

TOWN OF COTTESLOE



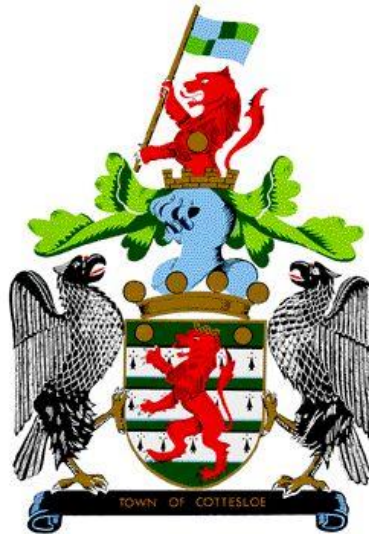
ATTACHMENTS

ORDINARY COUNCIL MEETING – 23 SEPTEMBER 2025

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TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

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ITEM 10.1.1A: PAYMENT LISTING JULY 2025



109 Broome Street, Cottesloe WA 6011
 PO Box 606, Cottesloe WA 6911
 Telephone: 08 9285 5000
 ABN 19 824 630 520
 Email: town@cottesloe.wa.gov.au Web: www.cottesloe.wa.gov.au
 Office Hours: 8:30am to 4:30pm Monday to Friday

Monthly List of Payments 01 July 2025 to 31 July 2025

Cheque Payments							
Payment Number	Date	Cheque Number	Creditor Number	Invoice No	Creditor Name	Invoice Description	Inclusive Amount
CP.2	07-07-2025	27302	1391	011124191207	Department Of Transport	Fleet vehicle annual registration - FY 25/26	10,548.80
Cheque Total							10,548.80
Electronic Funds Transfer Payments							
Payment Number	Date	Cheque Number	Creditor Number	Invoice No	Creditor Name	Invoice Description	Inclusive Amount
CP.3	15-07-2025	EFT	22	404129	Landgate - VGO	Gross rental valuations - 26 April - 9 May 2025	229.77
CP.3	15-07-2025	EFT	523	42687A	Local Government Professionals Australia WA	Vacancy advertising - Governance Coordinator	180.00
CP.3	15-07-2025	EFT	3254	00427963	Ultimo Catering & Events Pty Ltd	Catering - EM Workshop - 27/6/2025	297.95
CP.4	28-07-2025	EFT	105	INV-22577	Active Transport & Tilt Tray Services WA	Vehicle tow from Forrest Street to Pickles Auctions 9/7/2025	286.00
CP.4	28-07-2025	EFT	4496	CPER2522004	Alisco Pty Ltd	Hygiene services - June 2025	955.71
CP.4	28-07-2025	EFT	211	INV-0619	Apace Aid Incorporated	Plant supplies	3,003.00
CP.4	28-07-2025	EFT	139	1014106749	Australia Post	Daily mail: delivery and collection - June 2025	2,590.34
CP.4	28-07-2025	EFT	217	SI11512024	Blackwood & Sons	Respirator	178.17
CP.4	28-07-2025	EFT	188	187361	Bob Jane T-Mart	Tyres (x4) for Bob Cat trailer	788.00
CP.4	28-07-2025	EFT	2555	96247	Borsa Pty Ltd Trading As S & A Smash Repairs	Repairs to Mitsubishi Outlander Reg 1HVS060	300.00
CP.4	28-07-2025	EFT	82	MLG0030558	Civica Pty Ltd	Annual licence fees - Web platform, Client server, Websphere App server, IBM Websphere license FY 25/26	50,460.99

CP.4	28-07-2025	EFT	2424	00096294	Corsign WA Pty Ltd	Road signage	1,518.00
CP.4	28-07-2025	EFT	4256	CISC4797055	CTI Couriers Pty Ltd	Courier services - Delivery to The Pamphleteers	77.26
CP.4	28-07-2025	EFT	3298	00001308	Darren Long Consulting	Preparation of the Town's 10 Year Long Term Financial Plan	9,295.00
CP.4	28-07-2025	EFT	3774	INV1672769	Datacom Solutions (AU) Pty Ltd	Datascape - Variation 4 - Data migration assistance	1,155.00
CP.4	28-07-2025	EFT	3774	INV1672772	Datacom Solutions (AU) Pty Ltd	Datascape - Milestone 12 (Regulatory) & Milestone 20 (Payroll)	42,988.44
CP.4	28-07-2025	EFT	2772	30062025	Department Of Mines, Industry Regulation And Safety	Cottesloe BSL - June 2025 (Levy amount excluding collection fees - \$85)	65,917.01
CP.4	28-07-2025	EFT	1199	00022015	DFS Industrial & Environmental Services Pty Ltd	Educting services	484.00
CP.4	28-07-2025	EFT	1199	00022198	DFS Industrial & Environmental Services Pty Ltd	Educting services	2,392.50
CP.4	28-07-2025	EFT	1199	00022106	DFS Industrial & Environmental Services Pty Ltd	Street sweeping services - 19 and 23 June 2025	3,036.00
CP.4	28-07-2025	EFT	1199	00022107	DFS Industrial & Environmental Services Pty Ltd	Street sweeping services - 20 June 2025	2,147.75
CP.4	28-07-2025	EFT	1199	00022136	DFS Industrial & Environmental Services Pty Ltd	Street sweeping services - 26 and 27 June 2025	2,959.00
CP.4	28-07-2025	EFT	1503	154044	Diamond Hire	Mini-digger hire	300.00
CP.4	28-07-2025	EFT	1503	154050	Diamond Hire	Cherry picker hire	444.00
CP.4	28-07-2025	EFT	1093	35WA1351292	Dormakaba Australia Pty Ltd	Auto door back up batteries	143.33
CP.4	28-07-2025	EFT	1663	INV-13462	General Lighting Services WA	Testing and repairs to Civic Centre Emergency and exit lighting	2,299.50
CP.4	28-07-2025	EFT	2570	157562/01	Greenshed Pty Ltd Trading As Living Turf	Lawn liquids	1,646.70
CP.4	28-07-2025	EFT	674	6123291	Gronbek Security	Padlock - Brass, 45mm	1,277.96
CP.4	28-07-2025	EFT	210	52852240	Hays Specialist Recruitment (Aust.) P/L	Temp. Staff Asset Engineer: - W/E 29 June 2025	2,581.22
CP.4	28-07-2025	EFT	210	52852239	Hays Specialist Recruitment (Aust.) P/L	Temp. Project Manager: - W/E 29 June 2025	2,890.92
CP.4	28-07-2025	EFT	210	52862728	Hays Specialist Recruitment (Aust.) P/L	Temp Proj. Manager: - W/E 6 July 2025	3,817.50
CP.4	28-07-2025	EFT	210	52862729	Hays Specialist Recruitment (Aust.) P/L	Temp Asset Engineer: - W/E 6 July 2025	2,561.05
CP.4	28-07-2025	EFT	2066	INFO-204260	Infocouncil Pty Ltd	Annual Help Desk and License fees - 2025/2026	14,551.00
CP.4	28-07-2025	EFT	2511	1260323	IPN Medical Centres Pty Ltd T/As Cottesloe Medical Centre	Pre-employment medical: 2/7/2025	198.00
CP.4	28-07-2025	EFT	4636	821716474	KPMG	Secondment to TOC: June 2025	11,512.16

