

**Attachment 1
Summary of Benchmarking Findings
Victoria and Interstate**

**Options for Regulating
Short Stay Accommodation
in Port Phillip**

Council report – 4 October 2023



Benchmarking – Victoria



Council	SSA regulation type	Summary approach
Stonnington	No specific regulations	<ul style="list-style-type: none"> Local laws are enforced to address amenity concerns generally. No plans to regulate as very few complaints; see benefits to tourism and local business as outweighing any problems.
Alpine Shire Glenelg Shire Colac-Otway Shire Queenscliffe	Differential rates apply to SSA properties	<ul style="list-style-type: none"> No registration requirement. Depending on Shire, SSA properties are rated as commercial/industrial, holiday rentals or tourist accommodation. Driver is revenue to support tourism services and infrastructure rather than amenity concerns. Differential rating managed by rates teams. Local laws are used to address amenity concerns generally. Complaints received are not specifically recorded as SSA.
Yarra Ranges	A single local law clause specific to SSA amenity concerns, introduced in 2020	<ul style="list-style-type: none"> No registration requirement. Local Law makes SSA owners guilty of an offence if, over 12 months 3 substantiated complaints are received, where persons have caused a nuisance, demonstrated anti-social behaviour that has unduly interfered with use and enjoyment of another residential premises. 10 penalty units (\$1,850) for breaches under the local law. 23 complaints about 16 properties in 2022. Nil additional resourcing to enforce, absorbed by community safety. Learnings: '3 strikes in 12 months' resets. Removing 'reset' may encourage owners to monitor guest behaviour.

Benchmarking – Victoria



Councils	SSA regulation type	Summary approach
Frankston	Detailed local law provisions to address amenity (requiring registration)	<ul style="list-style-type: none"> • Compulsory annual registration with \$150 fee. • Includes standards of management and code of conduct. • 5 penalty units (\$925) for breaches under the local law. • After hours complaints addressed by VicPol. • Approx 200 SSA registered, 16 complaints received in 2022. • Nil additional resourcing applied.
Mornington Peninsula Shire	Detailed local law provisions to address amenity (requiring registration)	<ul style="list-style-type: none"> • Compulsory annual registration with \$311 fee (to be reviewed in 2023). • Includes standards of management and code of conduct. • 3-6 penalty units for breaches under the local law. • After hours complaints addressed by VicPol. • 2,964 SSA registered, although estimate that there are 5,000 in Shire. • 385 complaints received in 2022. Popular holiday destination. • Additional resourcing = 1 FTE compliance & safety officer for investigation & enforcement. 0.6 FTE administration.

Benchmarking – Victoria



Councils	SSA regulation type	Summary approach
Warrnambool	Detailed local law provisions to address amenity (requiring registration)	<ul style="list-style-type: none"> • New – implemented March 2023. • Compulsory annual registration with \$400 fee. • 6-month grace period applies for non-registration (new local law). • Includes standards of management and code of conduct. • 2 penalty units (\$ xx) for breaches of the local law. • After hours complaints addressed by VicPol. • Approx 100 SSA registered, minimal complaints are received about amenity, majority have been owners objecting to paying a registration fee. • Workload impost in registration and follow up. Regret not resourcing up, particularly for implementation phase. • Learnings: <ul style="list-style-type: none"> - Seen as 'money grabbing' by some, important to get messaging right. - Applicable to all SSA properties (even if only rented out 1 day per year).
Wyndham	A single local law clause requiring owners of SSA properties to have a permit (not yet implemented – Local Law is in draft)	<ul style="list-style-type: none"> • Requires owners of properties used for short stay accommodation to have a permit. • Short stay accommodation refers to stays of less than 30 days. • Information on standards of management / codes of conduct not available. • Estimates 19 entire homes and 61 rooms for short stay rent in municipality. • In 2022, there were 61 complaints (noise, parking, waste). • 5 penalty units (= \$xx) apply for non-registration of properties. • Amenity issues to be addressed via existing local laws and legislation. • Estimate \$43,000 cost per year to administer and enforce.

Benchmarking – Interstate



Councils	SSA regulation type	Summary approach
Noosa QLD	<p>Town Planning approval required.</p> <p>Local Law with provisions addressing amenity and requiring registration.</p> <p>Charge differential rates</p>	<ul style="list-style-type: none"> • Premier holiday destination attracting both domestic and international visitors. • Introduced to address high volume SSA in Shire and amenity complaints. • Planning assessments done by local laws (determine lawful use of property). • Difficult ones referred to a planner. Once approved, may apply for registration. • Compulsory registration with scaled application fee \$240-\$950 (property type). • Annual registration renewal zero fee \$0. • Includes standards of management and code of conduct. • Up to 50 penalty units for breaches under the local law. (\$7,188) • Complaints via 24/7 hotline with Council after hours service provided. • 3,000 SSA registered, 5,000 transitional awaiting planning approval. • Estimate 10,000 in Shire. • 800 amenity related complaints received Feb 2022-Apr 2023. 94 Notices to Comply (NTC) issued. 1 infringement only. All NTC reviewed by solicitor as Council is under scrutiny. • Additional resourcing = 2 FTE local laws officers for investigation & enforcement. 1.5 FTE administration. 2 additional FTE recently approved by Council. • Workload impact not fully understood before implementation. A big issue, with very high backlog.

Benchmarking – Interstate



Councils	SSA regulation type	Summary approach
Byron Shire NSW	NSW state government legislation regulates all elements of SSA	<ul style="list-style-type: none">• State Environmental Planning Policy (Housing) 2021.• Provides a consistent approach to SSA regulation across NSW through state legislation. In response to concerns with housing affordability etc.• Sets obligations, minimum standards of behaviour and requirements for all industry participants (ie. booking platforms, hosts, letting agents and guests)• All hosts must register their STRA property on the State Government-run Short-term Rental Accommodation Register. Registration is compulsory.• Register assists Councils with monitoring and compliance of SSA. Council monitors compliance of registered STRA properties (including lawful use from a planning perspective, fire safety standards and amenity). Amenity complaints can be lodged with Council via CRM. After hours via Police.• Recent media reports indicate that Byron Shire is considering introducing a 60 day cap on SSA as a response to rental housing affordability and availability concerns.