

OFFICIAL



WAPC

Western
Australian
Planning
Commission

Our ref: TPS/3234
Enquiries: Local Planning Schemes
Email: localplanningschemes@dplh.wa.gov.au

Chief Executive Officer
City of Cockburn
PO Box 1215
BIBRA LAKE WA 6965

Transmission via electronic mail to: statplanning@cockburn.wa.gov.au

Dear Sir/Madam

CITY OF COCKBURN TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 183

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act.

In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the *Government Gazette*.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier and Cabinet on (08) 6552 6000. One signed set of the amending documents are returned for your records.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au

Yours sincerely

Sam Boucher

Ms Sam Boucher
Secretary
Western Australian Planning Commission

16/10/2025

CITY OF COCKBURN	
DOC No	
23 OCT 2025	
SUBJECT	109/183
RETENTION	124.2.1 AS
PROPERTY	
APP	
ACTION	003/010

Planning and Development Act 2005

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Cockburn
Town Planning Scheme No. 3 Amendment No. 183

File: TPS/3234

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the abovementioned amendment to the City of Cockburn Town Planning Scheme No. 3 on 15 October 2025 for the purpose of:

1. In Part 6 (1. General Definitions):

A. Include a new general definition for cabin:

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.

B. Include a new general definition for chalet:

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 (2. Land Use Definitions):

A. Delete the definitions for:

- bed and breakfast;
- tourist accommodation;
- holiday home (standard);

- holiday home (large);
- motel;
- lodging house.

- B. Amend the land use definition for residential building to delete reference to excluding a lodging-house, as follows:

Has the same meaning as the Residential Design Codes.

- C. Insert a new land use definition for 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 –

- (a) a full range of automotive repairs 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.

- D. Insert a new land use definition for workforce accommodation:

means premises, which may include modular or relocatable buildings, used –

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

- E. Insert a new land use definition for tourist and visitor accommodation:

- (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
 - (iii) may include on-site services and facilities for use by guests; and
 - (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 Provisions) 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.

3. In Table 1 'Zoning Table' insert in alphabetical order the following land uses and permissibility:

USED CLASS	RESIDENTIAL	REGIONAL CENTRE (SEE NOTE 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
Road House	X	X	X	X	X	X	X	A	X	X	NOTE 1	NOTE 2	NOTE 3	X	X
Hosted short term rental accommodation	P	P	P	P	P	P	X	X	P	P				P	X
Unhosted short term rental accommodation	A	D	D	D	A	A	X	X	A	A				A	X
Tourist and visitor accommodation	A	D	D	D	D	D	X	X	A	A				A	X
Workforce accommodation	X	X	X	X	D	X	X	X	X	A				X	A

4. In Table 1 'Zoning Table', delete all references to:

- bed and breakfast;
- holiday home (standard)
- holiday home (large);
- motel;
- house – lodging; and
- tourist accommodation.

5. Replace all references to the land use 'Tourist Accommodation' with 'Tourist and visitor accommodation' throughout the Scheme (with the exception of Table 1), including Table 2 – Parking; Table 8 – Special Use zones and Table 9 – Development Areas.

6. Delete the following land use definitions from Table 2 – Parking; Table 3 – Commercial Use Classes – Vehicle Parking; Table 8 – Special Use zones; and Table 9 – Development Area:

- bed and breakfast;
- motel;
- lodging House/House-Lodging.

L HOWLETT
MAYOR

D SIMMS
CHIEF EXECUTIVE OFFICER



Town Planning Scheme No.3

Amendment No.183 (Standard)

Update scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for Short-Term Rental Accommodation.

NOVEMBER 2024

Planning and Development Act 2005
RESOLUTION TO AMEND A LOCAL PLANNING SCHEME

City of Cockburn
Town Planning Scheme No.3
Amendment No.183

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the City of Cockburn Town Planning Scheme No.3 by:

1. In Part 6 (1. General Definitions):

A. Include a new general definition for *cabin*:

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.*

B. Include a new general definition for *chalet*:

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 (2. Land Use Definitions):

A. Delete the definitions for:

- *bed and breakfast;*
- *tourist accommodation;*
- *holiday home (standard);*

- *holiday home (large);*
- *motel;*
- *lodging house.*

B. Amend the land use definition for *residential building* to delete reference to excluding a lodging-house, as follows:

Has the same meaning as the Residential Design Codes.

