



**MORNINGTON
PENINSULA**
Shire

**SHORT STAY RENTAL ACCOMMODATION
CODE OF CONDUCT**

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PART 1
INTRODUCTORY

1.1 Title

This Code of Conduct is the Short Stay Rental Accommodation Code of Conduct of the Mornington Peninsula Shire Council.

1.2 Objectives of this Code of Conduct are to:

(a) Specify the minimum required operating standards, presentation and use of short stay rental accommodation within the Municipal District of the Mornington Peninsula Shire Council; and

(b) Include all short stay rental accommodation as defined by the Local Law.

1.3 Authorising provision

This Code of Conduct is made under the provisions of the Short Stay Rental Accommodation Local Law 2018 which is made under section 111 of the *Local Government Act 1989*.

1.4 Operational date

This Code of Conduct comes into operation on 17 May 2018.

1.5 Revocation date

This Code of Conduct ceases to operate on 17 May 2028, unless sooner revoked by Council.

1.6 Application of this Code of Conduct

This Code of Conduct applies and has operation throughout the whole of the Municipal District.

1.7 Definitions

Unless the contrary intention appears in this Local Law, the following words are defined to mean:

WORDS

MEANING

The Act

Means the *Local Government Act 1989*

Authorised Officer

Means any Person appointed under Section 224 and 224A (Members of Victoria Police) of the Act

Code of Conduct

Means a Code issued by Council for the purposes of this Local Law

Council

Means the Mornington Peninsula Shire Council

Dwelling

Any building or portion of a building which is used, intended, adapted or designed for use for living

Infringements Act

Means the *Infringements Act 2006*

| WORDS | MEANING |
|--|---|
| Material Change | Any change in the terms of the application details that affects the obligations of the parties is material |
| Motor Vehicle | Has the same meaning as in the <i>Road Safety Act 1986</i> |
| Municipal District | Means the Municipal District of Council |
| Notice to comply | A notice served under clause 4.2 |
| Occupant | Means a person who occupies short stay rental accommodation for short stay purposes |
| Owner | Means the owner of the dwelling or appointed agent/property manager |
| Peace | Means freedom from disturbance; the state of not being annoyed by noise or unwanted actions |
| Penalty Unit | Has the same meaning as the <i>Sentencing Act 1991</i> |
| Registered Short Stay Rental Accommodation | Short Stay Rental Accommodation registered under this Local Law |
| Registration | Means registration under and for the purposes of this Local Law |
| Registration Fee | Means the fee for registration that is imposed by the Council under the Council's fees and charges at the time |
| Short Stay Rental Accommodation | Means accommodation for no more than 30 consecutive days or 1 month in a dwelling for commercial gain, excluding other accommodation premises required to be registered under alternate legislation |

PART 2

STANDARD OF MANAGEMENT

2.1. Standard of Management

- 2.1.1 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 rental accommodation dwelling, and must incorporate the Code of Conduct provisions into rental terms and conditions.
- 2.1.2 The owner must control and be responsible for the behaviour of occupants and residents at the dwelling.

Unacceptable behaviour includes loud:

- (a) Aggressive behaviour;

- (b) Yelling, screaming and arguing; and
- (c) Cheering, clapping and singing.

- 2.1.3 Off street parking must be provided for all occupants' motor vehicles. The owner must provide information to occupants on parking arrangements prior to arrival.
- 2.1.4 Additional accommodation is not allowed on site by way of tents, caravans, campervans or similar facilities.
- 2.1.5 Outdoor areas including swimming pools, spas, outdoor decking and balconies are not to be used between 11.00 pm to 7.00 am.
- 2.1.6 The owner must inform occupants of waste disposal arrangements and remove any excess waste left by occupants.

PART 3

STANDARD OF PRESENTATION

3.1 Presentation required

The owner of a Short Stay Rental Accommodation dwelling must maintain any land connected to the dwelling in good condition.