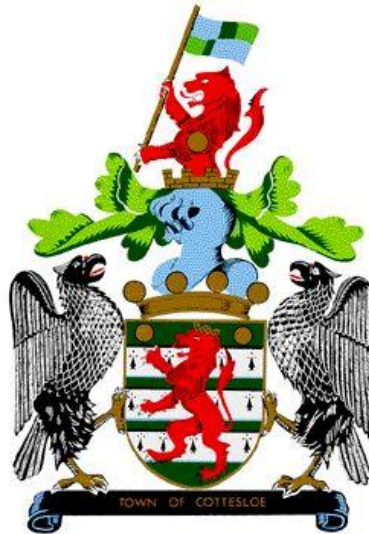
CP.4	28-07-2025	EFT	22	404959	Landgate - VGO	Gross rental valuations - 24 May 2025 to 6 June 2025	187.00
CP.4	28-07-2025	EFT	4463	INV-0952	Luxworks Traffic Control And Management Pty Ltd	Traffic management for tree services	1,890.90
CP.4	28-07-2025	EFT	89	1742501	Major Motors Pty Ltd	Vehicle service: Horticulture truck Reg: 1EXZ241	425.70
CP.4	28-07-2025	EFT	89	1744466	Major Motors Pty Ltd	Repairs: Horticulture truck - Reg -1HWK612	747.58
CP.4	28-07-2025	EFT	89	1747189	Major Motors Pty Ltd	Vehicle inspection - Truck - Reg: 1HWK612	465.51
CP.4	28-07-2025	EFT	88	185914	Managed IT Pty Ltd	Managed licences: Skykick backup - May 2025	989.60
CP.4	28-07-2025	EFT	88	185925	Managed IT Pty Ltd	Managed services: Teams Phone Systems - Temp. no. for testing - April 2025	47.30
CP.4	28-07-2025	EFT	4301	146089	Mcleods Lawyers Pty Ltd	Legal advice and draft Reg. 17 letter for Napoleon Street	990.00
CP.4	28-07-2025	EFT	1056	01305	Nuts About Natives	Cottesloe Coastcare plants	2,833.95
CP.4	28-07-2025	EFT	4507	INV2636	Oncall Plumbing & Gas Pty Ltd	Emergency leak repairs opposite 202 Marine Parade.	440.00
CP.4	28-07-2025	EFT	79	I8900	Perth Irrigation Centre	Fittings for broken piping	81.70
CP.4	28-07-2025	EFT	2078	00006547	Pipeline Irrigation	Repair main pipeline in Grant and Marine park	1,761.10
CP.4	28-07-2025	EFT	2078	00006546	Pipeline Irrigation	Supply and install new reticulation in the Civic Centre Rose Garden	4,400.00
CP.4	28-07-2025	EFT	3308	4170	Proficiency Group Pty Ltd T/As Information Proficiency & Sigma Data So	IM & ICT Support services - 15 June 2025 to 28 June 2025	330.00
CP.4	28-07-2025	EFT	988	414599	Securex Pty Ltd	Security alarm monitoring - June 2025 - Depot	57.20
CP.4	28-07-2025	EFT	988	415018	Securex Pty Ltd	Security alarm monitoring - Depot - July 2025	57.20
CP.4	28-07-2025	EFT	3782	00006715	South East Regional Centre For Urban Landcare Inc T/As Sercul	John Black Dune Park restoration works - matting and planting site	11,635.94
CP.4	28-07-2025	EFT	3782	00006716	South East Regional Centre For Urban Landcare Inc T/As Sercul	Winter revegetation works in natural areas / coastal sites - 23 & 27 May and 4, 10-11, 23 June 2025	3,753.75
CP.4	28-07-2025	EFT	3782	00006717	South East Regional Centre For Urban Landcare Inc T/As Sercul	Urban Greening Grant Round 3 - South Cottesloe Ecological Link contractor planting - June 2025	5,986.75
CP.4	28-07-2025	EFT	3210	1973424	Stantec Australia Pty Ltd	Preparation of time-lapse videos for 3 cameras	1,716.00
CP.4	28-07-2025	EFT	1924	250631	Technology One Ltd T/A Digital Mapping Solutions	TechnologyOne Subscription Fee 2025/2026	18,617.13
CP.4	28-07-2025	EFT	1924	251678	Technology One Ltd T/A Digital Mapping Solutions	Spatial consulting services	2,365.00
CP.4	28-07-2025	EFT	2504	3402773	The Fruit Box Group Pty Ltd	Weekly milk supply 28 May 2025 to 26 June 2025	358.80
CP.4	28-07-2025	EFT	4604	A281-2025	The Trustee For The Andrews Family Trust T/As Aspire Change Managment	Morning tea provisions - ERP Project	174.35
CP.4	28-07-2025	EFT	4227	S106076	Trade West Industrial Supplies Pty Ltd T/As Trade West	Cleaning products for bins	247.50

CP.4	28-07-2025	EFT	3614	Town2228	Valrose Pty Ltd	ERP Project Management: - 26 June 2025 to 6 July 2025	11,109.39
CP.4	28-07-2025	EFT	602	30062025	WA Treasury Corporation	Government Guarantee fee: Loan 107 and 108	7,000.99
CP.4	28-07-2025	EFT	1994	01331719	West Australian Newspaper Ltd	Newspaper subscriptions: West Australian and Sunday Times - 13 July to 5 October 2025	209.99
CP.4	28-07-2025	EFT	85	INV-81867	Western Metropolitan Regional Council	Print 3800 residential waste calendars	3,410.00
CP.4	28-07-2025	EFT	4444	INV-0262	Western Tree Surgeon Pty Ltd	Tree bracing Eucalyptus	1,980.00
CP.4	28-07-2025	EFT	4709	ZEN-59924	Zenith Executives Search Pty Ltd T/As Zenith Search	Labour hire: - W/E 6 July 2025	2,181.11
CP.4	28-07-2025	EFT	4709	ZEN-60046	Zenith Executives Search Pty Ltd T/As Zenith Search	Labour hire: - W/E 13 July 2025	2,654.48
CP.4	28-07-2025	EFT	1083	4831424	Zip Heaters (Aust) Pty Ltd	Repairs to Zip hot water tap in The Mayor's Parlour	377.40
EFT Total							324,946.55

Credit Card Payments (Director of Corporate and Community Service)							
Payment Number	Date	Cheque Number	Creditor Number	Invoice No	Creditor Name	Invoice Description	Inclusive Amount
	03-07-2025	DD	NA	NA	Adobe	Service Licence Charges	87.99
	03-07-2025	DD	NA	NA	Starlink	Internet Services	139.00
	03-07-2025	DD	NA	NA	Adobe	Software License Charges	911.86
	03-07-2025	DD	NA	NA	Adobe	Software License Charges	32.99
	03-07-2025	DD	NA	NA	Mailchimp	Software License Charges	60.83
	03-07-2025	DD	NA	NA	National Australian Bank	Credit Card & International Fees	18.00
	03-07-2025	DD	NA	NA	Engagement Institute	Training Courses	2,250.00
	03-07-2025	DD	NA	NA	Animal Care Equipment & Services	Equipment	171.13
	03-07-2025	DD	NA	NA	Miss Maud	Catering Services	104.15
	03-07-2025	DD	NA	NA	Ocean Beach Hotel (C-Blue)	Catering Services	104.00
	03-07-2025	DD	NA	NA	Miss Maud	Catering Services	153.95
	03-07-2025	DD	NA	NA	Indigo Oscar	Catering Services	213.49
Other Total							4,247.39

Other Payments (including Direct Debits)							
Payment Number	Date	Cheque Number	Creditor Number	Invoice No	Creditor Name	Invoice Description	Inclusive Amount
	03-07-2025	EFT	NA	NA	Town of Cottesloe	Payroll - Salaries and Wages	223,568.02
	17-07-2025	EFT	NA	NA	Town of Cottesloe	Payroll - Salaries and Wages	232,652.72
	31-07-2025	EFT	NA	NA	Town of Cottesloe	Payroll - Salaries and Wages	239,777.52
	14-07-2025	DD	NA	NA	Superchoice	Superannuation Payment	46,135.12
	18-07-2025	DD	NA	NA	Superchoice	Superannuation Payment	49,446.58
	03-07-2025	DD	NA	NA	Commonwealth Bank of Australia	Merchant Fee	67.47
	15-07-2025	DD	NA	NA	Bpoint	National Bpoint Charge	31.43
	17-07-2025	DD	NA	NA	National bank of Australia	Account Fees	20.20
	31-07-2025	DD	NA	NA	National bank of Australia	Merchant Fee	513.02
	31-07-2025	DD	NA	NA	Bpay	National Bpay Charge	23.50
	31-07-2025	DD	NA	NA	Bpay	National Bpay Charge	10.24
	31-07-2025	DD	NA	NA	National bank of Australia	Merchant Fee	7.00
Other Total							792,252.82
Grand Total							1,131,995.56

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

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**ITEM 10.1.2A:
MONTHLY FINANCIAL REPORT 1 JULY 2025 TO 31
JULY 2025**

TOWN OF COTTESLOE
MONTHLY FINANCIAL REPORT
For the period ended 31 July 2025

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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TOWN OF COTTESLOE
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2025

Note	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance \$ (c) - (b)	Variance % ((c) - (b))/(b)	Var.
OPERATING ACTIVITIES						
Revenue from operating activities						
General rates	11,709,122	11,789,459	12,302,333*	512,874	4.35%	
Rates excluding general rates	155,337	0	0	0	0.00%	
Grants, subsidies and contributions	427,658	35,638	0	(35,638)	(100.00%)	▼
Fees and charges	5,586,499	2,465,812	2,715,649	249,837	10.13%	
Interest revenue	704,100	58,741	49,504	(9,237)	(15.72%)	
Other revenue	175,018	14,518	118	(14,400)	(99.19%)	
Profit on asset disposals	(36,000)	0	0	0	0.00%	
	18,721,734	14,364,168	15,067,604	703,436	4.90%	
Expenditure from operating activities						
Employee costs	(8,407,818)	(700,651)	(507,106)	193,545	27.62%	▲
Materials and contracts	(8,937,496)	(744,741)	(838,969)	(94,228)	(12.65%)	
Utility charges	(320,100)	(26,675)	(36,580)	(9,905)	(37.13%)	
Depreciation	(3,320,987)	0	0	0	0.00%	
Finance costs	(204,180)	(12,156)	(18)	12,138	99.85%	
Insurance	(236,007)	(19,667)	0	19,667	100.00%	
Other expenditure	(339,462)	(24,865)	(18,317)	6,548	26.33%	
	(21,766,050)	(1,528,755)	(1,400,990)	127,765	8.36%	
Non cash amounts excluded from operating activities	2(c) 3,356,987	0	0	0	0.00%	
Amount attributable to operating activities	312,671	12,835,413	13,666,614	831,201	6.48%	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	2,711,466	225,956	0	(225,956)	(100.00%)	▼
Proceeds from disposal of assets	121,000	0	0	0	0.00%	
Proceeds from financial assets at amortised cost - self supporting loans	35,069	0	0	0	0.00%	
Proceeds on disposal of financial assets at fair values through other comprehensive income	35,802	0	0	0	0.00%	
	2,903,337	225,956	0	(225,956)	(100.00%)	
Outflows from investing activities						
Payments for property, plant and equipment	(858,492)	(71,375)	(77,909)	(6,534)	(9.15%)	
Payments for construction of infrastructure	(3,020,379)	(257,531)	(229,509)	28,022	10.88%	
Payments for financial assets at amortised cost - self supporting loans	35,802	0	0	0	0.00%	
	(3,843,069)	(328,906)	(307,418)	21,488	6.53%	
Amount attributable to investing activities	(939,732)	(102,950)	(307,418)	(204,468)	(198.61%)	
FINANCING ACTIVITIES						
Inflows from financing activities						
Transfer from reserves	206,633	15,833	0	(15,833)	(100.00%)	
	206,633	15,833	0	(15,833)	(100.00%)	
Outflows from financing activities						
Payments for principal portion of lease liabilities	(70,945)	0	0	0	0.00%	
Repayment of borrowings	(376,184)	0	0	0	0.00%	
Transfer to reserves	(406,406)	(33,867)	0	33,867	100.00%	▲
	(853,535)	(33,867)	0	33,867	100.00%	
Amount attributable to financing activities	(646,902)	(18,034)	0	18,034	100.00%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	2(a) 1,273,963	1,273,963	4,196,479	2,922,516	229.40%	▲
Amount attributable to operating activities	312,671	12,835,413	13,666,614	831,201	6.48%	
Amount attributable to investing activities	(939,732)	(102,950)	(307,418)	(204,468)	(198.61%)	▼
Amount attributable to financing activities	(646,902)	(18,034)	0	18,034	100.00%	
Surplus or deficit after imposition of general rates	(0)	13,988,392	17,555,675	3,567,283	25.50%	▲

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.

