

6.19 SHORT-TERM RENTAL ACCOMMODATION

This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3'.

1. APPLICATION OF THIS POLICY

- a) This Policy applies to all proposals for Unhosted STRA developments that operate for more than 90-nights in a calendar year.
- b) Where this local planning policy is inconsistent with the provisions of a specific local development plan, structure plan or other local planning policy that applies to a specific site area, the provisions of that document shall prevail.

2. PURPOSE

This Policy provides a framework to manage the use of residential properties for short-term rental purposes. The policy seeks to balance the economic and tourism benefits of STRA with the need to protect residential amenity, maintain neighbourhood character aligning with the City's strategic framework.

3. OBJECTIVES

- a) To ensure the location, scale and operation of Unhosted STRA is suitable, preserving the amenity of the area for the existing residents.
- b) To encourage and support tourism growth at coastal nodes and areas of high tourism value.
- c) To encourage Unhosted STRA along high frequency transport corridors.
- d) To ensure Unhosted STRA operates in a manner that does not negatively impact amenity of adjoining residents regarding intensity of use, hours of operation, noise, parking, light spill, waste management and the provision of facilities.
- e) The number of occupants is to be appropriately scaled to the size of the dwelling to ensure an acceptable amenity and living space is provided.

4. PROVISIONS

4.1 MANAGEMENT PLAN

Development applications for Unhosted STRA should be accompanied by a Management Plan which details how potential amenity impacts will be proactively managed (refer to Appendix 1).

4.2 PURPOSE BUILT

- a) Proposals for Unhosted STRA must comply with the provisions of the applicable Residential Code (R-Code), Local Planning Scheme, Local Planning Policy, Local Development Plan and Structure Plan.
- b) In the absence of built form controls, the proposal is to align with State Planning Policy 7.0 – Design of the Built Environment.

4.3 SIGNAGE

Signage is to include the phone number of the property owner/manager which may be removed when the property is not being used for Unhosted STRA.

4.4 DWELLING OCCUPANCY

- a) Unhosted STRA should have a maximum occupancy of no more than two persons per bedroom. Persons under 16 years of age are exempt from this restriction. Rooms not designed as bedrooms (e.g. lounge/dining/living/theatre rooms) will not be supported for use as bedrooms for the purpose of calculating maximum occupancy.
- b) Notwithstanding (a), Unhosted STRA within grouped and multiple dwelling developments shall have a maximum occupancy of six persons. Unhosted STRA within a Single Dwelling shall have a maximum occupancy of 12 persons*.

*(*As the Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024 limit Unhosted STRA to a maximum occupancy of 12 people per night, this cannot be varied by this policy).*

4.5 PARKING

		Parking Bay Requirements
Bedroom Requirements	Ancillary Dwelling	1
	Studio / 1 Bedroom	1
	2-bedroom (or greater) dwellings	2
Person Requirements	8-10 persons	1 additional
	11-12 persons	2 additional
<i>The relevant 'Person Requirements' are to be added to the 'Bedroom Requirements'.</i>		

Visitor car bays and verge parking are not to be included as parking for Unhosted STRA.

4.6 PREFERRED LOCATIONS

In order to protect low density areas and provide a strategic planning approach in accordance with proximity to public transport and activity, Unhosted STRA should be located within:

- a) 400m of a Centre identified in the City of Stirling's Local Planning Strategy; or
- b) 200m of a Corridor Class 1, Class 2 and Class 3 road as identified in the Local Planning Strategy; or
- c) 400m of the coastal MRS Parks & Recreation Reserve.

These preferred locations are illustrated in Appendix 3

Where proposed outside of the areas identified above, in order to prevent conflicts with residential amenity, development applications will need to demonstrate, through an Amenity Impact Statement how the impacts of the STRA can be mitigated.

4.7 AMENITY IMPACT STATEMENT

Proposals for Unhosted STRA outside of preferred locations must include a written amenity impact statement which demonstrates how the proposal preserves the existing and future amenity of the area. The requirements of the amenity impact statement are provided in Appendix 2.

4.8 BUSHFIRE PRONE AREAS

Proposals for Unhosted STRA in bushfire prone areas are to provide evacuation guidance and communicate this to accommodation guests.

5. CONSULTATION

All Unhosted STRA applications will be advertised in accordance with clause 64 of the Deemed Provisions and the City's Local Planning 6.18 – Public Consultation.

6. VARIATIONS

Where an Unhosted STRA proposal does not meet the provisions of this Policy, the proposal will be assessed against the Objectives of this Policy.

7. DEFINITIONS

Amenity:

As defined in the Planning and Development (*Local Planning Schemes*) Regulations 2015.