C. Insert a new land use definition for *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 —

- (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.*

D. Insert a new land use definition for *workforce accommodation*:

means premises, which may include modular or relocatable buildings, used —

- (a) *primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- (b) *for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.*

E. Insert a new land use definition for *tourist and visitor accommodation*:

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

3. In Table 1 'Zoning Table' insert in alphabetical order the following land uses and permissibility:

USE CLASS	RESIDENTIAL	REGIONAL CENTRE (SE NOTE 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
Road house	X	X	X	X	X	X	X	X	X	X	NOTE 1	NOTE 2	NOTE 3	X	X
Hosted short term rental accommodation	P	P	P	P	P	P	X	X	P	P				P	X
Unhosted short term rental accommodation	A	D	D	D	A	A	X	X	A	A				A	X
Tourist and visitor accommodation	A	D	D	D	D	D	X	X	A	A				A	X
Workforce accommodation	X	X	X	X	D	X	X	X	X	A				X	A

4. In Table 1 'Zoning Table', delete all references to:

- *bed and breakfast;*
- *holiday home (standard);*
- *holiday home (large);*
- *motel;*
- *house – lodging; and*
- *tourist accommodation.*

5. Replace all references to the land use 'Tourist Accommodation' with 'Tourist and visitor accommodation' throughout the Scheme (with the exception of Table 1), including Table 2 – Parking; Table 8 – Special Use zones and Table 9 – Development Areas.

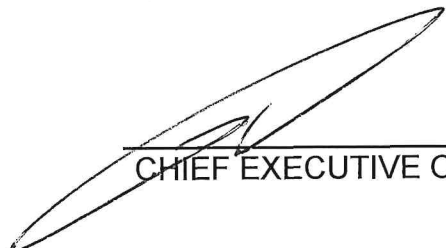
6. Delete the following land use definitions from Table 2 – Parking; Table 8 – Special Use zones; and Table 9 – Development Area:

- *Bed and Breakfast;*
- *Motel;*
- *Lodging House / House – Lodging.*

The amendment is 'standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* on the basis that it is an amendment that:

- *does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
- *would not constitute a complex or basic amendment as defined in Part 5 Division 1 Regulation 34.*

Dated this 12th day of November 2024



CHIEF EXECUTIVE OFFICER

AMENDMENT REPORT

1.0 INTRODUCTION

The purpose of this amendment is to amend the City of Cockburn Local Planning Scheme No.3 (TPS3) 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 City of Cockburn.

2.0 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 City 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.

3.0 STATE PLANNING FRAMEWORK

The State Government's planning reforms for STRA 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 the LPS 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 City of Cockburn are detailed further in the following sections of this report.

4.0 LOCAL PLANNING CONTEXT

City of Cockburn Local Planning Strategy

The City's Draft Local Planning Strategy (awaiting WAPC final approval) recognises the City of Cockburn is well placed to accommodate tourists with good access to the Perth CBD and Fremantle, major transport networks, health and educational facilities, and access to world-class beaches. Tourist and other short-term accommodation proposals are therefore expected to increase within the City.

It recommends preparation of a Tourism and Visitor Strategy to include analysis of tourism accommodation needs in the City, including for hotels. A hotel has been flagged for Cockburn Central, with a possible site identified in Port Coogee Marina Village structure plan. However, analysis for Port Coogee suggests a hotel may not be feasible, particularly given proximity to Fremantle which may be more attractive for tourists. In light of this, it is acknowledged 'holiday homes' may have the potential to meet demand within the City for short stay accommodation if hotels are not feasible.

