



**Shire of Coolgardie
Local Planning Scheme No. 5**

Amendment No. 8

Summary of Amendment Details

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

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

***Shire of Coolgardie Local Planning Scheme No. 5
Amendment 6***

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 clause 37, 'Terms Used':

A. Delete the definition for *short-term accommodation*.

B. Amend the general definition for *cabin* to:

means a building that -

(a) *is an individual unit other than a chalet; and*

(b) *forms part of -*

(i) *tourist and visitor accommodation; or*

(ii) *a caravan park;*

and

(c) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

C. Amend the general definition for *chalet* to:

means a building that —

(a) *is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*

(b) *forms part of –*

(i) *tourist and visitor accommodation; or*

(ii) *a caravan park;*

(c) *and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

2. In clause 38, 'Land Use Terms Used':

A. Delete the definitions for:

○ *bed and breakfast; and*

○ *holiday house.*

- B. Amend the existing land use term for *road house* by deleting paragraph (d) and inserting:
 - (d) *accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
3. In clause 17, 'Zoning Table' insert in alphabetical order the following land uses and permissibility:
 - A. *hosted-short term rental accommodation*; designate as 'P' uses in Residential, Commercial, Rural Townsite, Rural Residential, Light Industry and Rural zones; a '#' use in the Settlement zone and an 'X' use in the General Industry zone;
 - B. *unhosted short term rental accommodation*; designate as an 'A' use in the Residential and Rural Residential zone, a 'D' use in the Commercial, Rural Townsite and Rural zones; a '#' use in the Settlement zone and an 'X' use in the General and Light Industry zone;
4. In clause 17, 'Zoning Table', delete all references to:
 - A. *bed and breakfast*; and
 - B. *holiday house*;
5. In Schedule 3, 'Parking Requirements', delete all references to *bed and breakfast*.

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

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 15 day of December 2025



(Chief Executive Officer)

FOREWORD: Inclusion of Minister's Modifications

Subsequent to Council initiation, on 10 March 2026 the Western Australian Planning Commission (WAPC) wrote to the Shire requiring in accordance with section.83A(2)(b) of the *Planning and Development Act 2005*, the proposal to be modified in the following tracked changes manner, prior to advertising:

1. In clause 37, 'Terms Used':

A. Delete the definition for *short-term accommodation*.

B. Amend the general definition for *cabin* to:

means a building that -

(d) *is an individual unit other than a chalet; and*

(e) *forms part of -*

(iii) *tourist and visitor accommodation; or*

(iv) *a caravan park;*

and

(f) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

C. Amend the general definition for *chalet* to:

means a building that —

(c) *is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*

(d) *forms part of –*

(iii) *tourist and visitor accommodation; or*

(iv) *a caravan park;*

(d) *and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

D. Insert the definition for *tourist and visitor accommodation*, being:

(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*

(v) *may include on-site services and facilities for use by guests; and*

(vi) *(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 Provision) 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;*

2. In clause 38, 'Land Use Terms Used', delete the definitions for:

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

3. In clause 17, 'Zoning Table' insert in alphabetical order the following land uses and permissibility:

USE AND DEVELOPMENT CLASS	ZONES							
	Residential	Settlement	Commercial	Rural Townsite	Light Industry	General Industry	Rural Residential	Rural
hosted short-term rental accommodation	P	#	P	P	P	X	P	P
unhosted short-term rental accommodation	A	#	D	D	X	X	A	D
tourist and visitor accommodation	A	#	D	D	X	X	D	D

4. In clause 17, 'Zoning Table', delete all references to:

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

5. In Schedule 3, 'Parking Requirements', delete all references to *bed and breakfast* and *motel*.

PLANNING AND DEVELOPMENT ACT 2005
Shire of Coolgardie

LOCAL PLANNING SCHEME NO. 5 – AMENDMENT NO. 8

Scheme Amendment Report

1. Introduction

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

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

2. Background

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

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

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

The Shire's Local Planning Strategy was endorsed by the WAPC on 24 October 2016. The Strategy seeks to actively promote tourism in the region by ensuring tourism opportunities are appropriately catered for in a sustainable and responsible manner.