▲ Indicates a variance with a positive impact on the financial position.

▼ Indicates a variance with a negative impact on the financial position.

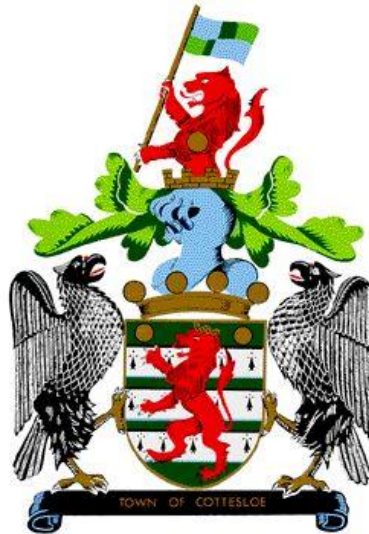
Refer to Note 3 for an explanation of the reasons for the variance.

* The rates actual figure of \$12,302,333 has been incorrectly inflated by \$512,803. This represents the closing balance of rates debtors at 30/6/25 and has been corrected in a later period. The actual figure at 31 July 2025 is \$11,789,530.

**TOWN OF COTTESLOE
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 JULY 2025**

	Actual 30 June 2025	Actual as at 31 July 2025
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	9,757,826	5,760,960
Trade and other receivables	1,114,461	18,159,500
Other financial assets	2,414,399	6,269,452
Inventories	8,960	8,920
Other assets	424	120,614
TOTAL CURRENT ASSETS	13,296,070	30,319,446
NON-CURRENT ASSETS		
Trade and other receivables	102,004	102,004
Other financial assets	192,335	119,429
Investment in associate	633,255	763,391
Property, plant and equipment	73,672,626	73,388,548
Infrastructure	68,841,270	67,513,610
Right-of-use assets	1,010,182	1,010,182
TOTAL NON-CURRENT ASSETS	144,451,672	142,897,164
TOTAL ASSETS	157,747,742	173,216,610
CURRENT LIABILITIES		
Trade and other payables	1,410,878	(1,856,945)
Other liabilities	62,261	62,261
Lease liabilities	(11,818)	54,942
Borrowings	0	376,184
Employee related provisions	1,157,500	948,312
TOTAL CURRENT LIABILITIES	2,618,821	(415,246)
NON-CURRENT LIABILITIES		
Lease liabilities	1,076,766	1,076,766
Borrowings	1,753,978	1,377,793
Employee related provisions	289,560	289,560
TOTAL NON-CURRENT LIABILITIES	3,120,304	2,744,119
TOTAL LIABILITIES	5,739,125	2,328,873
NET ASSETS	152,008,617	170,887,737
EQUITY		
Retained surplus	28,107,240	46,986,360
Reserve accounts	7,397,903	7,397,903
Revaluation surplus	116,503,474	116,503,474
TOTAL EQUITY	152,008,617	170,887,737

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.3A: SCHEME AMENDMENT REPORT (FOR SEPTEMBER 2025 COUNCIL MEETING)



**Town of Cottesloe
Local Planning Scheme No. 3**

Amendment No. 15

Update scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for short-term rental accommodation.

FORM 2A

**Planning and Development Act 2005
RESOLUTION TO ADOPT AMENDMENT
TO LOCAL PLANNING SCHEME**

***Town of Cottesloe Local Planning Scheme No. 3
Amendment No. 15***

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 *Schedule 1 – Dictionary of defined words and expressions, Part 2. Land use definitions*:
 - A. Delete the definitions for:
 - *bed and breakfast*;
 - *motel*;
 - *serviced apartment*; and
 - *short-stay accommodation*.
 - B. Insert the definition for *tourist and visitor accommodation* as per Schedule 1 – Model Provisions for Local Planning Schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. In *Table 1 - Zoning Table*:
 - A. Delete all references to:
 - *Bed and breakfast*;
 - *Motel*;
 - *Serviced apartment*; and
 - *Short-stay accommodation*.
 - B. Insert in alphabetical order the following land uses and permissibility:
 - *Hosted short-term rental accommodation*; and designate as a 'P' use in zones where any type of dwelling is capable of approval (i.e. Residential, Foreshore Centre, Restricted Foreshore Centre, Town Centre, Local Centre, Residential/Office zones) and an 'X' use in all other zones (i.e. Hotel and Place of Public Assembly zones).
 - *Unhosted short-term rental accommodation*; and designate as a 'D' use in the Foreshore Centre, Restricted Foreshore Centre and Town Centre zones, an 'A' use in the Residential, Local Centre, and Residential/Office zones and an 'X' use in all other zones (i.e. Hotel and Place of Public Assembly zones).

- *Tourist and visitor accommodation*; and designate as a 'D' use in the Foreshore Centre, Restricted Foreshore Centre, Hotel, and Town Centre zones, and an 'X' use in the Residential, Local Centre, Residential/Office and Place of Public Assembly zones.

KEY TO COLUMNS:

1A	RESIDENTIAL R20, R25 and R30	4	HOTEL	8	PLACE OF PUBLIC ASSEMBLY
1B	RESIDENTIAL R35, R40, R50, R60, and R100	5	TOWN CENTRE	9	DEVELOPMENT
2	FORESHORE CENTRE	6	LOCAL CENTRE		
3	RESTRICTED FORESHORE CENTRE	7	RESIDENTIAL OFFICE		

USE CLASSES	1A	1B	2	3	4	5	6	7	8	9
Hosted short-term rental accommodation	P	P	P	P	X	P	P	P	X	*
Unhosted short-term rental accommodation	A	A	D	D	X	D	A	A	X	*
Tourist and visitor accommodation	X	X	D	D	D	D	X	X	X	*

3. In Table 3 – Vehicle Parking Requirements:

- A. Delete all references to, and requirements for:
- *Motel*;
 - *Serviced apartment*; and
 - *Short-stay accommodation*.
- B. Insert in alphabetical order the following use and vehicle parking requirement for *Tourist and visitor accommodation*:

USE	NUMBER OF PARKING SPACES
Tourist and visitor accommodation	0.5 spaces for each accommodation unit, with all such spaces provided being for the exclusive use of the occupiers of the units and key accommodation staff.

4. Undertake additional consequential scheme modifications as follows:

- A. In Schedule 1 – Dictionary of defined words and expressions, Part 2. Land use definitions update the definition for *hotel* as per Schedule 1 – Model Provisions for Local Planning Schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- B. In clause 5.2 Residential Design Codes, delete the following note:

Note: The density and development provisions of the Residential Design Codes do not apply to short-stay accommodation (being for holiday or other temporary accommodation purposes), including hotel, motel or other types of non-permanent residential short-stay accommodation use.

- C. Replace *Motel, Serviced apartment and/or Short-stay accommodation* with *Tourist and visitor accommodation* in:
- *Clause 5.8 Vehicle parking requirements – Table 3 (clauses 5.8.3 and 5.8.4);*
 - *Clause 6.4.3.2(e) Additional Provisions Applicable to the Cottesloe Beach Hotel site;*
 - *Clause 6.4.3.3(d) Additional Provisions Applicable to the Ocean Beach Hotel site;*
 - *Clause 6.4.3.4 Additional Provisions Applicable to the Seapines site, Lido site and Lot 51 corner Eileen Street and Marine Parade;*
 - *Clause 6.4.3.5(b) Provisions Applicable to the Foreshore Centre Zone; and*
 - *Schedule 12 – Special Provisions (No. 3).*
- D. Replace *Short-stay accommodation* with *Unhosted short-term rental accommodation* in:
- *Schedule 2 – Additional uses (A11).*
5. Undertake any other administrative and formatting edits as required.

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. the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
3. the amendment is not considered a complex or basic amendment.

Dated this _____ day of _____ 20____

(Chief Executive Officer)

SCHEME AMENDMENT REPORT

1. INTRODUCTION

The purpose of this amendment is to amend the Town's local planning scheme to implement the State Government's planning reforms for short-term rental accommodation.

The 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 Town.

2. BACKGROUND

2.1 State Government

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, such as 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 *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 Town 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.

2.2 Local Government

The Town's draft Local Planning Strategy was endorsed by Council at its meeting held on 17 December 2024 and is currently with the Western Australian Planning Commission for final endorsement.

