

FACT SHEET

Short Stay Accommodation Bill 2018

The *Short Stay Accommodation Bill 2018* (the Bill) serves two important purposes; to ensure everyone is playing by the rules, and, to paint a clear picture of home sharing across Tasmania.

The Bill will operate in conjunction with existing planning requirements in planning schemes and Planning Directive No.6 – 'Exemption and Standards for Visitor Accommodation in Planning Schemes' and the existing enforcement provisions available to local planning authorities under the *Land Use Planning and Approvals Act 1993*.

The Bill specifically focusses on short stay accommodation operating in the residential zones under current planning schemes aligning with the planning requirements currently in place under Planning Directive No.6. The Bill utilises short stay accommodation booking platforms, as a means of collecting information on premises used for short stay accommodation.

The majority of short stay accommodation providers in Tasmania utilise a booking platform for advertising and booking purposes. Collecting better data and information from such platforms enables compliance with the existing planning requirements and enables better understanding of the short stay market in Tasmania.

The Bill:

- requires short stay accommodation providers to supply certain information on their property to the booking platform provider before their premises is listed on the booking platform;
- requires the booking platform provider to display on the platform the relevant planning permit number for the property, or a statement that a planning permit is not required or that the property otherwise has existing use rights;
- requires the booking platform providers to supply information on the short stay accommodation listed on their platforms to the Director of Building Control at the end of each financial quarter;
- includes penalties up to 50 penalty units (currently \$7950) per offence for short stay accommodation providers for not supplying the required information or for providing false or misleading information; and
- includes penalties up to 100 penalty units (currently \$15,900) per offence for each listing, with recurring penalties for non-compliance, for booking platform providers for listing properties without receiving or displaying the relevant information, and further penalties as outlined in the Bill if the relevant information is not supplied to the Director of Building Control.

The Bill includes a 6 month transition period after its commencement for existing short stay accommodation providers and booking platform providers to comply with the requirements.

The information collected will be used to ensure compliance with the planning requirements and to assist with further policy development on short stay accommodation in Tasmania. The information may also be used to ensure compliance with building, health and safety requirements. Aggregated and other non-privacy sensitive information may be published on the use and extent of short stay accommodation.

Enforcement of the Bill will be the responsibility of the Director of Building Control. Local planning authorities will retain their role in enforcing the planning requirements under the *Land Use Planning and Approvals Act 1993*. The Director of Building Control and local councils will also retain their roles in enforcement building requirements under the *Building Act 2016*.