

Short-Term Rental Accommodation





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Disclaimer – The information contained in this manual is provided as general information as a guide only. It should not be relied on as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.



Introduction

This manual is intended to provide short-term rental owners (or providers) with useful information on what is required to be a Short-Term Rental Accommodation (STRA) provider. It also includes information on other things to consider to ensure the accommodation meets requirements and that you set yourself up as a 'good host'.

What is STRA?

STRA refers to a property (or part of a property) that is rented out 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 a temporary place to stay for holidays, business trips or other short stays.

STRA includes types of properties that have not been developed for traditional accommodation purposes, such as hotels and can include apartments, houses, or even individual rooms within a provider's residence.

STRA premises are either hosted – where the provider lives onsite, or unhosted – where guests have exclusive use of the premises.

What is the STRA Register?

The STRA Register is an initiative of the Western Australian (WA) Government, established under the *Short-Term Rental Accommodation Act 2024* (WA) (STRA Act). The main objective of the STRA Register is to collect information on the STRA sector in WA to inform accurate, data-driven decision making.

Providers of STRA within WA are required to register their premises before they lawfully advertise and take bookings, including on online booking platforms.

The STRA Register aims to:

- assist the State and local governments to obtain a better understanding of the short-term accommodation sector in WA leading to more informed policy and regulatory responses;
- provide the community with information about what short-term rental accommodation exists in their area; and
- ensure providers are aware of local laws and planning controls.

The STRA Register opened on 1 July 2024. The registration of STRA premises became mandatory on 1 January 2025. If you are found to be operating STRA without registration you will be liable for significant penalties.



What needs to be registered?

The following arrangements are considered STRA for the purposes of registration with the WA Government.

| Included | Description | Example |
|--------------------------------------|--|--|
| Single houses/town houses/apartments | Individual self-contained houses/units that are provided for short term accommodation on a commercial basis. | Investment property, house leased while on holiday, apartment in a residential complex. |
| Bed and breakfasts | Typically where short-term accommodation and breakfast/food is provided to paying guests in a house or unit when the primary resident(s) or property owner is present. | Renting a room out in your house for short-stay. |
| Ancillary dwellings | A self-contained building, generally less than 70 m² in floor space, on the same lot as the primary residence used to provide short-term accommodation. | Granny flat. |
| Tiny houses | A caravan or ancillary dwelling on the same lot as a primary residence that is offered for short-term accommodation on a commercial basis. | A caravan in the back yard rented for short stay. |

There are some short-stay arrangements which are specifically excluded from the requirement to register as STRA. The following arrangements are not considered STRA for the purposes of registration with the WA Government.

| Included | Description | Example |
|-----------------------------------|---|--------------------------------------|
| Hotel | Purpose built hotel which may be licensed under the Liquor Control Act 1988. | Hilton, Holiday Inn. |
| Serviced apartments | Wholly managed buildings where self-contained apartments are regularly serviced or cleaned. | Mantra, Quest. |
| Tourist and visitor accommodation | A building, or group of buildings forming a complex that is used to provide short-term accommodation and is wholly managed by a single person or body. | Farm-stays, motels, chalets, cabins. |
| Caravan parks and camping grounds | Premises that fall under the Caravan Parks and Camping Grounds Act 1995 section 5(1). | Big 4, RAC Holiday Parks. |
| Glamping | A tent, or other temporary movable structure made of canvas, without plumbing and/or kitchen facilities used for temporary accommodation on the same site as the owner. | |
| Lodging house | A low-cost form of accommodation in which furnished rooms are rented for living or staying in temporarily. | Backpackers accommodation. |



Although these premises do not need to register, development approval may be required to operate these types of accommodation. It is recommended you contact your local government to understand any requirements applicable to your circumstances.

Zoning does not determine the need to register. However, zoning can determine whether or not the property can operate as STRA.

If you require assistance in determining whether your STRA property requires registration, you should contact your local government to determine the approved land use for your premises and check this against the information on our website. The approved land use will also be listed on the premises' planning or development approval.

If you are still unsure, contact the STRA Register team on +61 8 6251 1234 (during office hours) or email stra.enquiries@lgirs.wa.gov.au

How do I register my STRA premises?

The STRA Register is an online system, allowing for quick registration of a STRA premises. During the registration process you will be asked questions related to your STRA property. You will not be required to provide any documents to support your registration. Upon completion, you will receive a registration number for your registered STRA premises.

Access the STRA Register

Before commencing your registration there are several pieces of information you will need to know.

- If you require Development Approval (DA) from your local government and what the DA number is, if required.
- Whether your premises has Residual Current Devices installed. See information in <u>Appendix A</u> on Residual Current Devices.
- Whether your premises has mains connected smoke alarms. See information in <u>Appendix B</u> on Smoke Alarms.
- If you have a swimming or spa pool, has the safety fence been inspected by your local government in the last four years? See information in Appendix C on Swimming or Spa Pool Safety Barriers.
- If you provide food, do you have the appropriate approvals from your local government? See information in Appendix D on Food Service.