There have been some land use planning issues with 'holiday home' uses, such as noise and activity impacting on residential amenity, which the Local Planning Strategy identifies will be addressed through local planning policy provisions. This amendment responds to changes to the LPS Regulations to reflect new land uses and definitions, and where STRA is not exempt the City will modify local planning policies as necessary to protect residential amenity and provide a framework to exercise discretion.

Local Planning Policies

Currently the City has two key local planning policies that relate to short stay accommodation, discussed below:

LPP 1.15: Tourist Accommodation

TPS3 provides limited development standards for STRA, therefore LPP 1.15 provides development standards for the following land use types as defined in TPS3:

- Tourist Accommodation (including cabins, chalets, short-stay self-contained accommodation and similar forms of tourist accommodation;
- Bed and Breakfast;
- Hotel;
- Motel;
- Holiday Home (Standard); and
- Caravan Parks.

LPP 1.15 will require renaming and amending in response to this amendment and changes to the LPS Regulations, including definitions and reference to applicable exemptions. It will include development standards for non-exempt STRA development, including management plan requirements.

LPP 1.6: Lodging Houses

This Policy seeks to ensure the establishment of a lodging house is suitable to the nature and character of the locality within which it will be situated, and is conveniently positioned relative to local shops, community infrastructure and public transport services.

The land use definition for 'lodging houses' is not contained within the LPS Regulations, and Planning Bulletin 115 specifies these are not considered STRA or traditional accommodation and such land uses will be classed as 'residential buildings'. It is noted they are defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1) (which stipulate applicable regulations), however for the purposes of the planning framework they are proposed to fall within the land use definition of 'residential building' pursuant to the R-Codes.

It is anticipated this policy will be revoked in future with appropriate measures included in a new consolidated policy relating to 'residential building' if deemed necessary, including referencing the Heath Act and Building Code, given these will be class 1b and class 3 buildings with specific requirements.

Background - Short stay accommodation in the City of Cockburn

Over the past 11 years (since 1 January 2013), the City of Cockburn have approved the following number of short term rental/holiday accommodation Development Applications:

Short stay land use (TPS3)	No. of Development Approvals (since January 2013)
Holiday Home (Standard)	23
Tourist Accommodation	21
Bed and Breakfast	7
Lodging House	6
Motel	3

These are generally focussed in the suburbs of Coogee, North Coogee, Cockburn Central and Aubin Grove.

Many of the holiday home (standard) and tourist accommodation applications have resulted from development compliance cases which come from neighbour complaints relating to noise, parking etc.

Development applications (in particular, the management plans) are assessed against LPP 1.15: Tourist Accommodation.

5.0 PROPOSED AMENDMENT

With the introduction of the new deemed land use classes into planning schemes associated with STRA, this scheme amendment relates to the introduction, modification and deletion of various land use and general definitions to TPS3.

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 TPS3 through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into the zoning table (at the direction of the WAPC) to ensure clarity from an interpretation perspective, particularly given these uses replace long-standing 'model' land use classes within TPS3.

To implement the required changes, this amendment requires deletion of all references to the land use classes of *Bed and breakfast*; *Holiday home (standard)*; *Holiday home (large)*; *Motel*; *Lodging House/ House – Lodging*.

The new 'deemed' definitions of *hosted short-term rental accommodation* and *unhosted short-term rental accommodation* are proposed to be included in Table 1 – Zoning Table and Definitions schedules of TPS3 accordingly.

In addition to the LPS Regulations, the Position Statement: 'Planning for Tourism and Short-term Rental Accommodation' 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:

USE CLASS	RESIDENTIAL	REGIONAL CENTRE (SE NOTE 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
Hosted short term rental accommodation	P	P	P	P	P	P	X	X	P	P	NOTE 1	NOTE 2	NOTE 3	P	X
Unhosted short term rental accommodation	A	D	D	D	A	A	X	X	A	A				A	X
Tourist and visitor accommodation	A	D	D	D	D	D	X	X	A	A				A	X

Hosted short term rental accommodation:

This land use permissibility reflects the LPS Regulation exemptions for hosted short term rental accommodation.