3. State Planning Framework

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

Position Statement

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

LPS Regulations

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

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

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

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

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

4. Local Planning Context

Local Planning Strategy

The Shire's Local Planning Strategy (LPS) acknowledges that tourism is forecast to be a growth industry into the future – independent of the mining industry. It is therefore important that these sites and events be appropriately treated and recorded to provide a record of events and features that can be enjoyed and appreciated by tourists, including the Goldfields Woodlands, Boorabbin and other unique National Parks.

It is also acknowledged that an increasing population is likely to impact on accommodation, service infrastructure and social amenities. To this end, and in order to promote employment, business and tourism in the Shire, the LPS aims to -

- Ensure tourism opportunities are appropriately catered for in a sustainable and responsible manner.
- Enable the Shire to capitalise on the visitor economy.
- Ensure that these increasingly popular isolated landscapes are appropriately catered for in a sustainable and responsible manner.

The Local Planning Strategy is due to be reviewed within the next year. The review will include an assessment of tourism and short-term rental accommodation opportunities and challenges across the Shire.

Local Planning Scheme No. 5

LPS5 was gazetted on 8 March 2017 and includes the categories of STRA (excluding hotel) listed in the below table.

Land Use	Definition
Bed and breakfast	means a dwelling - (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and (b) containing not more than 2 guest bedrooms.
Holiday Accommodation	means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.
Holiday House	means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
Motel	means premises, which may be licensed under the Liquor Control Act 1988 - (a) used to accommodate guests in a manner similar to a hotel; and (b) with specific provision for the accommodation of guests with motor vehicles.
Serviced Apartment	means a group of units or apartments providing - (a) self-contained short-stay accommodation for guests; and (b) any associated reception or recreational facilities.
Tourist Development	means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide - (a) short-term accommodation for guests; and

	(b) onsite facilities for the use of guests; and (c) facilities for the management of the development;
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The land use permissibility of the above land uses are currently reflected in Table 3 – Zoning Table as below:

Use and Development Class	Zones							
	Residential	Settlement	Commercial	Rural Townsite	Light Industry	General Industry	Rural Residential	Rural
Bed and breakfast	A	#	D	D	X	X	D	D
Holiday Accommodation	A	#	D	D	X	X	D	D
Holiday House	A	#	I	D	X	X	D	D
Motel	X	#	D	D	X	X	D	X
Serviced Apartment	A	#	D	D	X	X	X	X
Tourist Development	A	#	D	D	X	X	D	D

5. Proposed Amendment

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment relates to the introduction, modification and deletion of various land use and general definitions to the Shire's planning scheme.

The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to the zoning table to reflect the hosted STRA exemption as a permitted use.

Deemed Short-Term Rental Accommodation Land Use Classes

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

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

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

- *Hosted short-term rental accommodation* is proposed as a Permitted use in all zones where any type of 'dwelling' is capable of approval, to reflect the state-wide exemption in the 'deemed provisions'.

- *Unhosted short-term rental accommodation* is proposed to be designated as an 'A' use in the Residential and Rural Residential zone, a 'D' use in the Commercial, Rural Townsite and Rural zones; a '#' use in the Settlement zone and an 'X' use in the General and Light Industry zone.

The proposed new land use permissibility closely reflects the existing tourist-related permissibility as above.

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

Model Tourist and Visitor Accommodation Land Use

A new model land use class of *tourist and visitor accommodation* has been introduced into the model provisions of the LPS Regulations to supersede various traditional accommodation land use types (excluding *hotel*) and provide a clearer delineation between these uses and *short-term rental accommodation*.

The updated *tourist and visitor accommodation* land use, if adopted, would replace the existing *holiday accommodation*, *motel*, *serviced apartment* and *tourist development* land uses in LPS5.