Registration of a STRA premises will be subject to an initial application fee of \$250.



Renewal of STRA registration

Your registration is valid for 12 months from the STRA registration date. You will need to renew your registration every 12 months if you wish to continue to operate the premises as STRA. You will receive various reminders by email leading up to the expiration of your registration, advising your registration is due for renewal. The cost to renew registration is \$100.

You can renew your STRA registration by logging into the STRA Register. You will be eligible to renew your registration two months before the registration expires. If your registration expires, you will have a 28-day grace period to renew your registration. Once this 28-day grace period has lapsed you will need to re-register the premises, which will be subject to a \$250 application fee, and the registration will be allocated a new unique STRA registration number.

Local government requirements

There are local laws in place with each local government that govern what happens on land owned or managed by the local government. These local laws ensure activities are regulated, controlled, and efficiently managed.

By using your property for STRA you are undertaking a commercial activity meaning your property may have changed the use for which it was built and may need to be re-assessed.

A Local Planning Policy sets out specific rules for different development types and is prepared under the provisions of Local Planning Schemes. Local planning policies provide guidance about how a development will be assessed by planning authorities. This information is important when preparing an application for planning approval, for example if you are applying for development approval for your STRA. Please check with your local government as to the development approval requirement that applies to your situation.

To complete your registration on the STRA Register, you will be required to provide information which reflects the status of your development approval. A development approval may be required by your Local Government Authority (LGA) (City, Shire, or Town) to operate STRA. If you require development approval under planning legislation you should also indicate whether or not the use of the premises for the purpose of STRA has been approved under that legislation and provide any relevant approval number. If you are unsure what applies to you, contact your LGA for advice. The registration application can be saved and returned to once you are ready to complete. Failure to obtain development approval where required may result in suspension or cancellation of a registration.

Planning exemptions

If your property is hosted, under the Planning and Development (Local Planning Schemes) Regulations, you will not require development approval from your local government.

If your property is unhosted, and in the metropolitan area, under the <u>metro-exemption period</u>, up to 90 nights can be booked in a 12-month period with no development approval required. If you have over 90 nights booked or intend to lease the premises for more than 90 nights in the registration year, then you will require development approval.

If your property is unhosted, and in a regional area, you will need to check with your local government if development approval is required.



Temporary accommodation approvals for caravans and camping

Caravans and tiny homes on wheels are used by many people in WA including for STRA. It is important that caravans and tiny homes on wheels are used in a safe and healthy manner. If a person uses a caravan or tiny home on wheels outside a licensed park without approvals or exemption, they risk committing an offence, regardless of whether the land is private or public.

Refer to <u>Appendix E</u> for further information on temporary accommodation and camping outside of caravan parks, including exemptions for approved short-term stays.

Strata or community title scheme

If your STRA property is part of a strata or community title scheme, you will need to check that the scheme by-laws do not prohibit STRA.

A strata company or community corporation can adopt by-laws that control STRA within their strata or community title scheme. By-laws could ban STRA in the scheme outright or in lots that are not the provider's principal place of residence. By-laws may also allow STRA but only in certain lots within a strata or community title scheme.

If your strata or community title scheme has a by-law that prohibits STRA from being operated from the premises, then you risk cancellation or suspension of your registration by contravening this by-law. You may also be subject to enforcement action by the strata company or community corporation.

A strata company for a registered premises that is comprised in a strata title scheme, or a community corporation for a community title scheme, may request the Commissioner for Consumer Protection in writing to disclose information. The Commissioner may disclose this information in accordance with the *Community Titles Act 2018* or the *Strata Titles Act 1985* and the scheme by-laws.

The Western Australian Land Information Authority, Landgate, has a range of resources available on their website as follows:

- Resources for strata owners
- Resources for strata companies

Refer to <u>Appendix H</u> for the Landgate publication 'Living in a scheme' for general information on by-laws and other responsibilities.

Tenant operating STRA from their rented premises

If you are a tenant, you may be able to rent out the property (or part of the property) as STRA under a subletting arrangement, if not prohibited in your residential tenancy agreement. For example, you may be permitted to sublet a room for a short time while you are away on holiday and have someone stay in your room while you are gone. It is recommended that you discuss the subletting arrangement with your landlord before operating STRA from the rented premises and registering the property on the STRA Register.



Setting up your STRA

Advertising the property

If you are new to operating STRA or are unsure about any requirements, consider arranging for a property manager to manage the property.

If you are managing the property yourself, you may advertise your property through an online booking platform, your local visitor centre or elsewhere. Read through any terms and conditions and familiarise yourself with your rights under Australian Consumer Law.

Your advertisement should cover basic information such as the location, what type of property you are offering and the number of bedrooms and bathrooms your guests will have access to. Note in your description any details that might be important for guests to know before booking, such as stairs or parking.

Prepare your space

Good STRA providers should provide guests with relevant information and essential items such as towels, linen, pillows, soap and toilet paper. You should also have a plan for how you will quickly resolve any issues and how guests can reach out if anything comes up.

