

Short-term Rental Accommodation Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

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

1. Authority:

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

2. Application:

This policy applies to all 'Holiday Accommodation', 'Serviced Apartment' and 'Unhosted Short-term Rental Accommodation' land uses in all zones.

3. Definitions:

"dwelling" as defined by the Residential Design Codes means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six (6) persons who do not comprise a single family.

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

“Hosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* 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.

“R-Codes” means the Residential Design Codes.

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

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

“Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- 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.

“Short-term Rental Arrangement” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means an arrangement under which:

- a. a dwelling, or part of a dwelling, is provided for occupation by a person; and
- b. the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of three (3) months in any 12-month period.

“Unhosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means short-term rental accommodation that:

- a. is not hosted short-term rental accommodation; and
- b. accommodates a maximum of 12 people per night.

4. Statement:

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

5. Details:

5.1. General development requirements for all short-term rental accommodation:

5.1.1. Application information:

In addition to the standard development application submission requirements, written justification is required to be provided as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.

5.1.2. Car parking requirements:

- a. The required number of car parking bays is to be provided in accordance with the following rates:

Maximum number of guests	Minimum number of car parking bays required
1-3	1
4-6	2
7-8	3
9-12	4

- b. Car parking access and design is to be in accordance with the following requirements:

Design Element	Development Requirement
Car parking location	<ul style="list-style-type: none">i. All car parking is to be provided on-site; verge parking is not permitted.ii. In the 'Residential' zone, the provision of car parking bays must not detract from the residential appearance of the dwelling or dominate the streetscape.
Car parking design	Car parking shall be designed in accordance with the R-Codes.
Vehicle access	Vehicle access is to be provided in accordance with the R-Codes.

5.1.3. Management plan:

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

5.1.4. Guest numbers and register:

- a. Short-term rental accommodation subject to this policy is to have an overall maximum occupancy calculated on the ratio of two (2) persons per bedroom.
- b. A register of all persons occupying the short-term rental accommodation is required to be kept and shall be open to inspection on demand by an authorised City officer.
- c. The register shall:
 - i. show the name and address of every occupant staying within the accommodation and the unit occupied; and
 - ii. include the date of arrival and date of departure of the occupants of the accommodation.

5.1.5. Signage:

Any signage associated with short-term rental accommodation is to be in accordance with the City of Joondalup Advertisements Local Planning Policy.

5.1.6. Public consultation:

Refer to the City of Joondalup Planning Consultation Local Planning Policy.

5.1.7. Approval period:

- a. Where development approval is granted by the City for short-term rental accommodation, this approval may be subject to an initial 12-month approval period following assessment of the proposal, including any potential impact of the proposal on the amenity of adjoining and surrounding landowners.
- b. Prior to the end of an initial 12-month approval period, a development application for the continuation of the use is to be submitted. The application should demonstrate that the ongoing operation of the short-term rental accommodation will not be unreasonably detrimental to adjoining and surrounding landowners.

5.2 Development requirements for Unhosted Short-term Rental Accommodation:

- a. Development applications for 'Unhosted Short-term Rental Accommodation' within an existing dwelling will be processed as a change of use.
- b. Development applications for purpose built 'Unhosted Short-term Rental Accommodation' are required to meet the relevant single house, grouped dwelling, or multiple dwelling requirements of the R-Codes, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan, local development plan, or local planning policy.

5.3. Development requirements for Holiday Accommodation:

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

5.4. Development requirements for Serviced Apartments:

- a. Development applications for use of a single 'Serviced Apartment' within an existing grouped dwelling or multiple dwelling development will be processed as a change of use.
- b. Development applications for purpose built 'Serviced Apartment' units shall be subject to the siting and design requirements applicable under the R-Codes and/or relevant local planning policy, structure plan, or local development plan. If applicable, 'Serviced Apartments' are required to be designed to separate short-term rental accommodation from permanent occupancy dwellings located on the same site or building.

- d. Where a development involves a combination of permanent occupancy dwellings and 'Serviced Apartments', parking areas for permanent residents and their visitors shall be clearly separated and delineated from the parking area for the 'Serviced Apartments'.
- e. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same 'Serviced Apartment'.
- f. If required, applications for purpose built 'Serviced Apartments' must also demonstrate the sufficient provision of facilities for the loading/unloading of goods on the site.

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Related documentation:	<ul style="list-style-type: none">• Local Planning Scheme No. 3• Planning Consultation Local Planning Policy
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