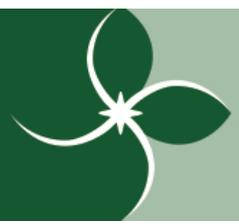




# **Guide to Good Management of Short Stay Letting and Home Hosted Accommodation**



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# 1. Purpose of the Guide

The purpose of this Guide is to provide additional information and best practice ways to manage properties used for short stay letting and home hosted accommodation to meet the requirements of the Short Stay Letting and Home Hosted Accommodation local law (the local law). Specifically, this Guide provides further information and advice regarding:

## **Contact person**

- Choosing a contact person
- Neighbour and body corporate liaison
- Guest liaison and code of conduct for guest behavior

## **Guest safety and owner indemnity**

- Lawfully constructed premises
- Pool safety
- Fire safety
- Public liability insurance
- COVID- 19 safety
- Record of guests

## **Mitigating residential amenity impacts**

- Minimum night stays
- Advice to guests and house rules
- Use of outdoor areas
- Number of guests and visitors
- Car parking and vehicle management
- Pet management
- Waste management and recycling
- Environmental management and energy saving

## **Complaints management**

- Responding to complaints
- Unruly guests
- Recording of complaints
- Consequences of not responding to complaints

For more information on the Short Stay Letting and Home Hosted Accommodation local law, including application requirements, refer to Council's webpage. <https://www.noosa.qld.gov.au/short-stay-letting-home-hosted-accommodation-local-law>

## 2. Contact person

Under the local law, all short stay let properties require a local contact person to be responsible for the property. The contact person may be the approval holder or it may be another individual, letting agent, property manager, security firm or the like. The contact person is the approval holder's representative at the property.

The contact person must commit to:

- being available 24 hours a day 7 days a week;
- residing or having their place of business, if it is a letting agent, within 20km of the short stay let property;
- being responsible for the supervision and management of the property;
- addressing visitor enquiries;
- responding to complaints within 30 minutes of receiving the complaint, and resolving the complaint.

### 2.1 Choosing a contact person

When choosing a responsible contact person, it is recommended the approval holder of the short stay let property discuss the requirements and obligations under the local law with the contact person.

The nominated contact person should ideally have experience in holiday letting or property management and have well established systems and processes in place for managing properties and guests.

It is reasonable that more than one contact person may be nominated and be responsible for the property. For example, a letting agent or property manager may be responsible for the property during business hours and a security firm may be responsible after hours. In this instance, details of both contact persons will need to be identified on the application form and kept up to date with Council.

It is not considered appropriate however, that a security firm be the only contact person responsible for the property.

If the contact person manages more than one short stay let property, they should have capacity to effectively manage all properties and potentially deal with more than one complaint at a time.

If you are a local resident, and managing your own short stay let property, you must commit to the obligations of the contact person.

An approval holder may wish to change contact person / property manager where they can't commit to the requirements under the local law or where there are consistent breaches against the local law, including not responding to complaints.

Should the contact person change at any time, Council must be notified immediately to update their records.

## 2.2 Neighbour and body corporate liaison

The local law is principally aimed at ensuring the residential amenity of permanent residents surrounding the property is not negatively impacted by the use of the property for short stay letting or home hosted accommodation.

It is recommended the contact person or host meet with surrounding neighbours and / or their body corporate to discuss the short stay letting of the property and address in advance, and rectify, any potential issues or amenity concerns.

For example, neighbours may be experiencing impacts associated with noise or light spill which could be negated with a change in the direction or angle of lighting and the construction of noise attenuation measures such as screens and landscaping and limiting the hours of use of outdoor areas.

## 2.3 Guest liaison and code of conduct for guest behaviour

The local law requires the *code of conduct for guest behaviour* to be available on all booking sites or social media sites used to promote the property. The code of conduct must also be available in the premises at a location obvious for the guests to view it.

It is recommended the contact person meet and greet guests and clearly outline the requirements under the local law for the use of the property and specifically provide them with the *code of conduct for guest behaviour* and any other “house rules” relevant to the property.

Guests should be advised of surrounding permanent residents and the need to respect their peaceful enjoyment of their home and residential amenity.

The contact person should clearly explain that any infringements against the *code of conduct for guest behaviour* may lead to a neighbour complaint and need for the contact person to contact the guests by phone or attend the property to deal with the complaint.

The contact person should ask the guests for the best way to contact them should a complaint arise.

The approval holder or contact person may seek to recoup call out costs from a bond or deposit held for the duration of the guest’s stay. Guests should be advised of these costs.

## 3. Guest safety and owner indemnity

The local law requires properties being used for short stay letting or home hosted accommodation be safe for guests and the approval holder (property owner) be indemnified should any accidents occur on the property.

Ensuring the property is safe for guests by having the necessary safety certificates and maintaining the property in good repair will reduce the likelihood of accidents on the premises and liability risks to the approval holder.