Note: This includes the 'liveability', comfort or quality of a place which makes it pleasant and agreeable to be in for

individuals and the community. Amenity is important in the public, communal and private domains and includes the enjoyment of sunlight, outlook, privacy and quiet. It also includes protection from pollution and odours.

Hosted Short-Term Rental	As defined in the Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024.
Streetscape:	Means the visible components in a street between the facing buildings, including the form of the buildings, garages, setbacks, fencing, driveways, utilities, street surfaces, street trees and street furniture such as lighting, signs, barriers and bus shelters.
Short-Term Rental Accommodation:	As defined in the Planning and Development (<i>Local Planning Schemes</i>) Amendment (<i>Short-Term Rental Accommodation</i>) Regulations 2024.
Unhosted Short-Term Rental Accommodation:	As defined in the Planning and Development (<i>Local Planning Schemes</i>) Amendment (<i>Short-Term Rental Accommodation</i>) Regulations 2024.

Link provided to definitions: [Planning and Development \(Local Planning Schemes\) Amendment \(Short-Term Rental Accommodation\) Regulations 2024](#)

8. RELATED DOCUMENTS

- City of Stirling Local Planning Scheme No.3
- Planning and Development Act 2005
- Short-Term Rental Accommodation Act 2024
- Planning and Development (Local Planning Schemes) Regulations 2015
- State Planning Policy 7.0 – Design of the Built Environment
- State Planning Policy 7.3 Residential Design Codes
- Department of Planning, Lands and Heritage - Position Statement: Planning for Tourism and Short-term Accommodation
- Department of Planning, Lands and Heritage - Planning for Tourism and Short-term Rental Accommodation Guidelines
- Planning Bulletin 115/2024: Short-Term Rental Accommodation (STRA) – Guidance for Local Government
- Health Local Law 2009
- Local Planning Policy 6.1 Advertising Signs
- Local Planning Policy 6.7 Parking and Access

Appendix 1 – Model Management Plan for Short Stay Accommodation

MANAGEMENT PLAN FOR SHORT STAY ACCOMMODATION AT ADDRESS PREPARED FOR THE CITY OF STIRLING

The property at ADDRESS AND DESCRIPTION.

We believe making this property available for short term accommodation will positively contribute to the surrounding locality by providing diversity of accommodation types in the city.

It will be managed in a way that protects the amenity of the surrounding community.

MANAGEMENT PLAN

Managers

NAMES

CONTACT

ADDRESS

Bookings

All bookings will be made through the Air BNB platform with settings in place which only allow people with previous positive reviews to book instantly. Anyone else must request to book, giving us the time to do background checks before allowing them to book.

Occupancy

Bookings will be made to a maximum of six persons. Visitors may visit but not stay overnight.

Check In

At the time of booking online, guests are to read and agree to the House Rules which specifically state:

No parties or events

Quiet house after 9pm

Check in time is 3pm to 9pm daily. Guests will be provided with a code for lockbox containing a key for entry into the property. Guests to check in by 9pm. Check ins are not permitted between 9pm to 7am.

Check Out

Checkout time is between 7am and 10am on the day of departure, unless former arrangements have been made with the Manager.

In the event that the Manager grants approval for check out before 7am, guests are to ensure that noise is kept to a minimum, so it does not create a nuisance to the neighbours.

Complaints Management

Complaints can be resolved at the neighbour level or via the Manager. If neighbours believe that residents are not being respectful of the Code of Conduct, they are to contact the

Manager., who lives in the same group of apartments, and will respond promptly. If neighbours are having issues with the operation of the property or any other general issues, they are encouraged to contact the Manager to further discuss such issues.

Before occupation of the proposal, the Manager will arrange to introduce himself to the adjoining neighbours and provide his name and contact details. The Manager will record and keep a record of all complaints which will be available for inspection by an authorised City Stirling Officer, during normal working hours.

The Manager will maintain the Complaint Register, which will contain the following information:

1. a) The date and time of the complaint
2. b) The name and address of the complainant
3. c) The nature of the complaint
4. d) Investigations carried out
5. e) Actions taken
6. f) Response provided to complainant

A copy of this Management Plan will be made available to neighbours. Neighbours will be provided with the contact details the Manager. The Manager is to maintain a Register of all occupants referred to in the Management Plan.

Neighbours are to be provided with the following in regard to Short Stay Accommodation at Unit 2/36 Weaponess Road.

1. a) A copy of the Code of Conduct
2. b) A copy of the Complaints Management Procedure
3. c) Contact details which allows neighbours to engage with the Manager in the event of antisocial behaviour, particularly after hours, if not addressed directly with the guests.