The Strategy is guided by several themes, including 'Economy and Employment'. Tourism is highlighted as integral to the Town's development, in particular, 'Increasing the quantum of tourist accommodation'. Planning Direction and Action for Tourism states, 'Investigate opportunity for increased short stay accommodation within the Town', particularly within the Foreshore Masterplan area.

3. STATE PLANNING FRAMEWORK

The State Government's planning reforms for short-term rental accommodation (STRA) 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: Planning for Tourism and Short-Term Rental Accommodation* (Position Statement).

3.1 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 the Position Statement 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.

3.2 LPS Regulations

The LPS Regulations are a key component of Western Australia's planning system and comprise 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, which 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 the deemed provisions and the scheme, the deemed provisions prevail.

3.2.1 Amendments to LPS Regulations

Amendments to both Schedules 1 and 2 of the LPS Regulations have been made to facilitate the necessary planning changes of the State Government’s STRA reform initiatives, as envisaged by the Position Statement.

Land use classes and development approval exemptions

These changes, most notably, include:

- 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;
 - *Hosted* – where the host lives in the primary dwelling or ancillary dwelling on the property during the short-term stay. For the Town’s Local Planning Scheme No. 3, this land use will replace the ‘bed and breakfast’ land use.
 - *Unhosted* – where the guest/s have exclusive use of an entire dwelling (which may include a whole house, villa/townhouse or apartment). For the Town’s Local Planning Scheme No. 3, this land use will replace the ‘serviced apartment’ and ‘short-stay accommodation’ land uses.
- 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.
- 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’). For the Town’s Local Planning Scheme No. 3, this land use will replace the ‘motel’, ‘serviced apartment’ and ‘short-stay accommodation’ land uses.
- A state-wide development approval exemption for ‘hosted short-term rental accommodation’ (this includes ancillary dwellings).
- A 90-night (cumulative) exemption within a 12-month period for ‘unhosted short-term rental accommodation’ in the Perth metropolitan area. The 90-night exemption caters for property owners who wish to rent out their primary residence for unhosted short-term rental accommodation on a temporary basis (such as when on holidays) without needing development approval for what might be an informal or one-off arrangement.

Land use definitions

The new land uses are defined in the LPS Regulations as follows:

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;

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;

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;

Tourist and visitor accommodation —

- (a) means a building, or a group of buildings forming a complex, that —
 - (i) is wholly managed by a single person or body; and
 - (ii) is used to provide 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; and
 - (iii) may include on-site services and facilities for use by guests; and

- (iv) *in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;*
and
- (b) *includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but*
- (c) *does not include 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) *hosted short-term rental accommodation;*
 - (iv) *a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*
 - (v) *a park home park;*
 - (vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*
 - (vii) *a road house;*
 - (viii) *workforce accommodation.*

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

4. LOCAL PLANNING CONTEXT

4.1 Local Planning Strategy

As stated in 2.2 above, *Tourism* is a key issue in the Town's draft Local Planning Strategy (Parts 1 & 2), and has defined planning directions and actions.

Part 2, 4.3.2 Tourism of the draft Local Planning Strategy (LPS) identifies Cottesloe Beach as a major WA tourist attraction and one of eight "metropolitan attractors" in the Central Metropolitan Sub-Region. A study by Tourism WA indicates that the number of international and national visitors to Cottesloe has been increasing, with over 150,000 external visitors to Cottesloe annually. Given Cottesloe's role as a premier tourism destination for WA, increasing the provision of soft infrastructure and short-stay accommodation is a potential development priority to accommodate future demand.

The Cottesloe Foreshore Redevelopment Masterplan identifies the car park adjacent to Napier St (Car Park #2) and near Eric Street as possible redevelopment sites that could include short stay accommodation.

In recent community engagement activities, the tourism attraction of Cottesloe for visitors was acknowledged, though this needs to be balanced with local desire for village atmosphere

and scale. Concerns were also raised over the impacts of AirBnB properties on adjacent residential uses.

The background information and analysis in Part 2 supports the following strategic planning directions and actions outlined in Part 1 of the draft LPS, summarised as follows:

ISSUE / OPPORTUNITY	PLANNING DIRECTION	ACTION	RATIONALE	TIMEFRAME
Increasing the quantum of tourist accommodation.	Investigate opportunity for increased short stay accommodation within the Town.	<p>Town to undertake investigations to ensure tourist accommodation is provided in appropriate locations and meets future demand by:</p> <ul style="list-style-type: none"> + A review of the State Government's Planning for Tourism Position Paper and STRA reforms; + Feasibility and potential for dedicated short term accommodation within the Foreshore Masterplan project including Car Park 2. <p>Outcomes including zoning, land use permissibility, development standards and operational / management requirements to be addressed in LPS4 and/or a LPP on STRA.</p>	<p>Section 4.3.2 of Part 2 identifies the potential for an area of dedicated short stay accommodation within the Foreshore Masterplan area.</p> <p>These investigations are necessary to balance the needs and desires of tourists with the understanding that residents are often seeking similar amenity and experiences of the natural attractions of the Town as visitors. With the natural environment, especially coastal areas of the Town, providing an excellent basis for tourism, the potential for this sector is high. This would help drive growth in local employment opportunities, activate centres as well as increase usage of public amenities and public transport in the Town.</p>	<p>Short Term</p> <p>1-5 years</p>

4.2 Local Planning Scheme No. 3

4.2.1. Current land use definitions

Prior to the STRA amendments to the LPS Regulations in September 2024, AirBnB and holiday accommodation were considered under the following land use classes of LPS 3:

“Bed and breakfast” means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast;

“Serviced apartment” means an apartment in a building/s or part thereof where such apartments provide for self-contained accommodation for short-stay guests, where integrated reception and recreation facilities may be provided, and where occupation by any person is limited to a maximum of three months in any 12 month period.

“Short-stay accommodation” means a building/s or part thereof, or group of buildings forming a complex or part thereof, designed for the accommodation of short-term guests, which provides on-site facilities for the convenience of the guests and for the management of the accommodation, and where occupation by any person is limited to a maximum of three months in any 12 month period and which excludes those accommodation uses more specifically defined elsewhere.

“Motel” means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the Liquor Licensing Act 1988.

4.2.2. Current land use permissibility (Zoning Table)

The following excerpt from LPS 3’s Zoning Table outlines the permissibility of these land uses within the zones:

KEY TO COLUMNS:

1A	RESIDENTIAL R20, R25 and R30	4	HOTEL	8	PLACE OF PUBLIC ASSEMBLY
1B	RESIDENTIAL R35, R40, R50, R60, and R100	5	TOWN CENTRE	9	DEVELOPMENT
2	FORESHORE CENTRE	6	LOCAL CENTRE		
3	RESTRICTED FORESHORE CENTRE	7	RESIDENTIAL OFFICE		

USE CLASSES	1A	1B	2	3	4	5	6	7	8	9
Bed and Breakfast	A	A	P	A	X	D	D	D	X	*
Serviced Apartment	X	A	D	D	D	D	X	D	X	D
Short-stay accommodation	X	X	D	D	D	D	X	A	X	*
Motel	X	X	D	D	D	D	X	X	X	*

Note: The symbols used in the zoning table have the following meanings —

P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;

- D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
- A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions;
- X means that the use is not permitted by this Scheme.

Current assessment of STRA development applications

In the interim period, between the introduction of STRA amendments to the LPS Regulations in September 2024 and the gazettal of this Scheme Amendment, the Town is accepting and assessing development applications for unhosted STRA as a 'use not listed'. These applications have been advertised and granted development approval for a period of 12 months:

- a) to ensure they are compatible with the amenity of the locality; and
- b) so the Town can finalise the scheme amendment process and develop any supporting local planning policy that may provide further guidance on how the Town wishes to manage short-term rental accommodation within the locality.

Since September 2024, the Town has granted development approval to 17 unhosted STRA.

According to the STRA Register managed by the Department of Energy, Mines, Industry Regulation and Safety, there are currently 161 properties registered within the Town of Cottesloe, and significantly more unhosted STRA than hosted STRA. Around 60% of unhosted STRA are concentrated west of Broome Street, between Grant Street and Forrest Street.

5. PROPOSED AMENDMENT

This scheme amendment relates to the introduction, modification and deletion of various land uses and general definitions in the Town's Local Planning Scheme No. 3 (LPS 3), to accommodate the introduction of new land use classes associated with STRA.

The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to LPS 3's 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 LPS 3 through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into LPS 3's Zoning Table to ensure absolute clarity from an interpretation and permissibility perspective, particularly given these uses replace long-standing land use classes within the Town's local planning framework.

To implement the required changes, this amendment requires deletion of all references to LPS 3's land use classes of *bed and breakfast*, *serviced apartment* and *short-stay accommodation*, and replacement 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 LPS 3 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. Planning Bulletin 115 states:

In all schemes, both metropolitan and regional, 'hosted short-term rental accommodation' should be listed as a P use in all zones where any type of dwelling is capable of approval, reflecting the state-wide development approval exemption in the LPS regulations.

For local governments within the boundaries of the Metropolitan Region Scheme (MRS), 'unhosted short-term rental accommodation' should be listed as a D or A use in zones where any type of dwelling is capable of approval, a P use in Tourism zones and an X use within all other zones, reflecting the direction set in the Position Statement.

