
 - (b) *number of employees, other persons and/or visitors likely to be associated with the proposed development; and*
 - (c) *the bicycle parking requirements of similar land uses contained within the Table below.*

6 CONCLUSION

This Short-term Rental Accommodation Amendment proposes a 'standard' scheme amendment to Local Planning Scheme No.3 following the State Government's recent planning reforms which sets new 'deemed' and 'model' land use classes and general definitions within *Planning and Development (Local Planning Schemes) Regulations 2015*. The amendment seeks to modify scheme provisions and definitions, including changes to land zone/use permissibility relating to the new STRA planning framework and ensure a consistent approach with State regulations

Planning and Development Act 2005

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 - (b) *forms part of -*
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 - (ii) *a caravan park;**and*
 - (c) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
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means a building that -
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- 3 *In Part 3, Table 3 'Zoning Table' insert in alphabetical order the following land uses and permissibility:*
- A. *hosted-short term rental accommodation; designate as 'P' uses in zones where a dwelling is capable of approval and 'X' uses in all other zones.*
 - B. *un-hosted short term rental accommodation; designate as 'D' uses in District Centre, Neighbourhood Centre, Rural Townsite and Mixed-Use zones; as 'A' uses in Residential, Urban Development, Rural Residential, Rural Smallholdings, Rural and Environmental Conservation zones and 'X' in all other zones.*
 - C. *tourist and visitor accommodation and designate as 'A' uses in Urban Development, Rural Small holdings, Rural, District Centre, Neighbourhood Centre, Rural Townsite and Mixed-Use zones and 'X' in all other zones.*
- 4 *In Part 3, Table 3 'Zoning Table', delete all references to:*
- o *bed and breakfast;*
 - o *holiday accommodation;*
 - o *holiday house;*
 - o *motel;*
 - o *serviced apartment; and*
 - o *tourist development.*
- 5 *In Schedule 2 'Special Use Zones' No. SU 1.*
- A. *Delete the land uses for:*
 - o *bed and breakfast;*
 - o *holiday accommodation;*
 - o *holiday house;*
 - o *motel;*
 - o *serviced apartment; and*
 - o *tourist development.*

- B. *Insert 'hosted-short term rental accommodation' as 'P' use, 'un-hosted short-term rental accommodation' as an 'A' use, and 'tourist and visitor accommodation' as an 'A' use.*
- 6 *In Schedule 4 'Additional Site and Development Requirements' No 4.1 - Zone Development Requirements.*
- A. *Delete reference to 'holiday accommodation' in Rural Smallholdings section and replace with 'tourist and visitor accommodation'.*
- B. *Delete reference to 'holiday accommodation' in Rural section and replace with 'tourist and visitor accommodation'.*
- 7 *In Schedule 4 'Additional Site and Development Requirements' No 4.3 - Car Parking Requirements.*
- A. *Replace 'bed and breakfast' land use in the car parking standards table with 'hosted short-term accommodation'.*
- B. *Delete car parking standards for the following land uses from the table:*
- o holiday accommodation*
 - o motel*
- 8 *In Schedule 4 'Additional Site and Development Requirements' No 4.4 - Bicycle Parking and Facilities.*
- A. *Replace 'bed and breakfast' land use in the bicycle parking standards table with 'hosted short-term accommodation'.*
- B. *Delete bicycle parking standards for the following land uses from the table:*
- o holiday accommodation*
 - o motel.*

The amendment is **standard** under the provisions of Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
2. an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
3. the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
4. the amendment is not considered a complex or basic amendment.

Dated this _____ day of _____ 20__

(Chief Executive Officer)

FORM 6A

COUNCIL ADOPTION

This _____ Amendment was adopted by resolution of the Council of the Shire of
Serpentine Jarrahdale at the Ordinary Meeting of the Council held on the _____ day of
_____, 20____

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SHIRE PRESIDENT

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CHIEF EXECUTIVE OFFICER