

Short Stay Accommodation

**Owner 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.

**What is Designated Contact information?**

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

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

* a security company
* a real estate agent or managing agent
* an individual

The Designated Contact Person detail must be provided, in writing, by the owner, 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.

**What does Council suggest to prevent a disturbance of the peace?**

You may find the following suggestions helpful in operating your Short Accommodation:

* Employ a security company (as the Designated Contact Person) to be available to attend immediately upon request by a neighbour or yourself.
* Thorough vetting of potential occupiers before accepting a booking.
* Ensure you have mobile phone contact details for incoming occupants. If the Designated Contact Person can contact the occupants of the Short Stay Accommodation by telephone to resolve the issue (rather than attend in person), this may resolve a complaint or matter.
* Send an automated text message or email through an online platform to the occupant on the day they arrive at your accommodation informing them that an agent (or security company) will be actively monitoring accommodation and where there is disturbance of peace they will be asked to leave immediately.
* Where possible enclose balconies, or install blinds and screens to reduce the line of sight and noise spill.
* Introduce yourself and develop a good relationship with neighbours that live near the Short Stay Accommodation

**Am I required to register my accommodation?**

If you are the Owner of Short Stay Accommodation in the Warrnambool City Council, you are required to

register that property with the Council.

To apply for registration, you will need to complete the online application form and pay the prescribed

fee of $400.00.

To apply please go to: **warrnambool.vic.gov.au and search “Short Stay Accommodation”** and follow the online application process.

Registration will be renewed annually subject to the property meeting expected standards.

**What will happen when my registration is about to expire?**

Short Stay Accommodation premises registered with the Council will be sent an invitation to renew annually. The registration fee covers a calendar year in which it is received and is not pro rata based on registration date.

Any premises found to be operating without a current registration will be subject to enforcement action.

**How do I update my Short Stay Accommodation details?**

If you wish to change the postal address, Designated Contact Person information or advise of a managing agent, please contact Council via contact@warrnambool.vic.gov.au.

Please note Short Stay Accommodation registration applies to a specific property. In the event the Short Stay Accommodation property is disposed of please advise Council.

If a new Owner intends to use the acquired property for Short Stay Accommodation, they need

to advise Council of the new Designated Contact Person via contact@warrnambool.vic.gov.au.

You can access Short Stay Accommodation forms and resources at **warrnambool.vic.gov.au and search “Short Stay Accommodation”**

**How much parking is required on site?**

Owners must advise occupants of the number of off-street parking spaces available when accepting a booking. It is suggested to include this detail on any property rental advertisements.

Additional accommodation, such as tents, caravans, campervans or similar facilities are not to be allowed on site.

**What if my property has a swimming pool, spa, outdoor balcony or decking?**

All property owners have a responsibility under Victorian law to not disrupt neighbourhood amenity.

This Local Law applies specific rules around noise and amenity including:

Outdoor areas are not to be used by the occupants of the short stay accommodation between the hours of 11pm to 7am each day.

This includes the use of swimming pools, spas, outdoor decking areas or balconies and any affiliated equipment, such as pumps.

**Enforcement information**

It is an offence to accept a rental booking for a Short Stay Accommodation not registered within the requirements of the Short Stay Accommodation Local Law.

Registration may be cancelled if Council receives three substantiated complaints concerning the activities taking place at the dwelling, over a rolling 12-month period.

Registration may be cancelled immediately in the event a substantiated complaint is of such severity that immediate cancellation is warranted.

**Checklist**

The owner must:

* control and be responsible for the behaviour of occupants at the dwelling.
* ensure off-street parking is provided for all occupants' motor vehicles.
* inform occupants of waste disposal requirements.
* display and make the Code of Conduct available to all occupants and visitors.
* maintain any land connected to the dwelling in good condition.
* nominate a Designated Contact Person who can respond within two hours, advising both Council and adjoining neighbours, including neighbouring property directly across from the accommodation.

If you require further information please go to **warrnambool.vic.gov.au and search “Short Stay Accommodation”**