To align with the State Government's direction, this amendment proposes the following permissibility designations for these new land use classes:

- *'Hosted short-term rental accommodation'* is proposed as a 'P' use (permitted) in all zones where any type of dwelling is capable of approval (i.e. Residential, Foreshore Centre, Restricted Foreshore Centre, Town Centre, Local Centre, Residential/Office zones) and an 'X' use in all other zones (i.e. Hotel and Place of Public Assembly zones).
- *'Unhosted short-term rental accommodation'* is proposed as a 'D' use in the Foreshore Centre, Restricted Foreshore Centre and Town Centre zones, an 'A' use in the Residential, Local Centre, and Residential/Office zones and an 'X' use in all other zones (i.e. Hotel and Place of Public Assembly zones).

Unhosted STRA is proposed as a 'D' use in the Foreshore Centre, Restricted Foreshore Centre and Town Centre zones, for consistency with the current 'D' use designation for both *Serviced apartment* and *short-stay accommodation* within these zones. For unhosted STRA applications within the Residential, Local Centre, and Residential/Office zones, public consultation (advertising) is considered appropriate.

5.2 Model 'Tourist and Visitor Accommodation' land use class

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 Town's LPS 3, land use classes to be deleted through this change are:

- A. *Motel* – this use is consistent with the new land use class definition;

- B. *Serviced apartment (in the case of a purpose-built serviced apartment building with reception and recreation facilities)* – this use is specifically referenced in the new land use class definition;
- C. *Short-stay accommodation (in the case of a purpose built facility for short-term guests)* – this use is consistent with new use class definition.

For further consistency, the amendment proposes the new land use class of *Tourist and visitor accommodation* to have the same permissibility designation as the current *Motel* land use class, i.e.:

- *Tourist and visitor accommodation* is proposed as a 'D' use in the Foreshore Centre, Restricted Foreshore Centre, Hotel, and Town Centre zones, and an 'X' use in the Residential, Local Centre, Residential/Office and Place of Public Assembly zones.

5.3 Proposed land use permissibility (Zoning Table)

To summarise the above information, the amendment proposes changes to LPS 3's Zoning Table as follows:

KEY TO COLUMNS:

1A	RESIDENTIAL R20, R25 and R30	4	HOTEL	8	PLACE OF PUBLIC ASSEMBLY
1B	RESIDENTIAL R35, R40, R50, R60, and R100	5	TOWN CENTRE	9	DEVELOPMENT
2	FORESHORE CENTRE	6	LOCAL CENTRE		
3	RESTRICTED FORESHORE CENTRE	7	RESIDENTIAL OFFICE		

USE CLASSES	1A	1B	2	3	4	5	6	7	8	9
Hosted short-term rental accommodation	P	P	P	P	X	P	P	P	X	*
Unhosted short-term rental accommodation	A	A	D	D	X	D	A	A	X	*
Tourist and visitor accommodation	X	X	D	D	D	D	X	X	X	*

Note: The symbols used in the zoning table have the following meanings —

- P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;
- D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
- A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions;
- X means that the use is not permitted by this Scheme.

5.4 Consequential scheme text modifications

5.4.1. Table 3 – Vehicle Parking Requirements

Table 3 – Vehicle Parking Requirements of LPS 3 includes requirements for *Motel*, *Serviced Apartment* and *Short-stay accommodation* as follows:

USE	NUMBER OF PARKING SPACES
Motel	0.5 spaces for each motel unit, with all such spaces provided being for the exclusive use of the occupiers of the units and key staff, and being held in common and not permanently allocated to individual accommodation units or any other tenancy.
Serviced Apartment	0.5 spaces for each accommodation unit, with all such spaces provided being for the exclusive use of the occupiers of the units and key accommodation staff, and being held in common and not permanently allocated to individual units or any other tenancy.
Short-stay Accommodation	0.5 spaces to every 8 persons the development is designed to accommodate.

As these use classes are proposed to be deleted, Table 3 – Vehicle Parking Requirements also requires changes, to delete all references to, and requirements for *Motel*, *Serviced Apartment* and *Short-stay accommodation* and include a new parking requirement for *Tourist and visitor accommodation*. This new parking requirement is consistent with current requirements for *Motel* and *Serviced apartment*, but the need for spaces to be located within common property with no permanent allocation has been removed:

USE	NUMBER OF PARKING SPACES
Tourist and visitor accommodation	0.5 spaces for each accommodation unit, with all such spaces provided being for the exclusive use of the occupiers of the units and key accommodation staff.

5.4.2. Schedule 1, Part 2 - Hotel definition

Motel is referenced in LPS 3's *Hotel* definition as follows:

"Hotel" means premises providing accommodation the subject of a hotel licence under the Liquor Control Act 1988, and may include a betting agency on those premises, but does not include a tavern or motel;

Rather than simply deleting the word motel from the hotel definition, it is considered appropriate to update the hotel definition as per Schedule 1 – Model Provisions for Local Planning Schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015*, being:

Hotel means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises.

5.4.3. 5.2 Residential Design Codes

Clause 5.2 Residential Design Codes of LPS 3 includes the following note:

Note: The density and development provisions of the Residential Design Codes do not apply to short-stay accommodation (being for holiday or other temporary accommodation purposes), including hotel, motel or other types of non-permanent residential short-stay accommodation use.

In addition to referencing *short-stay accommodation and motel*, the note is not considered necessary and can be deleted, as the Residential Design Codes only apply to single houses, grouped and multiple dwellings.

5.4.4. Additional updates

There are numerous clauses throughout LPS 3 that reference the use classes of *Motel*, *Serviced apartment* and/or *Short-stay accommodation*, being:

- *Clause 5.8 Vehicle parking requirements – Table 3 (clauses 5.8.3 and 5.8.4);*
- *Clause 6.4.3.2(e) Additional Provisions Applicable to the Cottesloe Beach Hotel site;*
- *Clause 6.4.3.3(d) Additional Provisions Applicable to the Ocean Beach Hotel site;*
- *Clause 6.4.3.4 Additional Provisions Applicable to the Seapines site, Lido site and Lot 51 corner Eileen Street and Marine Parade;*
- *Clause 6.4.3.5(b) Provisions Applicable to the Foreshore Centre Zone;*
- *Schedule 12 – Special Provisions (No. 3); and*

Within these clauses, *Motel*, *Serviced apartment* and/or *Short-stay accommodation* will be replaced with *Tourist and visitor accommodation*.

In addition, Schedule 2 – Additional uses of LPS 3 lists an additional use of *Short-stay accommodation* for Lot 400 (No. 24) Jarrad Street, Cottesloe (A11). This use will be replaced with *Unhosted short-term rental accommodation*, to reflect the new terminology.

**Planning and Development Act 2005
RESOLUTION TO AMEND LOCAL PLANNING SCHEME**

***Town of Cottesloe Local Planning Scheme No. 3
Amendment No. 15***

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 *Schedule 1 – Dictionary of defined words and expressions, Part 2. Land use definitions*:
 - A. Delete the definitions for:
 - *bed and breakfast*;
 - *motel*;
 - *serviced apartment*; and
 - *short-stay accommodation*.
 - B. Insert the definition for *tourist and visitor accommodation* as per Schedule 1 – Model Provisions for Local Planning Schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. In *Table 1 – Zoning Table*:
 - A. Delete all references to:
 - *Bed and breakfast*;
 - *Motel*;
 - *Serviced apartment*; and
 - *Short-stay accommodation*.
 - B. Insert in alphabetical order the following land uses and permissibility:
 - *Hosted short-term rental accommodation*; and designate as a 'P' use in zones where any type of dwelling is capable of approval (i.e. Residential, Foreshore Centre, Restricted Foreshore Centre, Town Centre, Local Centre, Residential/Office zones) and an 'X' use in all other zones (i.e. Hotel and Place of Public Assembly zones).
 - *Unhosted short-term rental accommodation*; and designate as a 'D' use in the Foreshore Centre, Restricted Foreshore Centre and Town Centre zones, an 'A' use in the Residential, Local Centre, and Residential/Office zones and an 'X' use in all other zones (i.e. Hotel and Place of Public Assembly zones).
 - *Tourist and visitor accommodation*; and designate as a 'D' use in the Foreshore Centre, Restricted Foreshore Centre, Hotel, and Town Centre

zones, and an 'X' use in the Residential, Local Centre, Residential/Office and Place of Public Assembly zones.

KEY TO COLUMNS:

1A	RESIDENTIAL R20, R25 and R30	4	HOTEL	8	PLACE OF PUBLIC ASSEMBLY
1B	RESIDENTIAL R35, R40, R50, R60, and R100	5	TOWN CENTRE	9	DEVELOPMENT
2	FORESHORE CENTRE	6	LOCAL CENTRE		
3	RESTRICTED FORESHORE CENTRE	7	RESIDENTIAL OFFICE		

USE CLASSES	1A	1B	2	3	4	5	6	7	8	9
Hosted short-term rental accommodation	P	P	P	P	X	P	P	P	X	*
Unhosted short-term rental accommodation	A	A	D	D	X	D	A	A	X	*
Tourist and visitor accommodation	X	X	D	D	D	D	X	X	X	*

3. In Table 3 – Vehicle Parking Requirements:

- A. Delete all references to, and requirements for:
 - Motel;
 - Serviced apartment; and
 - Short-stay accommodation.
- B. Insert in alphabetical order the following use and vehicle parking requirement for Tourist and visitor accommodation:

USE	NUMBER OF PARKING SPACES
Tourist and visitor accommodation	0.5 spaces for each accommodation unit, with all such spaces provided being for the exclusive use of the occupiers of the units and key accommodation staff.

