



**City of Perth**  
**City Planning Scheme**  
**No. 2**

**Planning Policy Manual – Part 1**

**Section 3.9**  
**Special Residential**  
**(Serviced and Short Term Accommodation)**  
**Policy**



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## **1.0 INTRODUCTION**

As the capital city of Western Australia, the local government recognises the important role the City of Perth plays in the promotion of tourism and business for Perth and Western Australia.

An important element of this role is ensuring an adequate supply of high quality accommodation options for the tourist and business traveller market. This is reflected in the City Planning Scheme which identifies Special Residential land uses as either Preferred or Contemplated land uses in all areas of the municipality.

The local government is aware of a trend towards the diversification of the Special Residential market and the change of use of existing residential buildings from permanent residential apartments to short term serviced accommodation.

The local government recognises the need to ensure that within mixed use developments the amenity of permanent residents and short term residents is protected, and that the issues of security and privacy are appropriately addressed.

The intention of the policy is to provide clear guidance on the development of these uses in a manner consistent with the orderly and proper planning of the city. A piecemeal approach to the change of use of either Special Residential to Residential or Residential to Special Residential on a dwelling by dwelling basis is not considered appropriate.

## **2.0 POLICY COVERAGE**

The provisions of this policy should be taken into account when making an application for development approval for any development or change of use relating to a special residential use.

This policy applies to the whole of the municipality.

## **3.0 OBJECTIVES**

- 3.1 To provide supporting information to clarify the definition of Special Residential Use.
- 3.2 To provide guidelines for the design of short term and serviced apartments, particularly where it is proposed that they will be incorporated into a residential or mixed use development occupied by permanent or long term residents.
- 3.3 To ensure a high standard of amenity for permanent residents and the occupants of short term and serviced apartments, through the provision of a plan of management, required levels of servicing and assessment of the compatibility of uses.
- 3.4 To define and control the use, management and level of service provided for serviced apartments.

## 4.0 DEFINITIONS

The Use Class definitions are detailed in the City Planning Scheme No. 2 and provide separate definitions for Residential Use and Special Residential Use.

**Residential Use:** means premises providing for long term or permanent residential accommodation including: aged persons dwelling, caretaker’s dwelling, grouped dwelling, single house, multiple dwelling.

**Special Residential Use:** means premises providing short term, temporary or specialised residential accommodation including a lodging house, hotel and serviced apartment.

This definition of Special Residential would include motels, serviced apartments and backpackers’ accommodation. Special Residential uses generally do not include dwellings or accommodation that provide for long-term occupancy and cannot be used as a person’s permanent place of residence.

The City Planning Scheme No. 2 also contains definitions of Serviced Apartments and Short Term Accommodation.

**Serviced Apartments:** means one or more self contained dwellings which are used exclusively to provide short term accommodation, generally for a fee but are not subject to residential tenancy agreements within the meaning of the *Residential Tenancies Act 1987*, and may be serviced or cleaned by the owner or manager of the apartment (or by the owner’s or manager’s agent) and be provided with a laundry service where the apartment does not contain laundry facilities.

**Short Term Accommodation:** means accommodation that may be occupied for a continuous maximum period of three months within any one 12 month period, and are not subject to residential tenancy agreements (residential leases).

### For the purposes of this Policy:-

**Hostel:** means public or private residential type development providing board or lodging on a temporary basis to students and staff of educational establishments and members of societies, institutes and associations and common or distinct community groups.

**Mixed-Use Development:** means a development containing a mix of complementary uses, including residential and non-residential uses in a building or within a site. The residential component may include a mix of both residential and special residential uses.

**Residential or Residential Development:** means a development (including part of a development) used, intended, adapted or designed to be used, for a residential purpose, but does not include a use that is part of the Special Residential Use Group.

**Self contained:** means self contained dwellings that contain a kitchen, bathroom and separate sleeping and living areas with laundry facilities provided either within the dwelling or in a communal arrangement shared by occupants of the development.

## 5.0 POLICY

### 5.1 Compliance

#### Development approval

Development approval is required for a change of use. The use of a residential building, or part thereof, for Special Residential purpose will require Development Approval for a change of use.

#### Compliance with Local Government policies

This policy should be read in conjunction with all other policies of the City of Perth City Planning Scheme No.2.

#### Building Code of Australia and Fire Regulations

Short stay and serviced apartments are classified as Class 3 under the Building Code of Australia.

