

Background

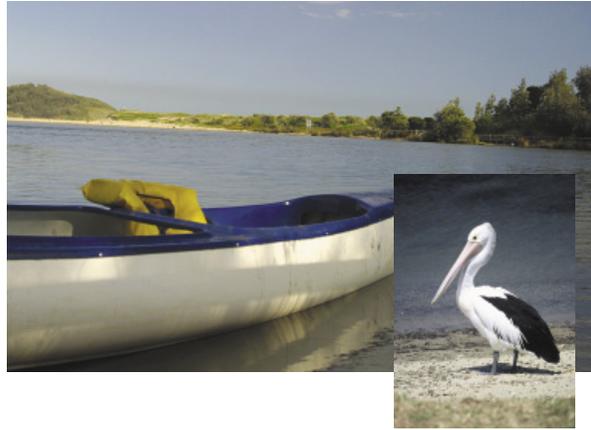
Our City is acknowledged as a major tourist destination in NSW. A large number of visitors to Shoalhaven stay in rented holiday accommodation (dwellings, units, etc) which is an important contributor to our tourism base.

The legal precedent set by two court cases questioned the legality of short term rental of houses as they appear to be classified as a commercial activity, thus effectively banning the practice in residential areas and other zones where commercial uses are prohibited. This could have adversely impacted on the future use of holiday homes and other forms of short term accommodation in Shoalhaven.

As a result of the issues mentioned above, Council has taken a pro-active approach by;

- allowing the short term rental of a dwelling without the need for development consent (except B&B accommodation) through an amendment to Shoalhaven Local Environmental Plan 1985 to resolve the issue.
- providing Advisory Guidelines for the Short Term Rental of Residential Dwellings to be used by owners of rental premises and others.

There is existing legislation relating to noise abatement, neighbourhood amenity, and offensive behaviour. The relevant authorities (Police, and Authorised Council staff) can take action if necessary. A complaints register may be established to monitor repeated problems.



How do you find out more

For more information on managing a rental property visit the NSW Office of Fair Trading
Website at: www.fairtrading.nsw.gov.au



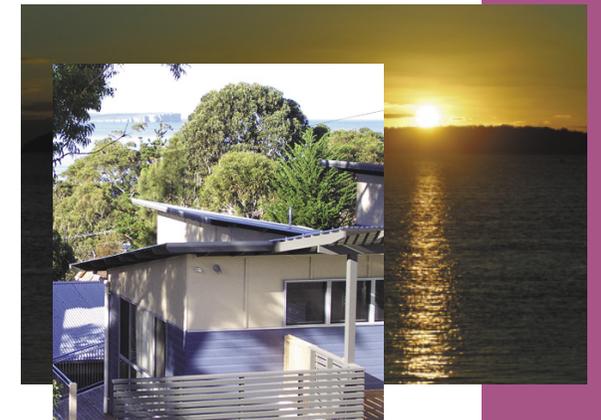
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Short Term – Holiday Rental in Residential Areas



ADVISORY GUIDELINES



Advisory Guidelines - "How to be a Good Neighbour"

The following advisory guidelines are suggested to help you develop a "good neighbour" relationship with adjoining owners, and manage the rental of your holiday house.

Do's

- Rent your house through an agent unless you have experience in this field. An agent can give you advice on regulations, requirements, insurance and guidelines. If you choose to rent privately and manage the property yourself you should consider the following questions.

- Will you save money by managing it yourself?
- Are you prepared to organise all the repairs and deal with tenants?
- Are you ready for the responsibility that this involves?
- Do you know what your legal rights and legal responsibilities are?



- Do you know the tenant's legal rights and responsibilities?
- Open dialogue with neighbours, ask for feedback on behaviour of occupants, offer to address any issues which may arise. Having an interactive relationship with your neighbours can benefit all concerned. For example, neighbours tend to keep an eye on the place and provide feedback.

- Use your agent as a local point of contact should problems arise.

- Exchange numbers with adjoining neighbours if not using an agent.

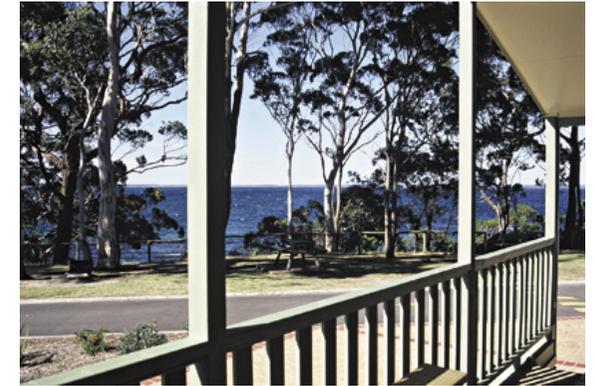


- Make it clear that it is the tenant's responsibility to maintain reasonable peace, comfort and privacy to neighbours.

- Provide advisory notices for the occupants of the premises eg, number of persons allowed, noise considerations, use of rubbish bins, car parking and general consideration of the neighbours.

- Notice of penalties to tenants for not complying with regulations.

- Ensure there is enough parking available on the property for the occupants.



Don't's

- Don't encourage occupants to have parties or functions on the premises.
- Don't ignore or alienate your neighbours as they are a valuable ally to have.
- Don't allow overcrowding of premises as too many people could be a safety risk. As a rule, the correct number of beds per number of people staying on premises is advisable.

