

Short Stay Accommodation

**Neighbour Information – FACT SHEET**

**What is the Short Stay Accommodation Local Law?**

Warrnambool is a vibrant and dynamic municipality that is home to approximately 35,000 people. It boasts an enviable mix of seaside location, tourism and family appeal. Council has historically, and continues to, invest heavily in our City’s tourism sector. The work of Council directly and indirectly impacts the visitor experience and short stay accommodation providers benefit from this investment.

Council welcomes visitors to the region, but must also ensure the local community continues to enjoy the benefits the area has to offer and those owners impacted by the Short Stay Local Law act responsibly and properties are managed appropriately.

In February 2023, Council adopted the Short Stay Accommodation Local Law, providing clear guidelines on the required standards for the operation of this type of accommodation. The Local Law places the responsibility for occupant behavior on the owner of the property.

Short Stay Accommodation is defined under the Local Law as “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”.

Short Stay Accommodation does not include other business types registered under other laws, such as Bed and Breakfast providers, hotels and motels, hostels, student dormitories or holiday camps.

Council recognises that most operators of Short Stay Accommodation act responsibly and manage their property appropriately. However, council felt controls were considered necessary to assist with peace, order and good governance.

**The Local Law objectives are to:**

1. Place the responsibility for occupant behaviour on the Owner of the Short Stay Accommodation.
2. Implement a Code of Conduct to ensure an appropriate standard of management of behaviour at the accommodation
3. Minimise the risk of the accommodation affecting the peace of the neighbours by providing a Designated Contact Person for the property.
4. Regulate and control the use of Short Stay Accommodation by implementing a registration requirement.
5. Enforce the requirements of the Local Law and Code of Conduct in the event of a breach or failure to comply with a notice of direction.

The Code of Conduct creates a standard of management that must be adhered to under the Local Law and further information on the Code of Conduct is included later in this fact file.

**What is the Code of Conduct?**

The Local Law establishes a Code of Conduct detailing the requirements for the use of the accommodation. This includes the following:

1. The Owner must control and be responsible for the behaviour of occupants at the dwelling.

Unacceptable behaviours include:

* aggressive behaviour
* yelling
* screaming and arguing
* loud cheering, clapping and singing
1. Off-street parking must be provided for all occupants’ motor vehicles. The Owner must provide information to occupants on parking arrangements prior to arrival.
2. Additional accommodation is not allowed on site by way of tents, caravans, campervans or similar facilities.
3. Outdoor areas including swimming pools, spas, outdoor decking and balconies are not to be used between 11pm and 7am.
4. The Owner must inform occupants of waste disposal arrangements and remove any excess waste left by occupants. An adequate number of bins must be provided for collection and storage of all rubbish. All rubbish should be regularly removed.
5. The Owner must display and make the Code of Conduct available to all occupants and visitors to the dwelling including availability on their website or any social media used by the owner to promote the Short Stay Accommodation, and must incorporate the Code of Conduct provisions into rental terms and conditions.
6. The Owner of a Short Stay Accommodation dwelling must maintain any land connected to the dwelling in good condition.

**Who is the Designated Contact Person?**

It is a reality that many owners of Short Stay Accommodation do not live locally or are not able to respond in person to complaints about occupant behaviour.

The Local Law requires owners to nominate a Designated Contact Person who can respond to neighbour concerns within two hours. A contact person could be:

* a security company
* a real estate agent or managing agent
* an individual (including the Owner)

The contact details of the Designated Contact Person will be provided in writing to any adjoining neighbours of a registered Short Stay Accommodation. This includes a neighbouring property directly across from the accommodation.

Please note that Council does not expect any person to be placed in harmful or threatening situations, this includes the designated contact person.

In the event of loud music or aggressive behaviour, call Victoria Police on 000.

**We did not receive Designated Contact Person details, what should we do?**

Owners of a registered Short Stay Accommodation must provide all adjoining neighbours with the details of the Designated Contact Person in writing. If you did not receive these details your home may not be an adjoining property.

The Designated Contact Person details are recorded with Council and will be provided to neighbours on request. If you have not received the contact details for a property you believe to be a Short Stay Accommodation, or you wish to report a Short Stay Accommodation you suspect to be unregistered, please contact Council during business hours on 5559 4800.

**Who is required to be registered?**

Owners of property used as Short Stay Accommodation as defined by the Local Law must

apply for registration and pay the prescribed fee of $400.

Registration is valid for a period of 12 months, unless it is cancelled under the Local Law. Registration is

property specific and cannot be transferred to another property.

**Enforcement information**

Under the new Local Law and Code of Conduct, the Owners of a Short Stay Accommodation are responsible for their occupants’ behavior. This is due to the transient nature of occupancy within the short stay industry, occupants usually only stay for a weekend or a week.

When an Owner registers their Short Stay Accommodation with Council, they are agreeing to the terms and conditions set out by the Local Law and Code of Conduct.

Owners must:

* register their property with Council
* appoint a Designated Contact Person to respond to neighbour complaints within two hours
* apply the Code of Conduct to occupants