Neighbours are encouraged to contact the police if they have concerns that any illegal activity is taking place at **ADDRESS**.

Complaints can be divided into categories. The process for each is detailed as follows:

Level 1 Complaint (Minor Noise Disturbance / or Complaint)

In the event of Level One Complaint, the following procedures to be adopted.

- I. The neighbour is encouraged to contact the guest to advise of the concern.
- II. Alternately, or in the event that the concern is not resolved, the neighbour is to contact the Manager.
- III. The Manager will contact the guest to advise the nature of the complaint and remind the guests of the obligations under the Code of Conduct, and / or explain the nature of the concern raised.
- IV. If the issue is not resolved and a further complaint is received, the Manager will attend the site and guests will be required to leave.

Level 2 Complaint (Major Noise Disturbance or Party)

Guests are encouraged to enjoy their time on the property, but as outlined in the Code of Conduct, parties are not permitted, and noise should be minimised after 9pm and before 7am.

If a Level 2 complaint is received, the following procedure is to be adopted:

The Manager will attend the premises within one hour of the complaint to verify if this is a major noise disturbance or party.

If the complaint and the issue is deemed to be a Level 1 Complaint, then procedure for Level 1 should be followed.

If the complaint is verified as a Level 2 Complaint, the guests will be evicted in accordance with the Code of Conduct.

Car Parking

There are **PARKING DETAILS**. Guest vehicles are to be parked within the allocated parking bays. Guests are not permitted to park on the access driveway, or on the **ROAD** verge area.

Private Outdoor Spaces

The property has a balcony area as well as a ground level outdoor living space which is for the private use of the guest/ guests. Guests should be mindful of the proximity to the residences to the east & west, and to the common shared access driveway, to keep noise to an acceptable level and ensure lighting does not impact upon the neighbour's amenity. No smoking is allowed on the property.

Length of Stay

Premises are available for a minimum stay of 2 nights for a maximum 30-day continuous stay. The property will be cleaned prior to check in. Guests will be provided with a vacuum cleaner, washing machine and all necessary cleaning products to use as they wish.

Individual bedrooms shall not be leased or sublet separately.

The Manager is to be made aware of any changes to the booking in terms of the number of guests being accommodated.

Register

A Register of all guest bookings will be kept by the Manager, available for inspection by the Authorised Officer of the City of Stirling and shall contain the names and contact details of guests.

Maintenance

Maintenance refers to both building maintenance and care of the gardens. Maintenance will be carried out by properly skilled tradespeople and under the direction of the Managers. Maintenance will preferably be performed at a time between occupancy unless it is urgent and requires attendance at the time of occupancy.

The Manager will be responsible for the maintenance of all plants and reticulation.

Other than in the case of an emergency, any maintenance contractors or staff will be engaged to attend during normal business hours, as already confirmed minimising disruption to guests and the neighbours.

All linen will be changed between guests. Laundering will be carried out off site. There will be provision of a washing machine and clothesline for guest's private use.

Guest Guide

The Manager shall produce and provide a folder setting out the following information for the guests upon arrival. Information contained therein:

1. The Manager and contact details.
2. Code of Conduct
3. Procedure in the event of an alarm going off.
4. Wi Fi device name and password
5. Key lockbox code
6. Tv information
7. Air conditioning operation
8. Location of first aid kit
9. Rubbish bin location and procedure for collection of rubbish bins.
10. Check in time.
11. Check out time.
12. Local restaurants and shopping guide
13. Activities managed by the City of Stirling
Local parks and recreation
14. Other major attractions
15. Important contact numbers
16. Other information of interest

Manager's Responsibilities

- general hosting including liaisons with guests, Cleaning/laundry providers, and representatives from the City of Stirling
- Cleaning organisation, supervision and inspection
- Procedure for bin collection and return to the bin store by Manager.
- Laundry requirements off site
- Garden preventive maintenance.
- Building preventative maintenance

The Manager shall maintain:

- The Register of Complaints
- A register of all guests

Appendix 2 - AMENITY IMPACT STATEMENT Requirements

The Amenity Impact Statement is to demonstrate how the proposal engages with and responds to its location and surrounding context. Example below:

APPLICANT DETAILS

Name:

Contact Number:

Property Address:

DESCRIPTION OF UNHOSTED STRA

Accommodation Type (*single dwelling, apartment, grouped dwelling*):

Maximum Number of Guests:

Number of Bedrooms:

Duration of Stay (Min/Max Nights):

Facilities Provided:

RESPOND

Explain how the proposal suits the site and surrounding area (*identify any nearby sensitive land uses*)

IMPACT ON LOCAL AMENITY

Expected noise levels during operation and relevant measures in place

Expected increase in vehicle traffic, availability of parking and measures proposed to manage this.