Unhosted short term rental accommodation:

This land use permissibility provides for unhosted short term rental accommodation to be an 'A' (discretionary after advertising) use where it may impact residential amenity, and a 'D' (discretionary without advertising) or an 'A' use in other zones where residential land uses are permitted (consistent with Position Statement: 'Planning for Tourism and Short-term Rental Accommodation'). The LPS Regulations provide for exemptions for unhosted accommodation (90-night cumulative exemption within a 12-month period), therefore Development Approval will only be required where it is not exempt.

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 TPS3, this use is similar to 'Tourist Accommodation' and uses that require deletion through this change are:

- *Bed and breakfast;*
- *Holiday home (standard);*
- *Holiday home (large);*
- *Motel;*
- *Lodging house; and*
- *Tourist accommodation.*

To reflect the proposed deletion of these land uses it is proposed the following land use definitions be deleted from Table 2 – Parking; Table 8 – Special Use zones; and Table 9 – Development Area:

- Bed and Breakfast – this can be deleted and will be covered by 'hosted STRA' which is exempt under the LPS Regulations and proposed to be designated as a 'P' (permitted) use where dwellings are permissible.
- Motel
- Lodging House / House – Lodging

This new model use class is not intended to replace other accommodation types such as lodging houses. These are not considered STRA or traditional accommodation for the purposes of these changes, and such land uses will continue to be classed as 'residential buildings', as outlined in Planning Bulletin 115.

Accordingly, the TPS definition for 'residential building' will be amended to delete reference to it excluding lodging houses.

The new land use 'tourist and visitor accommodation' is proposed to have the following land use permissibilities:

USE CLASS	RESIDENTIAL	REGIONAL CENTRE (SE NOTE 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
Tourist and visitor accommodation	A	D	D	D	D	D	X	X	A	A	NOTE 1	NOTE 2	NOTE 3	A	X

This land use permissibility provides for 'tourist and visitor accommodation' to be an 'A' use where it may impact residential amenity, a 'D' or 'A' use in other zones where residential land uses are permitted, and an 'X' (not permitted) use in industrial zones that are to be protected for industrial land uses and generally unsuitable for sensitive land uses.

It should be noted the land use may not be appropriate in the Kwinana Air Quality Buffer which affects much of the 'Rural' and 'Rural Living' zone, given it is a sensitive land use.

It is proposed all references to the land use 'Tourist Accommodation' in Table 2 – Parking; Table 8 – Special Use zones and Table 9 – Development Areas be replaced with 'Tourist and visitor accommodation' as the intent of these land uses is very similar. This will ensure the permissibility of these uses continues.

Other New Land Use Definitions

The new 'short term rental accommodation' definition (deemed provisions) references 'road house' and 'workforce accommodation' (as being excluded), and these are not land uses currently included in TPS3.

These land use terms are therefore proposed to be included as per the LPS Regulations.

USE CLASS	RESIDENTIAL	REGIONAL CENTRE (SE NOTE 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
Road house	X	X	X	X	X	X	X	X	X	X	NOTE 1	NOTE 2	NOTE 3	X	X
Workforce accommodation	X	X	X	X	D	X	X	X	X	A	NOTE 1	NOTE 2	NOTE 3	X	A

There are no identified suitable zones for 'road house' land uses, given these have the potential to be extensive, multi-purpose land uses as follows:

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 —

- (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.*

For 'workforce accommodation' it is proposed this be permissible in the Mixed Business, Rural and Strategic Industry zones, noting this may be restricted within the Kwinana Air Quality buffer.

New and Revised General Definitions

As part of the LPS Regulations changes, amendments to some other model definitions were also introduced to not cause confusion or conflict with the new STRA land use terms.

TPS3 does not contain these general definitions, therefore this amendment proposes to include 'cabin' and 'chalet' as per the LPS Regulations.

TPS3 does not contain the general term 'short term accommodation' so there are no required modifications, and this definition is referenced in full through the model and deemed provisions as required.