4. Undertake additional consequential scheme modifications as follows:

- A. In Schedule 1 – Dictionary of defined words and expressions, Part 2. Land use definitions update the definition for hotel as per Schedule 1 – Model Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015.
- B. In clause 5.2 Residential Design Codes, delete the following note:

Note: The density and development provisions of the Residential Design Codes do not apply to short-stay accommodation (being for holiday or other temporary accommodation purposes), including hotel, motel or other types of non-permanent residential short-stay accommodation use.
- C. Replace Motel, Serviced apartment and/or Short-stay accommodation with Tourist and visitor accommodation in:

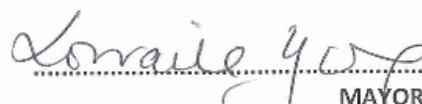
- *Clause 5.8 Vehicle parking requirements – Table 3 (clauses 5.8.3 and 5.8.4);*
 - *Clause 6.4.3.2(e) Additional Provisions Applicable to the Cottesloe Beach Hotel site;*
 - *Clause 6.4.3.3(d) Additional Provisions Applicable to the Ocean Beach Hotel site;*
 - *Clause 6.4.3.4 Additional Provisions Applicable to the Seapines site, Lido site and Lot 51 corner Eileen Street and Marine Parade;*
 - *Clause 6.4.3.5(b) Provisions Applicable to the Foreshore Centre Zone; and*
 - *Schedule 12 – Special Provisions (No. 3).*
- D. Replace *Short-stay accommodation* with *Unhosted short-term rental accommodation* in:
- *Schedule 2 – Additional uses (A11).*
5. Undertake any other administrative and formatting edits as required.

Town of Cottesloe Local Planning Scheme No. 3 – Amendment No. 15

FORM 6A

COUNCIL ADOPTION

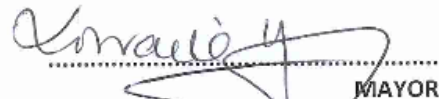
This STANDARD Amendment was adopted by resolution of the Council of the Town of Cottesloe at the Ordinary Meeting of the Council held on the [25th] day of [March], 2025.

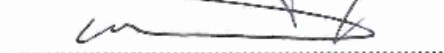

MAYOR


CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Town of Cottesloe at the Ordinary Meeting of the Council held on the [25th] day of [March], 2025, proceed to advertise this Amendment.


MAYOR


CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended FOR SUPPORT by resolution of the Town of Cottesloe at the Ordinary Meeting of the Council held on the [] day of [], 2025 and the Common Seal of the Town of Cottesloe was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

19

FORM 6A - CONTINUED

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

**ITEM 10.1.3B:
SCHEDULE OF SUBMISSIONS - LPP NO 5 - STRA
FINAL (SEPTEMBER COUNCIL MEETING)**

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

TOWN OF COTTESLOE
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
AMENDMENT 15 TO LPS 3 (SCHEME TEXT AMENDMENTS FOR SHORT-TERM RENTAL ACCOMMODATION) AND LOCAL PLANNING POLICY NO. 5: UNHOSTED SHORT-TERM RENTAL ACCOMMODATION
(Advertising Closed 21/7/25)

No.	Name/Address	Summary of Submission	Officer comment
1	Airbnb	<p>Supportive overall but with some concerns:</p> <ol style="list-style-type: none"> Details the significant economic benefits of Airbnb at regional and local level. Notes the world renowned Cottesloe Beach needs to meet the expectations of locals, visitors and tourists from domestic and international markets. Notes that in Cottesloe, 'based on ABS statistics, tourism supports an estimated 326 jobs, which is 10.4% of total employment'. Encourages policies which ensure local residents have the opportunity to offer STRA to earn additional income, as well as provide elasticity in the supply of accommodation in support of local events and the local visitor economy. Agrees that the needs of tourists must be carefully balanced with the amenity of local residents. The proposed permissibility designations under the Town's Draft Amendments to Local Planning Scheme No. 3 do not exactly align with the deemed provisions, as the 'X' designation for hosted STRA in some zones purports to prevent hosted STRA in those zones despite the deemed provisions providing that no DA is required for hosted STRA. In addition, the 'A' and 'D' designations for unhosted STRA, appear on their face, to require a DA for unhosted STRA which is exempt from the need for a DA by the deemed provisions if the unhosted STRA is registered, not used for more than 90 nights in a 12 month period, and is not located in a zone where a dwelling is a class 'X' use. Opposes time limitations on approvals as this can be managed by the usual planning compliance framework. The Draft Local Planning Policy does not provide any guidance on the circumstances in which the suitability of the STRA proposal is reliant on the effectiveness of the proposed management arrangements. Airbnb states that 'in addition, provisions within other proposed and implemented planning policies within the metropolitan area have provided for DAs on a permanent basis where appropriate, such as following a successful time period and/or following consultation of adjacent property owners'. The Town's Draft LPP is not explicit in this approach. Airbnb argues there is no sound planning basis to depart from the usual approach ... particularly where the use is a small-scale accommodation which is capable of being managed by usual planning permissions and compliance framework. Opposes the proposed policy provision that requires a new development application for unhosted STRA to be submitted and approved following a change in landowner. Airbnb argues that in all but the most extreme of examples, a DA is regarded as a <i>right in rem</i> which attaches to the land, and is not personal to a landowner. There is no compelling reason to depart from usual planning principles that a DA for unhosted STRA should apply to the land. The proposed approach is inconsistent with established planning principles and 	<p>Noted.</p> <ol style="list-style-type: none"> Noted. Noted. No change recommended. Scheme Amendment 15 complies with the <i>Planning and Development (Local Planning Schemes) Regulations</i>, and Planning Bulletin 115/2024 – STRA Guidance for Local Government. Hosted STRAs are intended to be 'P' (permitted) uses in zones where any type of dwelling is capable of approval (eg. Residential Zones) and 'X' (not permitted) uses in zones where dwellings are not capable of approval (eg. Hotel and Place of Public Assembly Zones). No change recommended. Scheme Amendment 15 does not conflict with the <i>Planning and Development (Local Planning Schemes) Regulations deemed provisions</i> as these are automatically 'read into' the Local Planning Scheme No. 3 (LPS3). Scheme Amendment 15's requirement for development approval for unhosted STRAs only applies to STRAs which do not meet the 90 night (cumulative) within a 12 month period exemption. No change recommended. The Town has prepared the draft Local Planning Policy (LPP) based on WALGA's STRA guidelines which includes provisions for time limitations of approval. This is to assist in managing amenity impacts where they have been raised as concerns during neighbour consultation. It is not the Town's intent to frequently apply this restriction. Noted and change recommended. The draft LPP has been amended to reflect the concern raised and now states that a new development application will only be required following a change of ownership where the approved terms are changed (i.e. new management plan).

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

		<p>imposes an unnecessary barrier to the sale and ongoing use of a property that has already been deemed suitable.</p> <p>7. Airbnb has continued to prioritise safety and good behaviour, implementing policies and initiatives to deter parties (eg. a global ban on parties) and help stamp out poor behaviour (eg. Reservation screening system and Neighbourhood Support Line). Poor behaviour is not tolerated on its platform – neither Airbnb, nor its community of hosts, wish to see disruptive or nuisance behaviour within their listings.</p> <p>8. To better support local governments, Airbnb has recently launched a new product known as the City Portal to better equip regulators with information and tools to enforce local rules. Through the City Portal, local governments can access key tools and resources such as extent of STRA properties, guest numbers and origin, average spends per day and economic data, and access to Airbnb's 24/7 Neighbourhood Support Line.</p>	<p>7. Noted.</p> <p>8. Noted.</p>
2	J Byrne Melbourne	<p>Supportive:</p> <p>1. Is a regular visitor to Cottesloe and has purchased a small villa in the area that is used for STRA when he is not occupying it.</p> <p>2. Comments that 'Many people need short term living options in Cottesloe - for business, family events, locals displaced by insurance claims, renovations, sales and settlements etc. Not to mention the many tourists who are attracted by Cottesloe Beach and surrounds, something that is heavily promoted by Tourism WA'. This no doubt supports the local and state economy.' Considers that there is a distinct lack of suitable hotel accommodation in the area. Notes that 'without short-term rentals to fill that void it would be dire indeed'.</p> <p>3. Believes that well equipped, professionally managed short term rentals should be allowed to operate in Cottesloe, to provide an important accommodation offering that benefits visitors, locals and the economy alike that available hotel accommodation simply cannot provide.</p>	<p>1. Noted.</p> <p>2. Noted.</p> <p>The Town's draft Local Planning Strategy 2024 includes a Planning Direction seeking to investigate the opportunity for increased short stay accommodation within the Town.</p> <p>3. See above response for Point 2. The State Government's planning reforms to be implemented via Scheme Amendment 15 will allow a development application to be submitted and considered for unhosted STRA in zones across the Town of Cottesloe where any type of dwelling is capable of approval.</p> <p>No changes are considered necessary.</p>
3	G Willert Florence Street, Cottesloe	<p>Supportive:</p> <p>1. Provides a service and a variety of accommodation types to people requiring short stay accommodation, eg. for people in the local area who need to vacate their property (house fire/flood, renovation, domestic disputes, buying/selling a house), visiting friends and family, business trips, touring bands/shows and tourists generally.</p> <p>2. Has been operating STRA properties unregulated for years with minimal impact.</p> <p>3. Uses technology such a noise detectors and devices to monitor the number of people in a premises which can act as a deterrent.</p> <p>4. All houses should be allowed to submit an application and if found suitable can operate with the mechanism to remove that property if the owner or managing agent allows ongoing disruption to the community.</p>	<p>1. Noted.</p> <p>2. Noted.</p> <p>3. Noted.</p> <p>4. Noted. A standard condition of development approval requires the unhosted STRA to operate in accordance with the submitted management plan and house rules.</p> <p>No changes are considered necessary.</p>