Your STRA premises should be clean and hygienic for guests. You may wish to remove or store any personal items.

Arrival guide

Set up a process that's simple and reliable for your guests to check-in. It is useful to prepare an arrival guide to send to your STRA guest before they arrive, detailing directions to the property, and step-by-step check-in instructions. Self-check-in may be convenient, allowing guests easy entry without you being there. Consider home improvements like installing a smart lock, outdoor lighting or signs to make check-in easier for you and your guests.

A welcome message is particularly important if you're not checking in guests in-person.

STRA guest manual

It is good practice to prepare a guest manual with instructions and tips for your guests. Your guest manual should provide important information, such as emergency procedures and how to access the internet and use appliances. It is recommended that you print the completed document and leave it in a convenient place where guest can easily find it, and review it from time to time to ensure the information is still accurate and complete.



Here are some things to consider including in your guest manual:

- **House rules:** This will set out your expectations of guests including any restrictions, and remind them to consider neighbours and community while staying at your STRA. Please see the following section for more information on house rules.
- Fire and emergency information: Please refer to the section on Fire and Emergency Provisions. STRA providers are advised to include the Appendix G Fire and emergency information for guests document in the guest manual. Consider including an emergency evacuation plan and local emergency services contact telephone numbers, including the local police station and the nearest hospital.
- Parking instructions: This will ensure your guests park in an appropriate place. You can direct guests to the location of off-street parking if applicable.
- **How to use appliances:** This will help to ensure appliances (such as a washing machine, dishwasher, coffee machine or air conditioner) are used properly to avoid damage.
- Local transport information: Providing the location of nearby bus stops or train stations may help guests staying in your STRA.
- **Wi-fi details:** So that guests can access the internet, it is useful to include the network name, password and the location of any router.
- Local travel guidebook: This might include local recommendations for dining, sightseeing, shopping, and experiencing the outdoors.

House rules

Including house rules in your guest manual helps guests understand your expectations and any restrictions, for example rules prohibiting smoking, pets or parties.

House rules may cover the following:

- Pets.
- Events.
- · Smoking, vaping and e-cigarettes.
- Quiet hours.
- Check-in and checkout times.
- Maximum number of guests and rules around unregistered guests.
- Commercial photography and filming.
- Cleaning, including if guests are expected to clean any dishes they use and take out rubbish before they leave.

You can also add any other special requirements or additional rules including local customs and health and safety.

If a guest violates a house rule, the first step should be to communicate with the guest and try to resolve the issue directly. If you are unable to come to a resolution, your property manager or booking platform may be able to provide further assistance.



Insurance

You will need to check that your home and contents insurance policy covers commercial activity including the use of your premises for STRA.

You may also require public liability insurance. This type of insurance can protect homeowners from financial losses if something goes wrong for guests and visitors, such as accidental damage to their property, theft of belongings, or other liability claims.

Fire and Emergency Provisions

Bushfire preparation

Over 90 per cent of WA is bushfire prone. Bushfires can happen anywhere and at any time, so it's important to know and understand the risks to guests staying in your STRA.

The Department of Fire and Emergency Services (DFES) Map of Bush Fire Prone Areas can be used to identify whether your STRA premises is in a bushfire prone area. You should provide relevant information and resources to your guests to ensure they are prepared and able to respond effectively in the event of a bushfire.

View bushfire prone areas map

As a STRA provider you are responsible for preparing the property for a potential bushfire. Please refer to Appendix F for a DFES property preparation checklist, which should be completed to ensure the premises has the best possible chance of surviving a bushfire, and for the safety of guests staying in your STRA.

Emergency response and fire management plan

Having emergency information and response plans in place is critical in ensuring your guests enjoy a safe stay in your STRA. These will help guests understand what to do, or who to contact in the event of an emergency. Remember that guests staying in your STRA may not be familiar with the area.

An emergency response and fire management plan should be prepared prior to the commencement of STRA use and should include information such as:

- Escape route maps from the building and/or property.
- · Location/s of smoke alarms.
- Contact details of property manager, police, and fire brigade.
- Details of the fire blanket in any kitchen area.
- Details of fire extinguishers as determined by the Building Code of Australia.
- Information on natural disasters that may occur in the area, including floods and bushfires.

You may also need to provide your guests with other fire and emergency information. Refer to Appendix G for the Department of Local Government, Industry Regulation and Safety (LGIRS) publication which can be customised with details specific to your STRA. It is recommended that you print the completed document and leave it in a convenient place for your guests, such as in the guest manual.



Appendices

Appendix A: Residual Current Devices

Appendix B: Smoke Alarms

Appendix C: Swimming or Spa Pool Safety Barriers

Appendix D: Food Service

Appendix E: Temporary accommodation and camping outside of caravan parks fact sheet

<u>Appendix F: Bushfire Prepare - Property Preparation Checklist</u>

Appendix G: Fire and Emergency Information for Guests

Appendix H: Living in a scheme

Department of Local Government, Industry Regulation and Safety

www.lgirs.wa.gov.au

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