Planning and Development Act 2005

City of Cockburn Town Planning Scheme No.3 Amendment No.183

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the City of Cockburn Town Planning Scheme No.3 by:

1. In Part 6 (1. General Definitions):

A. Include a new general definition for *cabin*:

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.*

B. Include a new general definition for *chalet*:

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;*
- (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 (2. Land Use Definitions):

A. Delete the definitions for:

- *bed and breakfast;*
- *tourist accommodation;*
- *holiday home (standard);*
- *holiday home (large);*

- *motel;*
- *lodging house.*

B. Amend the land use definition for *residential building* to delete reference to excluding a lodging-house, as follows:

Has the same meaning as the Residential Design Codes.

C. Insert a new land use definition for *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 —

- (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.*

D. Insert a new land use definition for *workforce accommodation*:

means premises, which may include modular or relocatable buildings, used —

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.*

E. Insert a new land use definition for *tourist and visitor accommodation*:

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

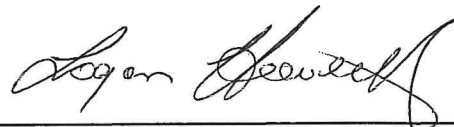
3. In Table 1 'Zoning Table' insert in alphabetical order the following land uses and permissibility:

USE CLASS	RESIDENTIAL	REGIONAL CENTRE (SE NOTE 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
Road house	X	X	X	X	X	X	X	X	X	X	NOTE 1	NOTE 2	NOTE 3	X	X
Hosted short term rental accommodation	P	P	P	P	P	P	X	X	P	P				P	X
Unhosted short term rental accommodation	A	D	D	D	A	A	X	X	A	A				A	X
Tourist and visitor accommodation	A	D	D	D	D	D	X	X	A	A				A	X
Workforce accommodation	X	X	X	X	D	X	X	X	X	A				X	A

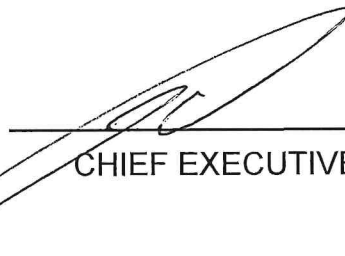
4. In Table 1 'Zoning Table', delete all references to:
 - *bed and breakfast*;
 - *holiday home (standard)*;
 - *holiday home (large)*;
 - *motel*;
 - *house – lodging*; and
 - *tourist accommodation*.
5. Replace all references to the land use 'Tourist Accommodation' with 'Tourist and visitor accommodation' throughout the Scheme (with the exception of Table 1), including Table 2 – Parking; Table 8 – Special Use zones and Table 9 – Development Areas.
6. Delete the following land use definitions from Table 2 – Parking; Table 8 – Special Use zones; and Table 9 – Development Area:
 - *Bed and Breakfast*;
 - *Motel*;
 - *Lodging House / House – Lodging*.

ADOPTION

Adopted by resolution of the Council of the City of Cockburn at the Meeting of the Council held on 12th day of November 20 24



MAYOR



CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted for final approval by resolution of the City of Cockburn at the Meeting of the Council held on the _____ day of _____ 20__, and the Common Seal of the City of Cockburn was hereunto affixed by the authority of a resolution of the Council in the presence of:

MAYOR

(Seal)

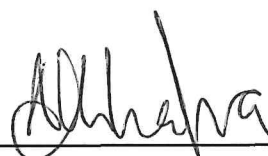
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

It is hereby certified that this is a true copy of the ~~Scheme~~ Amendment, final approval to which was endorsed by the Minister for Planning on 15/10/25

Certified by AS Brooks

Officer of the Commission Duty authorised pursuant to Section 24 of the Planning and Development Act 2005 and Regulation 32(3) Scheme and Regulation 63(3) (Amendment) of the Planning and Development (Local Planning Scheme) Regulations 2015.



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

DATE 28 August 2025

Final Approval Granted

MINISTER FOR PLANNING

DATE _____