

Short-term rental accommodation planning framework

Frequently Asked Questions

October 2018

What is the NSW Government's position on Short Term Rental Accommodation (STRA)?

On 5 June 2018, the NSW Government announced a new policy for STRA in NSW. The policy will balance supporting the economic value of the industry and managing its potential social and environmental impacts through a state-wide planning framework, mandatory industry Code of Conduct and changes to strata legislation.

The new policy followed a Parliamentary Inquiry and consultation on different options.

Find out more on the [Government policy](#).

When will the government policy be implemented?

The Government policy is not yet in effect. The NSW Parliament passed the Fair Trading Amendment (Short-term Rental Accommodation) Bill 2018 on 14 August 2018 ([Fair Trading Amendment Bill](#)). The new framework is expected to start in 2019.

The Department of Planning and Environment is progressing amendments to planning instruments, to establish the planning framework. This includes seeking feedback on the proposed amendments.

Other elements of the whole of Government framework are being progressed by the Department of Finance, Services and Innovation (DFSI) separately. Please visit the [NSW Fair Trading website](#) or [contact the Department of Finance, Services and Innovation](#) regarding fair trading legislation, STRA in strata settings and the industry Code of Conduct.

What is the purpose of the current consultation on the planning amendments?

This consultation outlines and seeks feedback on proposed amendments to the NSW planning system relating to STRA. The amendments will establish the planning framework for STRA announced by the NSW Government.

The Explanation of Intended Effect (EIE) outlines proposed amendments to the Standard Instrument (Local Environmental Plans) Order 2006 (SI Order) and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and their intended effects.

The Department welcomes feedback but notes that the state-wide permissibility of STRA and number of days in which it can take place have been endorsed by Government.

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Which local government areas are included under the Greater Sydney Region?

Bayside	City of Parramatta	Hornsby
Blacktown	City of Ryde	Hunter's Hill
Blue Mountains	City of Canada Bay	Ku-ring-gai
Burwood	Cumberland	Lane Cove
Camden	Fairfield	Liverpool
Campbelltown	Georges River	Mosman
Canterbury-Bankstown	Hawkesbury	Northern Beaches
City of Sydney	Inner West	North Sydney
Penrith	Sutherland	Willoughby
Randwick	The Hills	Woollahra
Strathfield	Waverley	Wollondilly

Will there be a transitional period for councils?

Once made, the proposed amendments to the Standard Instrument (Local Environmental Plans) Order 2006 (SI Order) and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP), will mean the state-wide planning framework for STRA will automatically apply to all councils in NSW, including those with existing provisions. The Department will work with councils whose LEPs have existing provisions to ensure a suitable transition period.

What has been the regulation of STRA in NSW to date?

To date, there has been no state-wide planning definition for STRA and the Standard Instrument (Local Environmental Plan) Order 2006 does not expressly provide for the permissibility of the use. In the absence of a state-wide planning framework for STRA, an inconsistent planning regime has resulted through varied approaches. As such, STRA has been regulated in some local government areas through the planning system, while in other areas there is no regulation.

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Is it legal for me to rent my property as STRA at the moment?

This depends on the local government area in which you reside as, until the Government policy is implemented, permissibility and controls remain at the discretion of local councils.

While local councils can generally determine the land use planning controls for STRA through their [local environmental plans](#) (LEPs), few LEPs in NSW refer specifically to STRA.

You are encouraged to contact your local council for information regarding STRA in your area.

How can I make a submission on the proposed amendments?

The Department of Planning and Environment is seeking your feedback on the proposed planning framework on the regulation of STRA in NSW.

You can [make a submission online](#) or you can write to:

Director, Housing Policy

Department of Planning and Environment

GPO Box 39 Sydney NSW 2001

The consultation process is open until 16 November 2018.

When will the public consultation conclude?

Submissions can be made until 16 November 2018.

Where can I find out more?

If you have further enquiries;

- email STHL@planning.nsw.gov.au
- phone us on 1300 305 695 and if English is not your first language phone 131 450 and ask for an interpreter in your language, then ask to be connected to the Department of Planning and Environment on 1300 305 695.