



7.1 Petition - Request to implement Clause 59 in order to control Short Stay accommodation

A Petition containing 107 signatures was received via change.org.

The Petition states the following:-

Those living in the Port Phillip City Council area would be well aware of the problems associated with Short Stay accommodation.

Owners Corporations and VCAT appear powerless to improve the situation.

Port Phillip Council (COPP) are investigating the use of Clause 59 (see header photo) in situations where other means of controlling Short Stay rentals have been unsuccessful (e.g. Owner's Corp)

We hereby strongly encourage the COPP to use all available resources to combat the growing problems associated with Short Stay accommodation.

We strongly encourage the use of Clause 59.

<p>Local Law 2023 S59 Additional Requirements Applying to Commercial Premises</p>	<p>Commercial premises must not detrimentally affect neighbourhood amenity or create a nuisance (including noise).</p> <p>SSA is included in the definition of 'commercial premises'.</p>	<ul style="list-style-type: none"> • Council Authorised Officers (AOs) can investigate residential noise complaints under Clause 59. Officers will gather evidence and take statements as part of the investigation. • If a breach is established, Council AOs can require owners to provide and adhere to an Amenity Management Plan; or issue an infringement or commence legal proceedings. • Amenity Management Plans were developed in response to complaints about the amenity impacts of backpackers renting rooms in residential dwellings. They have not been used to regulate issues associated with SSA. • Amenity Management plans could address ongoing issues, although it is not particularly responsive to immediately abate complaints.
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OFFICER COMMENT

On 8 March 2023 a petition with 73 signatures was received by Council and presented at Council's meeting on 4 April 2023. A notice of motion was also moved by Councillor Baxter on 4 April 2023 calling for a report into how short stay accommodation can be managed and regulated.

MEETING OF THE PORT PHILLIP CITY COUNCIL 6 SEPTEMBER 2023



This report was presented at the 2 August 2023 meeting of Council; Council resolved to adjourn consideration of the report until the 4 October 2023 meeting.

The report that will be presented to Council on 4 October will cover the above subject matter, including clause 59 of the Local Law 2023.

RECOMMENDATION

That Council:

Receives and notes the Petition and provides a response to the 4 October 2023 Council meeting as part of the officers' report into Short-Stay Accommodation.

ATTACHMENTS

Nil