All applications for change of use of existing buildings to Special Residential uses, two storeys or higher, will be required to demonstrate how the development will comply with Australian Standard 1670, which will require a building wide alarm and connect to the fire brigade through a Fire Indicator Panel.

All applications will also be required to demonstrate compliance with the Disability Discrimination Act.

### 5.2 Management

The following information should be submitted with all applications for a Special Residential Use:

#### Registration

All applications should include written evidence demonstrating that the operator of the special residential use has valid membership to an appropriate professional board or body, which operates within a code of practice or licensing system. This board or body may be the Real Estate and Business Agents Supervisory Board (REBA), the Perth Inner City Housing Association Inc, or other appropriate organisation.

Where the operator of the use is unknown at the planning application stage, written evidence of membership will be required prior to the issue of a Certificate of Classification.

With any subsequent change of operator the relevant new details should be provided to the local government and should incorporate a revised management plan.

### **Management Plan**

A management plan should be submitted with all applications for a Special Residential Use. A Management Plan should cover, but not necessarily be limited to, the following:-

- Control of noise and other disturbances.
- Complaints management procedure.
- The use and on-going maintenance of all common property and common facilities.
- Security of guests, residents and visitors.
- Control of anti-social behaviour and potential conflict between the short-term and long-term residents.
- Strata titled developments should include appropriate by-laws to be entered into the strata management statement acknowledging the two uses and which also acts as a mechanism to advise future and prospective owners of the existence of both grouped or multiple dwellings and Special Residential (short stay) apartments within the development.
- Exclusive use of the storage areas by the occupier of the dwelling.
- Parking Management Plan.
- Compliance with House Rules (such as recycling)

### **Serviced Apartments**

In addition to a management plan, all applications for serviced apartments shall include a servicing strategy detailing the level of servicing containing, but not be limited to, the following:

- opening hours for guest check-ins and check-out;
- method of reservations/bookings;
- means of attending to guest complaints;
- type or extent of room service to be offered;
- cleaning and laundry services, where applicable;
- company name and relevant experience of management/operator;
- back of house facilities (e.g. kitchen, laundry, office).

Applications for serviced apartments should demonstrate how servicing vehicles will be accommodated on-site, and how this will be managed as part of the overall car parking of the development.

### 5.3 Design

In the majority of instances the Residential Use or Special Residential Uses will be contained within separate buildings. There may be applications to provide a Special Residential use within a Residential building which should comply with the following attributes. Similarly an application for a Special Residential Use within a Residential Use should comply with the following.

#### Separation of uses

Where a combination of Residential and Special Residential uses is proposed within a development; applications will need to demonstrate how the amenity and security of all occupants will be protected through the design and management of the development.

To ensure the amenity and security of permanent and long term residents in a mixed use development; Special Residential uses will be required to be separated from residential uses by being located on separate floors of a building.

In regard to all applications for a change of use from either Residential to Special Residential use or conversely from Special Residential use within an existing building, a piecemeal or ad hoc approach to the change of use on a dwelling by dwelling basis is considered unacceptable. Applications should only seek to change the use of entire floors to ensure compliance with the separation of uses within the building.

#### Access

Where Special Residential uses are proposed within a residential building, separate and secure access should be provided to the permanent residential floors of the development. All applications should demonstrate how this will be achieved, managed and maintained.

Where a mixed use development is proposed, separate entrances should be proposed for the residential and commercial uses.

#### Planning for people with a disability

A proportion of the short term and serviced apartments should be designed to accommodate people with a disability; with adequate on-site disabled car parking facilities and universal access to the development as a whole (refer to the requirements and standards of the Building Code of Australia for Class 3 buildings).

All applications will need to demonstrate how the proposed development will address these standards.





It should be noted that the Building Code of Australia requires the following provision:-

<b>Number of Units</b>	<b>Requirement</b>
1 to 20 units	Access to 1 unit
More than 20 but not more than 45 units	Access to 2 units
For each additional 30 units	Access to 1 additional unit

### **Reception Areas**

Applications for serviced apartments shall include within the entrance foyer a reception desk which is to be attended by staff at all times when apartment check-ins and check-outs can occur.

### **Communal facilities**

In mixed use developments, existing or proposed, consideration should be given to providing some communal facilities exclusively for the use of permanent residents.