### 3.1 Lawfully constructed premises

Under the local law, the building / structure being used for short stay letting or home hosted accommodation must be lawfully constructed, approved and classified for its habitable purpose.

If you are unsure whether the building / structure has been approved or is classified appropriately you can contact a qualified building certifier or Council's Building section for further clarification.

### 3.2 Pool safety

Under the local law, if the property has a swimming pool, a current pool safety certificate is required and must be kept up to date at all times. The certificate must be issued by a licensed QBCC pool safety inspector.

Further information on obtaining a pool safety certificate can be found at the following link:  
<https://www.qbcc.qld.gov.au/home-building-owners/pool-safety/pool-safety-inspectors>

### 3.3 Fire safety

Under the local law, a current electrical safety certification is required for smoke alarms within the property. This must be issued by a licensed electrical contractor.

Further information regarding smoke alarms and certificates of compliance can be found at the following link:

<https://www.worksafe.qld.gov.au/laws-and-compliance/electrical-safety-laws/issuing-certificates-of-compliance>

### 3.4 Public liability insurance

While home insurance covers your property, and contents insurance makes sure your possessions are all taken care of, public liability covers *people* at your home. Legal liability is designed to cover bodily injuries and deaths that may occur at your home, to people who don't usually reside there. It can also cover damage to other people's property due to an incident that occurs at your home.

Most home insurance policies include public liability insurance. Check with your insurance provider on whether public liability insurance is included in your policy.

The local law requires a broad form public liability insurance providing indemnity of not less than \$10,000,000.

### **3.5 COVID-19 safety**

It is recommended the approval holder register with the QLD state government for COVID - 19 code check in and inform their guest of check in requirements.

<https://www.covid19.qld.gov.au/check-in-qld/check-in-qld-registration-form>

### **3.6 Record of guests**

Under the local law, the contact person or the approval holder must keep a register of guests staying at the property for a 2 year period including:

- the number of guests over 18 and number of guests under 18; and
- the date the guests arrive and leave.

This record can be kept in hard copy or in an electronic spreadsheet type format.

Note: For privacy reasons, names of guests are not required under the local law requirement.

## **4. Mitigating residential amenity impacts**

The local law requires that the use of a property for short stay letting or home hosted accommodation not negatively affect surrounding residential amenity, including but not limited to noise, overlooking or light spill.

There are a number of ways approval holders can mitigate potential negative impacts associated with the short stay letting or home hosted accommodation activity and reduce the likelihood of complaints. To minimise disturbance on residences, short stay letting operators should consider how the use of the property and guest activity may affect adjoining dwellings and surrounding dwellings and how that can be mitigated.

### **4.1 Minimum night stay**

When guests arrive at their holiday accommodation, there is often a sense of excitement of being on holidays and wanting to enjoy their surrounds. The 'first night' is often a celebration for guests which sometimes leads to a late and noisy night and disturbance of surrounding residents.

A high turnover of guests, and a 1-2 night minimum stay, will increase the potential for disturbance of residents, as new guests leave and arrive frequently.

A lengthier minimum night stay for accommodation bookings will assist in reducing the potential for consecutive 'first nights' and consistent disturbance of residents. A minimum 3-5 night stay is suggested.

## 4.2 Advice to guests and house rules

Guests should be made aware that use of the property requires respect for the permanent residential community, including their need for privacy and quiet enjoyment of their homes.

Guests must be advised that the property cannot be used as a party house and of the *code of conduct for guest behaviour* within the local law.

It is advisable for approval holders and hosts to develop a set of “house rules” for the use of the property in addition to the requirements of the *code of conduct for guest behavior*. The “house rules” should include additional requirements outlined in this Guide regarding advice to guests and rules around:

- respect and consideration of adjoining and surrounding residents
- maximum number of guests and visitors
- hours and use of outdoor areas, pools and spas
- car parking and vehicle management
- pet management
- waste management and recycling
- environmental management and energy saving.

## 4.3 Number of guests and visitors

Overcrowding and visitors to a property will directly relate to the amount of noise, disturbance, waste and car parking generated at a property. To reduce the potential impacts, it is recommended approval holders:

- limit the total number of guests occupying the property to no more than 2 per bedroom;
- avoid increasing the occupancy by not offering pull-out extra bedding and sofa beds;
- limit the number of visitors to the property.

## 4.4 Use of outdoor areas

Most complaints will arise from the use of outdoor areas, including use of outdoor decks, balconies, pools and spas.

A number of measures can be put in place to avoid and reduce the potential for negative impacts on residents and the likelihood of complaints.

### ***Mitigation measures***

Whilst many properties have existing outdoor areas, the location and orientation of those areas and use of lighting should be considered for their noise disturbance, privacy and light spill impacts on adjoining and surrounding residences, particularly in relation to adjoining bedroom windows.