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

4	B Patrick Burt Street, Cottesloe	Supportive: 1. Subject to adequate off-street parking (at least one on the property) being made available for tenants of the rentals.	Noted. 1. The draft LPP requires all guest, staff and visitor parking associated with the unhosted STRA to be contained on-site and not located on-street or within the verge. Where no on-site parking is available the applicant is required to demonstrate how car parking can be accommodated in the Management Plan. No changes are considered necessary.
5	A Kennedy-Perkins Grant Street	Concerned: 1. Raises concern regarding off street parking. 2. Suggests one off-street car space per four occupants would drive better outcomes/behaviours. 3. Queries how 90 days annual limit is monitored.	Noted. 1. See comment above. 2. The draft LPP requires all guest, staff and visitor parking associated with the unhosted STRA to be contained on-site and not located on-street or within the verge. The draft LPP provisions relating to on-site car parking are consistent with the relevant WALGA Guidelines. 3. The 90 day annual limit is monitored by the STRA Register which is managed by the Department of Local Government, Industry Regulation and Safety (LGIRS). The Town receives automated email notifications from the STRA Register advising when the property is approaching 90 nights (80 booked nights warning) and when the property has exceeded 90 nights in its current registration year. No changes are considered necessary.
6	C Franklin McNamara Way, Cottesloe	Concerned: 1. Already suffers from STRA in their unit complex. 2. Waste management must not be left to the individual owner as then the burden is borne by all owners and residents of the complex. 3. Town must increase red-bin collection to weekly to facilitate the increase in population numbers.	Noted. 1. Noted. 2. The draft LPP requires waste management procedures to be addressed by the applicant in a Management Plan submitted with each STRA application. In addition, House Rules provided to guests must cover waste management. Adjoining owners and occupiers can notify the Town should an issue arise in respect to the implementation of the Management Plan so that appropriate action may be taken if a breach of development approval has occurred. 3. A request can be made to the Town for a weekly red-bin pickup service. No changes are considered necessary.
7	J C Angove Hawkstone Street, Cottesloe	Concerned: 1. Not keen on Air B&B rentals. 2. Risk of increased traffic, parties and noise.	Noted. 1. Noted. 2. The Management Plan required to be submitted by the applicant as per the draft LPP will address operational issues. No changes are considered necessary.

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

8	E Carter Marmion Street, Cottesloe	<p>Concerned:</p> <ol style="list-style-type: none"> 1. Requests consideration of stronger guidelines for neighbours to be able to submit complaints regarding guests. 	<p>Noted.</p> <ol style="list-style-type: none"> 1. The draft LPP requires complaint management procedures and contacts for surrounding neighbours to be included in the Management Plan which is provided to adjoining neighbours during advertising of a STRA development application. 2. Airbnb have advised they have a Neighbourhood Support Line (Airbnb.com/neighbours) which allows neighbours to request a call from a specialist support agent to report problems. This allows the platform to investigate problems brought to their attention. However, as this is not managed by the Town it has not been included in the draft policy. 3. Complaints can also be made directly to the Town for investigation. <p>No changes are considered necessary.</p>
9	C M Taylor Curtin Avenue, Cottesloe	<p>Concerned:</p> <ol style="list-style-type: none"> 1. Totally disagrees with having STRA in Cottesloe, especially when land is stated 'residential'. 2. 99% of occupants are on holiday and invite friends to visit them creating issues including loud music, alcohol and many staying overnight, inconveniencing ratepayers who enjoy the quiet location. 3. Many will not register their houses/flats. 4. Is the Town employing more staff to control owners of STRA? 	<p>Noted.</p> <ol style="list-style-type: none"> 1. The Town needs to amend the Local Planning Scheme to implement the State Government's planning reforms for short-term rental accommodation. 2. A statewide development approval exemption for 'hosted short-term rental accommodation' and a 90-night (cumulative) exemption within a 12-month period for 'unhosted short-term rental accommodation' exists in the Perth metropolitan area. 3. Platforms such as Airbnb require proof of registration. 4. The Town currently has adequate resources to address STRA issues should they arise. <p>No changes are considered necessary.</p>
10	Department of Health (DoH)	<p>Noted.</p> <ol style="list-style-type: none"> 1. Suggests that the draft LPP should incorporate associated health provisions or reference to the DOH factsheet on existing health legislation in relation to STRA. Health provisions are current and enforceable by local government and should be referenced appropriately in any administrative arrangement. 	<p>Noted.</p> <ol style="list-style-type: none"> 1. While the DoH has recommended that the draft LPP include reference to health provisions and associated factsheets, it is considered that these matters are more appropriately dealt with under separate health legislation. The intent of the LPP is to provide planning guidance and development assessment criteria. The LPP should remain focused on planning considerations recognising STRA operators need to address all relevant health legislation and standards in any event (see 'Additional requirements' section of the LPP).

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.4A:

**DRAFT LOCAL PLANNING POLICY - UNHOSTED
SHORT-TERM RENTAL ACCOMMODATION - FOR
ADOPTION (SEPTEMBER COUNCIL MEETING)**

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: 23 September 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. Change of ownership

A change of ownership does not invalidate an existing development approval and the new owner is bound by the terms of the existing approval including the approved management plan. If the new owner wishes to alter any aspect of the approval (including any aspect of the management plan) approval must be sought and obtained from the Town.

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 [Local Government, 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

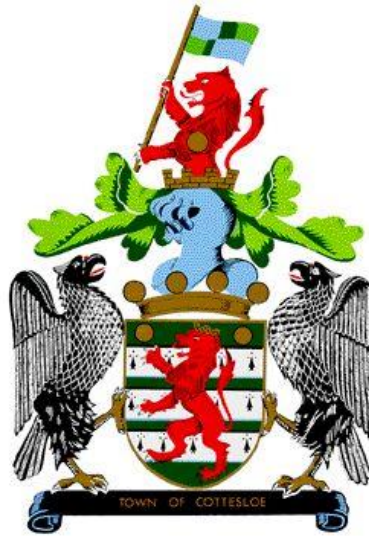
DOCUMENT CONTROL

Date initially adopted:

** 2025

Date(s) reviewed/amended:

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

**ITEM 10.1.4B:
SCHEDULE OF SUBMISSIONS - LPP NO 5 - STRA
FINAL (SEPTEMBER COUNCIL MEETING)**

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

TOWN OF COTTESLOE
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
AMENDMENT 15 TO LPS 3 (SCHEME TEXT AMENDMENTS FOR SHORT-TERM RENTAL ACCOMMODATION) AND LOCAL PLANNING POLICY NO. 5: UNHOSTED SHORT-TERM RENTAL ACCOMMODATION
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No.	Name/Address	Summary of Submission	Officer comment
1	Airbnb	<p>Supportive overall but with some concerns:</p> <ol style="list-style-type: none"> Details the significant economic benefits of Airbnb at regional and local level. Notes the world renowned Cottesloe Beach needs to meet the expectations of locals, visitors and tourists from domestic and international markets. Notes that in Cottesloe, 'based on ABS statistics, tourism supports an estimated 326 jobs, which is 10.4% of total employment'. Encourages policies which ensure local residents have the opportunity to offer STRA to earn additional income, as well as provide elasticity in the supply of accommodation in support of local events and the local visitor economy. Agrees that the needs of tourists must be carefully balanced with the amenity of local residents. The proposed permissibility designations under the Town's Draft Amendments to Local Planning Scheme No. 3 do not exactly align with the deemed provisions, as the 'X' designation for hosted STRA in some zones purports to prevent hosted STRA in those zones despite the deemed provisions providing that no DA is required for hosted STRA. In addition, the 'A' and 'D' designations for unhosted STRA, appear on their face, to require a DA for unhosted STRA which is exempt from the need for a DA by the deemed provisions if the unhosted STRA is registered, not used for more than 90 nights in a 12 month period, and is not located in a zone where a dwelling is a class 'X' use. Opposes time limitations on approvals as this can be managed by the usual planning compliance framework. The Draft Local Planning Policy does not provide any guidance on the circumstances in which the suitability of the STRA proposal is reliant on the effectiveness of the proposed management arrangements. Airbnb states that 'in addition, provisions within other proposed and implemented planning policies within the metropolitan area have provided for DAs on a permanent basis where appropriate, such as following a successful time period and/or following consultation of adjacent property owners'. The Town's Draft LPP is not explicit in this approach. Airbnb argues there is no sound planning basis to depart from the usual approach ... particularly where the use is a small-scale accommodation which is capable of being managed by usual planning permissions and compliance framework. Opposes the proposed policy provision that requires a new development application for unhosted STRA to be submitted and approved following a change in landowner. Airbnb argues that in all but the most extreme of examples, a DA is regarded as a <i>right in rem</i> which attaches to the land, and is not personal to a landowner. There is no compelling reason to depart from usual planning principles that a DA for unhosted STRA should apply to the land. The proposed approach is inconsistent with established planning principles and 	<p>Noted.</p> <ol style="list-style-type: none"> Noted. Noted. No change recommended. Scheme Amendment 15 complies with the <i>Planning and Development (Local Planning Schemes) Regulations</i>, and Planning Bulletin 115/2024 – STRA Guidance for Local Government. Hosted STRAs are intended to be 'P' (permitted) uses in zones where any type of dwelling is capable of approval (eg. Residential Zones) and 'X' (not permitted) uses in zones where dwellings are not capable of approval (eg. Hotel and Place of Public Assembly Zones). No change recommended. Scheme Amendment 15 does not conflict with the <i>Planning and Development (Local Planning Schemes) Regulations deemed provisions</i> as these are automatically 'read into' the Local Planning Scheme No. 3 (LPS3). Scheme Amendment 15's requirement for development approval for unhosted STRAs only applies to STRAs which do not meet the 90 night (cumulative) within a 12 month period exemption. No change recommended. The Town has prepared the draft Local Planning Policy (LPP) based on WALGA's STRA guidelines which includes provisions for time limitations of approval. This is to assist in managing amenity impacts where they have been raised as concerns during neighbour consultation. It is not the Town's intent to frequently apply this restriction. Noted and change recommended. The draft LPP has been amended to reflect the concern raised and now states that a new development application will only be required following a change of ownership where the approved terms are changed (i.e. new management plan).

