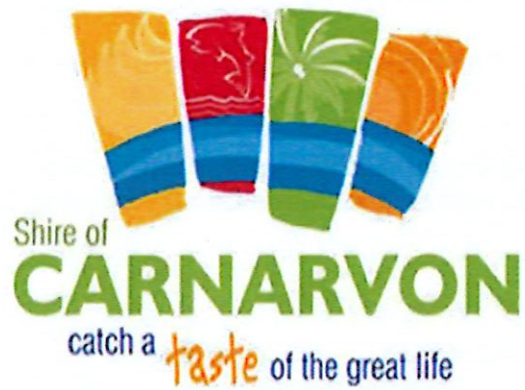


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**Shire of Carnarvon
Local Planning Scheme No. 13**

Amendment No. 14

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 Carnarvon Local Planning Scheme No. 13
Amendment No. 14***

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 Part 6, Division 1, 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 Part 6, Division 2, Clause 38, 'Land Use Terms Used':

- A. Delete the definitions for:
 - o *bed and breakfast;*
 - o *holiday accommodation;*

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- *holiday house;*
 - *motel;*
 - *serviced apartment;*
 - *tourist development; and*
- B. Amend the existing land use term for *roadhouse* to:
- roadhouse means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services —
- (a) a full range of automotive repair services;
 - (b) wrecking, panel beating and spray painting services;
 - (c) transport depot facilities;
 - (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;
 - (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies;
- C. Insert the definition for *tourist and visitor accommodation* as per Schedule 1 – Model Provisions
3. In Part 3, 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 zones where a dwelling is capable of approval and 'X' uses in all other zones.
 - B. *Unhosted-short term rental accommodation*;
 - *Regional Centre* – 'P' use
 - *Residential* – 'D' use
 - *Tourism* – 'P' use
 - 'X' use in all other zones
 - C. *tourist and visitor accommodation* and designate as 'A' in Tourism Zone and Regional Centre Zone, and 'X' in all other zones
4. In Part 3, Clause 17 'Zoning Table', delete all references to:
- A. *bed and breakfast;*
 - B. *holiday accommodation;*
 - C. *holiday house;*
 - D. *motel;*
 - E. *serviced apartment;*
 - F. *tourist development.*
5. Modify schedules 1, 3, 5 and 7 in the following way:
- 5.1 - Schedule 1:
- Modify No.1 by replacing references to 'holiday accommodation' with 'tourist and visitor accommodation'.

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5.2 - Schedule 3:

- a) Modify all references of 'short term accommodation' to 'short-term rental accommodation';
- b) Modify No. 2 by deleting references to 'holiday houses' and replace with 'un-hosted short-term rental accommodation';
- c) Modify No. 3 by replacing references to 'holiday accommodation' with 'tourist and visitor accommodation' and 'holiday house' with 'un-hosted short-term rental accommodation';
- d) Within No. 3, delete Condition 4 and re-number the conditions accordingly;
- e) Modify No. 4, 5, 6, 7 and 8 by deleting 'motel' and replacing 'tourist development' with 'tourist and visitor accommodation';
- f) Modify No. 9 and 10 by replacing 'bed and breakfast', 'holiday accommodation' and 'tourist development' with 'hosted short-term rental accommodation', 'tourist and visitor accommodation' and 'un-hosted short-term rental accommodation'; and
- g) Modify No. 15 by replacing 'motel' with 'tourist and visitor accommodation'.

5.3 - Schedule 5:

- a) Modify Clause 22 by replacing 'tourist development' with 'tourist and visitor accommodation';
- b) Modify Table 6 by replacing 'holiday accommodation' with 'un-hosted short-term rental accommodation';
- c) Modify Table 6 by deleting 'service apartment' and its corresponding requirement;
- d) Modify Table 6 by deleting 'holiday houses' and its corresponding requirement;
- e) Modify Table 6 by replacing 'bed and breakfast' with 'hosted short-term rental accommodation';
- f) Modify Table 6 by deleting 'motel' and its corresponding requirement;
- g) Modify Table 6 by replacing 'tourist development' with 'tourist and visitor accommodation'; and
- h) Modify Clause 52 by replacing 'short-term tourism accommodation' with 'short-term rental accommodation'.

5.4 - Schedule 7:

- a) Modify Special Control Area 5, by replacing 'short-term accommodation' with 'short-term rental accommodation'.

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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 28 day of JULY 2026


(Chief Executive Officer)

Scheme Amendment Report

1. Introduction

The purpose of this amendment is to amend the Shire of Carnarvon'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.

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

Short-term rental accommodation (STRA) in the Shire of Carnarvon has historically evolved alongside the tourism sector, rather than through any explicit local planning policy direction. The Shire's Local Planning Strategy (2017) provides important insight into how visitor accommodation—including holiday homes, seasonal worker accommodation, caravan parks, and other short-stay formats—has been understood and managed over time.

Tourism has long been a major economic driver for the Shire, particularly in Coral Bay and Carnarvon, with significant seasonal population increases. This seasonal swell has historically placed pressure on the local accommodation market, fostering a mix of formal and informal short-stay arrangements.

In Coral Bay, governance of accommodation has been particularly strong. Since the early 2000s, the area has undergone numerous planning interventions, culminating in the Coral Bay Settlement Structure Plan (2015), which formally prohibits permanent residential subdivision or occupation in order to preserve the area's tourism function and holiday-based character. The historical planning position is that Coral Bay remain a dedicated tourism settlement, with short-stay accommodation forming its dominant housing type and 89.2% of dwellings categorised as "other" (caravans, cabins, holiday units) as per the Local Planning Strategy.