Consider how the orientation of outdoor areas may be changed by implementing various mitigation measures including:

- setting back outdoor areas from fence lines
- increasing height of fences
- solid, noise mitigating or acoustic fencing
- dense and tall landscaping

- dim low glare lighting
- orientation of lighting inwards and away from adjoining properties

### **Hours of use**

It is recommended the use of outdoor areas be limited to reasonable hours to not impact on adjoining resident's sleep and enjoyment of their homes.

Limiting the hours of use of outdoor areas such as decks and balconies to generally no later than 9pm, particularly on weekdays, is advisable. Guests should then move inside and turn off outside music and outdoor lights.

As the use of pools generate a lot of noise activity, it is advisable to limit the hours of use of pools and spas to between 7am-8pm.

## **4.5 Car parking and vehicle management**

Often guests will have multiple cars as well as other vehicles such as boats and jet skis, particularly guests occupying larger dwelling houses. This increases the volume of traffic and visual street clutter in the street causing concern for local residents.

It is recommended that guests be encouraged to ride share or leave vehicles at home while holidaying in Noosa. Booking sites and booking confirmations are encouraged to advise guests of Council's free bus services around Noosa Shire during Easter and Christmas holiday peak periods and weekends.

Guests should be advised on the limitations of parking at the property and store all vehicles, including boats etc. onsite within the property boundary where possible.

Guests should be advised to not park illegally including on the grass verge at the front of the property or obstruct neighbouring driveways.

## **4.6 Pet management**

Many short stay let properties, primarily dwelling houses, are pet friendly. Guests arriving with dogs in particular, often leave pets at the premises while they go out and are unaware the dog is distressed and barking while they aren't at the property. Dogs in distress or barking can cause significant noise disturbance and raise concerns for the welfare of pets.

To avoid this, guests should be advised that while pets are welcome, they should consider taking them on outings rather than leaving them unattended for lengthy periods of time.

## **4.7 Waste management and recycling**

Overflowing bins and bins left out on the street for days before and after collection have a negative visual impact on the street.

Under the local law, waste management is the responsibility of both the approval holder or contact person responsible for the property, and guests during their occupation of the property.

Waste and recycling bins are to be provided at the property and kept clean, tidy and hygienic at all times.

It may be appropriate for some larger properties with high occupancy to request larger bins from Council to provide the necessary capacity for waste and recycling to cater for guests, particularly recycling of bottles and cans. Extra services can also be requested.

Guest should be provided with instructions on the separation of waste and recycling.

It is the responsibility of the approval holder or contact person to place waste bins on the kerb site frontage for collection. They must not be placed at the kerbside more than 24 hours prior to collection or left at the kerbside for more than 24 hours after collection.

If the property is within a community titles scheme the bins are generally managed by the body corporate.

Where there is no kerbside waste collection, such as in Teewah, waste must be removed from the property and disposed of at a Council waste facility, and not left at the front of the property.

## **4.8 Environmental management and energy saving**

Noosa Council is committed to protecting its environment, natural assets and biodiversity including bushlands, waterways and the beach dunal systems. Council is also moving towards a net zero emissions goal by managing its resources efficiently and sustainably as an example to the community.

Guest should be encouraged to be respectful of Noosa's natural environment and leave nothing but footprints behind. In particular, guests should be advised that access to waterways and beaches should only be via marked public access routes and all rubbish should be taken with them after using public spaces and waterways.

Guest should also be advised to turn lights and air-conditioning off when leaving the property to reduce energy consumption.

# **5. Complaints management**

The local law provides an avenue for complaints management with the contact person being responsible for responding to and resolving complaints at short stay let properties.

## **5.1 Responding to complaints**

All complaints will be directed to Council's 24/7 complaints hotline. The hotline will then contact the responsible contact person for the property to address the complaint.

The contact person must be contactable at all times on the number supplied to Council.

The hotline will attempt to notify the contact person of the complaint 3 times over a 30 minute period. Once notified of the complaint, the contact person must address the complaint within 30 minutes.

In dealing with the complaint, the contact person might phone the guests in the first instance or may need to attend the property in person to resolve the matter.

It is important the contact person has the best contact number for guests.

## 5.2 Unruly guests

If guests are displaying aggressive behaviour, the police may need to be notified to assist in resolving the issue.

In a worst case scenario, guests who are causing unresolvable issues at the property may need to be evicted by the contact person responsible for the property.

## 5.3 Recording of complaints

Under the local law, details of the complaint and how it was resolved must be recorded by the contact person, including date and time of the complaint and how the complaint was resolved or addressed, and must be kept for a period of 2 years.

## 5.4 Consequences of not responding to a complaint

If the contact person does not respond to a complaint or resolve it to the satisfaction of the *code of conduct for guest behaviour*, the matter may be elevated and notified to Council for compliance action.

Council's compliance officers will investigate the matter and whether the contact person acted in accordance with the requirements of the local law and whether there was a breach. If Council's investigation determines there was a breach, action may be undertaken and a compliance notice or fine issued to the approval holder for the premises.

To avoid this it is important for the contact person to respond to complaints within the required 30 minute time frame.