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

		<p>imposes an unnecessary barrier to the sale and ongoing use of a property that has already been deemed suitable.</p> <p>7. Airbnb has continued to prioritise safety and good behaviour, implementing policies and initiatives to deter parties (eg. a global ban on parties) and help stamp out poor behaviour (eg. Reservation screening system and Neighbourhood Support Line). Poor behaviour is not tolerated on its platform – neither Airbnb, nor its community of hosts, wish to see disruptive or nuisance behaviour within their listings.</p> <p>8. To better support local governments, Airbnb has recently launched a new product known as the City Portal to better equip regulators with information and tools to enforce local rules. Through the City Portal, local governments can access key tools and resources such as extent of STRA properties, guest numbers and origin, average spends per day and economic data, and access to Airbnb's 24/7 Neighbourhood Support Line.</p>	<p>7. Noted.</p> <p>8. Noted.</p>
2	J Byrne Melbourne	<p>Supportive:</p> <p>1. Is a regular visitor to Cottesloe and has purchased a small villa in the area that is used for STRA when he is not occupying it.</p> <p>2. Comments that 'Many people need short term living options in Cottesloe - for business, family events, locals displaced by insurance claims, renovations, sales and settlements etc. Not to mention the many tourists who are attracted by Cottesloe Beach and surrounds, something that is heavily promoted by Tourism WA'. This no doubt supports the local and state economy.' Considers that there is a distinct lack of suitable hotel accommodation in the area. Notes that 'without short-term rentals to fill that void it would be dire indeed'.</p> <p>3. Believes that well equipped, professionally managed short term rentals should be allowed to operate in Cottesloe, to provide an important accommodation offering that benefits visitors, locals and the economy alike that available hotel accommodation simply cannot provide.</p>	<p>1. Noted.</p> <p>2. Noted.</p> <p>The Town's draft Local Planning Strategy 2024 includes a Planning Direction seeking to investigate the opportunity for increased short stay accommodation within the Town.</p> <p>3. See above response for Point 2. The State Government's planning reforms to be implemented via Scheme Amendment 15 will allow a development application to be submitted and considered for unhosted STRA in zones across the Town of Cottesloe where any type of dwelling is capable of approval.</p> <p>No changes are considered necessary.</p>
3	G Willert Florence Street, Cottesloe	<p>Supportive:</p> <p>1. Provides a service and a variety of accommodation types to people requiring short stay accommodation, eg. for people in the local area who need to vacate their property (house fire/flood, renovation, domestic disputes, buying/selling a house), visiting friends and family, business trips, touring bands/shows and tourists generally.</p> <p>2. Has been operating STRA properties unregulated for years with minimal impact.</p> <p>3. Uses technology such a noise detectors and devices to monitor the number of people in a premises which can act as a deterrent.</p> <p>4. All houses should be allowed to submit an application and if found suitable can operate with the mechanism to remove that property if the owner or managing agent allows ongoing disruption to the community.</p>	<p>1. Noted.</p> <p>2. Noted.</p> <p>3. Noted.</p> <p>4. Noted. A standard condition of development approval requires the unhosted STRA to operate in accordance with the submitted management plan and house rules.</p> <p>No changes are considered necessary.</p>

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

4	B Patrick Burt Street, Cottesloe	Supportive: 1. Subject to adequate off-street parking (at least one on the property) being made available for tenants of the rentals.	Noted. 1. The draft LPP requires all guest, staff and visitor parking associated with the unhosted STRA to be contained on-site and not located on-street or within the verge. Where no on-site parking is available the applicant is required to demonstrate how car parking can be accommodated in the Management Plan. No changes are considered necessary.
5	A Kennedy-Perkins Grant Street	Concerned: 1. Raises concern regarding off street parking. 2. Suggests one off-street car space per four occupants would drive better outcomes/behaviours. 3. Queries how 90 days annual limit is monitored.	Noted. 1. See comment above. 2. The draft LPP requires all guest, staff and visitor parking associated with the unhosted STRA to be contained on-site and not located on-street or within the verge. The draft LPP provisions relating to on-site car parking are consistent with the relevant WALGA Guidelines. 3. The 90 day annual limit is monitored by the STRA Register which is managed by the Department of Local Government, Industry Regulation and Safety (LGIRS). The Town receives automated email notifications from the STRA Register advising when the property is approaching 90 nights (80 booked nights warning) and when the property has exceeded 90 nights in its current registration year. No changes are considered necessary.
6	C Franklin McNamara Way, Cottesloe	Concerned: 1. Already suffers from STRA in their unit complex. 2. Waste management must not be left to the individual owner as then the burden is borne by all owners and residents of the complex. 3. Town must increase red-bin collection to weekly to facilitate the increase in population numbers.	Noted. 1. Noted. 2. The draft LPP requires waste management procedures to be addressed by the applicant in a Management Plan submitted with each STRA application. In addition, House Rules provided to guests must cover waste management. Adjoining owners and occupiers can notify the Town should an issue arise in respect to the implementation of the Management Plan so that appropriate action may be taken if a breach of development approval has occurred. 3. A request can be made to the Town for a weekly red-bin pickup service. No changes are considered necessary.
7	J C Angove Hawkstone Street, Cottesloe	Concerned: 1. Not keen on Air B&B rentals. 2. Risk of increased traffic, parties and noise.	Noted. 1. Noted. 2. The Management Plan required to be submitted by the applicant as per the draft LPP will address operational issues. No changes are considered necessary.

ATTACHMENT B – SCHEDULE OF SUBMISSIONS

8	E Carter Marmion Street, Cottesloe	<p>Concerned:</p> <ol style="list-style-type: none"> 1. Requests consideration of stronger guidelines for neighbours to be able to submit complaints regarding guests. 	<p>Noted.</p> <ol style="list-style-type: none"> 1. The draft LPP requires complaint management procedures and contacts for surrounding neighbours to be included in the Management Plan which is provided to adjoining neighbours during advertising of a STRA development application. 2. Airbnb have advised they have a Neighbourhood Support Line (Airbnb.com/neighbours) which allows neighbours to request a call from a specialist support agent to report problems. This allows the platform to investigate problems brought to their attention. However, as this is not managed by the Town it has not been included in the draft policy. 3. Complaints can also be made directly to the Town for investigation. <p>No changes are considered necessary.</p>
9	C M Taylor Curtin Avenue, Cottesloe	<p>Concerned:</p> <ol style="list-style-type: none"> 1. Totally disagrees with having STRA in Cottesloe, especially when land is stated 'residential'. 2. 99% of occupants are on holiday and invite friends to visit them creating issues including loud music, alcohol and many staying overnight, inconveniencing ratepayers who enjoy the quiet location. 3. Many will not register their houses/flats. 4. Is the Town employing more staff to control owners of STRA? 	<p>Noted.</p> <ol style="list-style-type: none"> 1. The Town needs to amend the Local Planning Scheme to implement the State Government's planning reforms for short-term rental accommodation. 2. A statewide development approval exemption for 'hosted short-term rental accommodation' and a 90-night (cumulative) exemption within a 12-month period for 'unhosted short-term rental accommodation' exists in the Perth metropolitan area. 3. Platforms such as Airbnb require proof of registration. 4. The Town currently has adequate resources to address STRA issues should they arise. <p>No changes are considered necessary.</p>
10	Department of Health (DoH)	<p>Noted.</p> <ol style="list-style-type: none"> 1. Suggests that the draft LPP should incorporate associated health provisions or reference to the DOH factsheet on existing health legislation in relation to STRA. Health provisions are current and enforceable by local government and should be referenced appropriately in any administrative arrangement. 	<p>Noted.</p> <ol style="list-style-type: none"> 1. While the DoH has recommended that the draft LPP include reference to health provisions and associated factsheets, it is considered that these matters are more appropriately dealt with under separate health legislation. The intent of the LPP is to provide planning guidance and development assessment criteria. The LPP should remain focused on planning considerations recognising STRA operators need to address all relevant health legislation and standards in any event (see 'Additional requirements' section of the LPP).

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

**ITEM 10.1.4C:
DRAFT LOCAL PLANNING POLICY - UNHOSTED
SHORT-TERM RENTAL ACCOMMODATION - FOR
ADVERTISING**

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:

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

**ITEM 10.1.5A:
ATTACHMENT A - CIVIC CENTRE PLAYGROUND
UPGRADE - REVISED CONCEPT DESIGN REDUCED
A3 (JULY 2025)**

