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Warrnambool City Council



Local Law Number 2

Short Stay Accommodation Code of Conduct

Adopted by Council 6 February 2023

PART 1 - INTRODUCTION

1. TITLE

This is the Warrnambool City Council Local Short Stay Accommodation Code of Conduct.

2. OBJECTIVES OF THIS CODE OF CONDUCT

The objectives of this Code of Conduct are to:

- (1) provide clear guidelines on the required standards for Short Stay Rental Accommodation within the Warrnambool City Council municipal district;
- (2) assist with the peace, order and good governance of the municipal district; and
- (3) include all Short Stay Rental Accommodation as defined by the Local Law.

3. POWER TO MAKE THIS CODE OF CONDUCT

The Council's power to make this Code of Conduct is contained in the provisions of the Short Stay Accommodation Local Law Number 2 which is made under section 71 of the *Local Government Act 2020*.

4. DATE THIS CODE OF CONDUCT COMMENCES OPERATION

This Local Law commences operation on 7th February 2023

5. DATE THIS CODE OF CONDUCT CEASES OPERATION

Unless this Code of Conduct is revoked sooner, its operation will cease on the day prior to the 10th anniversary of the date specified under clause 4.

6. SCOPE OF THIS CODE OF CONDUCT

This Code of Conduct applies to the whole of the municipal district save where the provisions thereof specifically provide to the contrary.

7. INTERPRETATION

(1) In this Local Law:

- (a) **Act** means the *Local Government Act 1989 (Vic)* and *Local Government Act 2020* (as the context requires);
- (b) **Code of Conduct** means the Short Stay Rental Accommodation Code of Conduct issued by Council for the purposes of the Local Law;
- (c) **Council** means the Warrnambool City Council;
- (d) **Dwelling** means any building or portion of a building which is used, intended, adapted or designed for use for living;
- (e) **Motor Vehicle** has the same meaning as in the *Road Safety Act 1986*;

- (f) **Municipal District** has the same meaning as in the Act;
- (g) **Occupant** means a person who occupies Short Stay Rental Accommodation for short stay purposes;
- (h) **Owner** means the owner of the Dwelling or any appointed agent or property manager;
- (i) **Short Stay Rental Accommodation** means accommodation for no more than 30 consecutive days in a Dwelling for commercial gain, excluding other accommodation premises required to be registered under alternate legislation.

PART 2 - STANDARD OF MANAGEMENT

8. STANDARD OF MANAGEMENT

- (1) The Owner must display and make the Code of Conduct available to all Occupants and visitors to the Dwelling including availability on any website used by the Owner to promote the Short Stay Rental Accommodation, and must incorporate the Code of Conduct provisions into the rental terms and conditions.
- (2) The Owner must control and be responsible for the behaviour of Occupants and residents at the Dwelling.
- (3) Unacceptable behaviour includes loud:
 - (a) aggressive behaviour;
 - (b) yelling, screaming and arguing; and
 - (c) cheering, clapping and singing.
- (4) The Owner must inform Occupants of waste disposal arrangements and remove any excess waste left by Occupants.
- (5) Off street parking must be provided for all Occupants' Motor Vehicles. The Owner must provide information to Occupants on parking arrangements prior to arrival.
- (6) Additional accommodation is not allowed on site by way of tents, caravans, campervans or similar facilities.
- (7) Outdoor areas including swimming pools, spas, outdoor decking and balconies are not to be used between 11.00 pm to 7.00 am.
- (8) The Owner must maintain any land connected to the Dwelling in good condition.