These existing land uses are varied and operate at different scales which do not currently have a uniform land use permissibility in the zoning tables of LPS5, therefore consolidating these uses into one single land use is not considered appropriate at this point without further investigation into appropriate land use permissibility and development provisions.

This land use is therefore not proposed to be introduced through this proposed scheme amendment however will be considered through the Shire's future local planning framework / Local Planning Strategy review.

New and Revised Land Use & General Definitions

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

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

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

6. Pre-advertising Modifications

Pursuant to section 83A of the *Planning and Development Act 2005*, the Minister for Planning and Lands (or as delegated), in regards to draft Local Planning Scheme No. 5 Amendment No. 8, has resolved to require the local government to modify the proposed scheme amendment to include the *Tourist and Visitor Accommodation* (TaVA) land use and delete those uses superseded by the TaVA land use.

This is for the following reasons:

- Only including the hosted/unhosted STRA uses results in several non-model/bespoke definitions and land uses being created.
- The updated terms for cabin and chalet both partially depend on the TAVA definition.

At its core, it's considered that although there may be implications associated with the changes to introduce the TaVA land use, these changes are necessary and would result in the Scheme being more consistent with others across the State

In addition, the Scheme Amendment number has been updated from Scheme Amendment No. 6 to Scheme Amendment No. 8.

Planning and Development Act 2005
RESOLUTION TO AMEND LOCAL PLANNING SCHEME

Shire of Coolgardie Local Planning Scheme No. 5
Amendment 8

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 clause 37, 'Terms Used':

A. Delete the definition for *short-term accommodation*.

B. Amend the general definition for *cabin* to:

means a building that -

(g) *is an individual unit other than a chalet; and*

(h) *forms part of -*

(v) tourist and visitor accommodation; or

(vi) a caravan park;

and

(i) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

C. Amend the general definition for *chalet* to:

means a building that —

(e) *is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*

(f) *forms part of –*

(vii) tourist and visitor accommodation; or

(viii) a caravan park;

(e) *and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

D. Insert the definition for *tourist and visitor accommodation*, being:

(d) *means a building, or a group of buildings forming a complex, that -*

(iii) is wholly managed by a single person or body; and

(iv) 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

(ix) may include on-site services and facilities for use by guests; and

- (x) (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

- (e) 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 of manager of the apartment or an agent of the owner or manager; but
- (f) 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 Provision) 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;

2. In clause 38, 'Land Use Terms Used', delete the definitions for:

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

3. In clause 17, 'Zoning Table' insert in alphabetical order the following land uses and permissibility:

USE AND DEVELOPMENT CLASS	ZONES							
	Residential	Settlement	Commercial	Rural Townsite	Light Industry	General Industry	Rural Residential	Rural
hosted short-term rental accommodation	P	#	P	P	P	X	P	P
unhosted short-term rental accommodation	A	#	D	D	X	X	A	D

tourist and visitor accommodation	A	#	D	D	X	X	D	D
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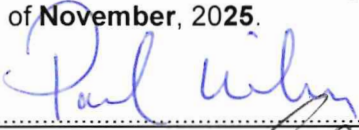
4. In clause 17, 'Zoning Table', delete all references to:

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

5. In Schedule 3, 'Parking Requirements', delete all references to *bed and breakfast* and *motel*.

COUNCIL ADOPTION

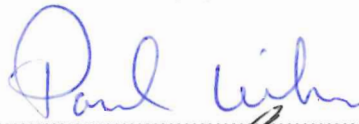
This Standard Amendment was adopted by resolution of the Council of the Shire of Coolgardie at the Ordinary Meeting of the Council held on the 25th day of November, 2025.


.....
SHIRE PRESIDENT


.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

By resolution of the Council of the Shire of Coolgardie at the Ordinary Meeting of the Council held on 25th day of November, 2025, proceed to advertise this Amendment.


.....
SHIRE PRESIDENT


.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for _____ by resolution of the Shire of Coolgardie at the Ordinary Meeting of the Council held on the _____ day of _____, 20____ and the Common Seal of the Shire of Coolgardie was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

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

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....