Although specific numbers of STRA development approvals are not referenced, the Strategy highlights historical compliance challenges around seasonal worker accommodation in horticultural localities, with "largely non-compliant" accommodation historically occurring in the Intensive Horticulture Zone around Carnarvon and Wooramel. This issue overlaps with STRA pressures in the sense that seasonal workers compete for the same limited short-stay housing stock

The Shire's strategic and statutory documents demonstrate a historical approach that:

1. Recognises STRA as part of the broader tourism accommodation market rather than a stand-alone policy issue.
2. Uses zoning and structure planning—especially in Coral Bay and coastal nodes—to control where short-stay accommodation is appropriate.
3. Prioritises tourism-oriented use in specific settlements (especially Coral Bay) and seeks to avoid permanent residential encroachment into areas intended for tourism.
4. Highlights emerging issues in seasonal worker accommodation and informal short-stay arrangements, signalling a need for clearer regulation.
5. Encourages expansion and diversification of short-stay accommodation, including holiday homes, where consistent with tourism and settlement planning frameworks.

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*, *holiday accommodation* 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 in a manner that is consistent with the current 'Holiday House' land use

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 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 Shire's, uses to be deleted through this change include:

- *Motel – specifically referenced in the new land use class definition;*
- *Serviced apartment – specifically referenced in the new land use class definition;*
- *Tourist development – directly replaced by the new use class; and*
- *[insert any other equivalent/similar non-model traditional accommodation scheme land uses].*

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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.

**Planning and Development Act 2005
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 - (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 —*
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 - (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*

2. In Part 6, Division 1, Clause 38, 'Land Use Terms Used':

B. Delete the definitions for:

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

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- *tourist development.*
- D. Amend the existing land use term for *road house* to:
road house means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services —
 - (f) a full range of automotive repair services;
 - (g) wrecking, panel beating and spray painting services;
 - (h) transport depot facilities;
 - (i) 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;
 - (j) facilities for being a muster point in response to accidents, natural disasters and other emergencies;
- E. Insert the definition for *tourist and visitor accommodation* as per Schedule 1 – Model Provisions
- 3. In Part 3, 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 zones where a dwelling is capable of approval and 'X' uses in all other zones.
 - B. *unhosted short term rental accommodation*;
 - *Regional Centre* – 'P' use
 - *Residential* – 'D' use
 - *Tourism* – 'P' use
 - 'X' use in all other zones
 - C. *tourist and visitor accommodation* and designate as 'A' in Tourism Zone and Regional Centre Zone, and 'X' in all other zones
- 4. In Part 3, Clause 17 'Zoning Table', delete all references to:
 - a. *bed and breakfast*;
 - b. *holiday accommodation*;
 - c. *holiday house*;
 - d. *motel*;
 - e. *serviced apartment*;
 - f. *tourist development*; and
- 5. Modify schedules 1, 3, 5 and 7 in the following way:
 - 5.1 - Schedule 1:
Modify No.1 by replacing references to 'holiday accommodation' with 'tourist and visitor accommodation'.
 - 5.2 - Schedule 3:
 - a) Modify all references of 'short term accommodation' to 'short-term rental accommodation';

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- b) Modify No. 2 by deleting references to 'holiday houses' and replace with 'un-hosted short-term rental accommodation';
- c) Modify No. 3 by replacing references to 'holiday accommodation' with 'tourist and visitor accommodation' and 'holiday house' with 'un-hosted short-term rental accommodation';
- d) Within No. 3, delete Condition 4 and re-number the conditions accordingly;
- e) Modify No. 4, 5, 6, 7 and 8 by deleting 'motel' and replacing 'tourist development' with 'tourist and visitor accommodation';
- f) Modify No. 9 and 10 by replacing 'bed and breakfast', 'holiday accommodation' and 'tourist development' with 'hosted short-term rental accommodation', 'tourist and visitor accommodation' and 'un-hosted short-term rental accommodation'; and
- g) Modify No. 15 by replacing 'motel' with 'tourist and visitor accommodation'.

5.3 - Schedule 5:

- a) Modify Clause 22 by replacing 'tourist development' with 'tourist and visitor accommodation';
- b) Modify Table 6 by replacing 'holiday accommodation' with 'un-hosted short-term rental accommodation';
- c) Modify Table 6 by deleting 'service apartment' and its corresponding requirement;
- d) Modify Table 6 by deleting 'holiday houses' and its corresponding requirement;
- e) Modify Table 6 by replacing 'bed and breakfast' with 'hosted short-term rental accommodation';
- f) Modify Table 6 by deleting 'motel' and its corresponding requirement;
- g) Modify Table 6 by replacing 'tourist development' with 'tourist and visitor accommodation'; and
- h) Modify Clause 52 by replacing 'short-term tourism accommodation' with 'short-term rental accommodation'.

5.4 - Schedule 7:

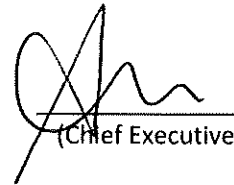
- a) Modify Special Control Area 5, by replacing 'short-term accommodation' with 'short-term rental accommodation'.

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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:

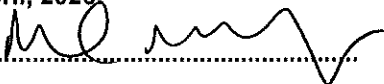
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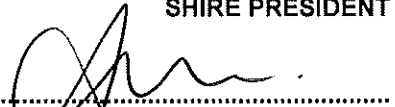
Dated this 28 day of July 2026


(Chief Executive Officer)

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Carnarvon at the Ordinary Meeting of the Council held on the 28th day of April, 2026

.....

SHIRE PRESIDENT

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Shire of Carnarvon at the Ordinary Meeting of the Council held on the 28th day of April, 2026, proceed to advertise this Amendment.

.....

SHIRE PRESIDENT

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the Shire of Carnarvon at the Ordinary Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the Shire of Carnarvon was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

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

DATE.....
FORM 6A - CONTINUED

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....