Provision of security lighting, controlled access on site, etc.)

Waste management plan and cleaning procedure

ENGAGEMENT

Summary of consultation with neighbours and residents (*if any*)

Summary of feedback received from community (*if any*)

Appendix 3 -STIRLING ACTIVITY CENTRE AND CORRIDOR MAP

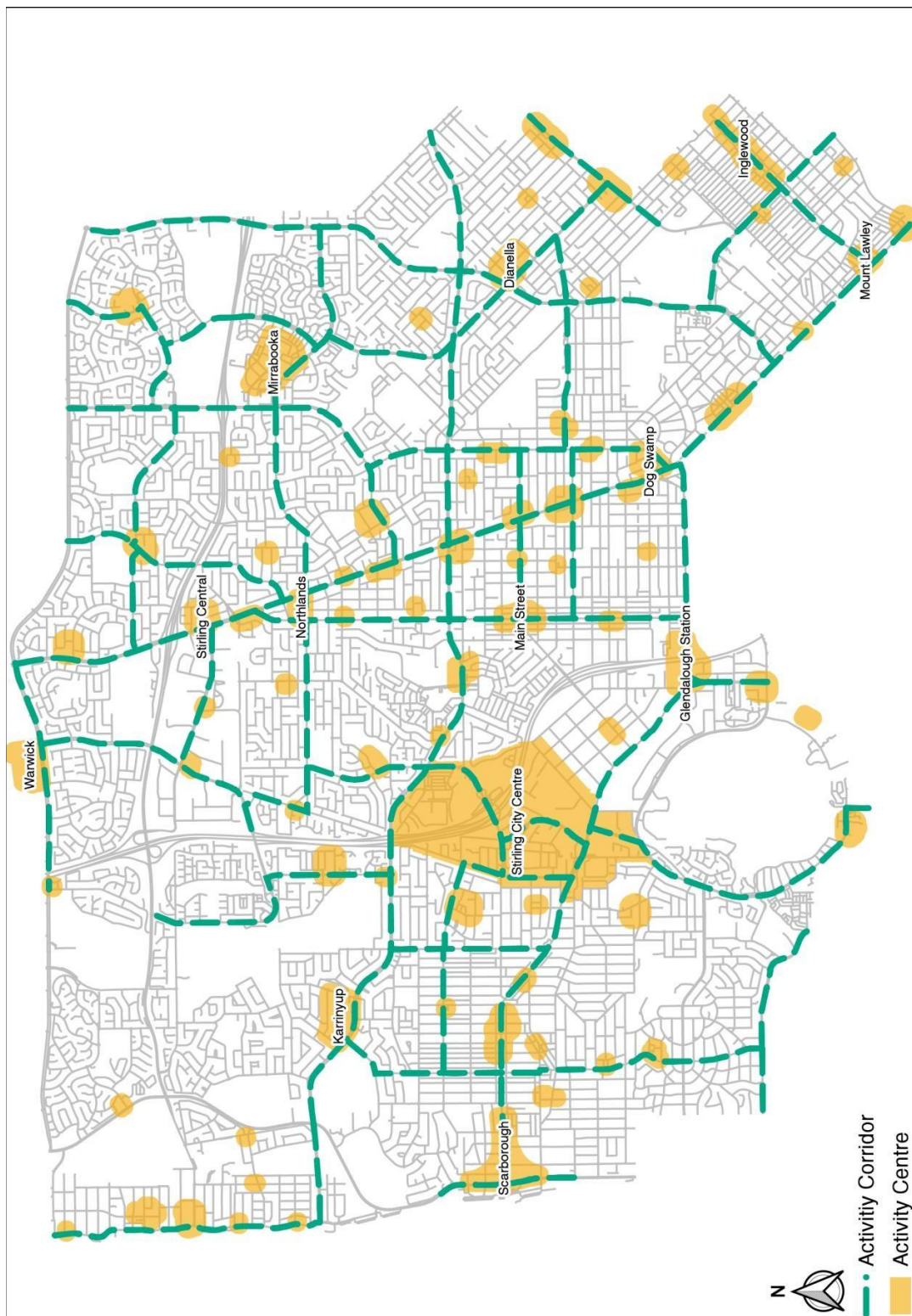


Figure 1: Location of Activity Centres and Urban Corridors

Note: Refer to 'StirlingMaps' on the City's website for the exact locations.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

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Modified