Southern and Hills Local Government

Submission

Short Stay Accommodation Register

October 2026

The Southern and Hills Region

The Southern and Hills Local Government Association (SHLGA) represents six councils: Adelaide Hills Council, Alexandrina Council, Kangaroo Island Council, Mount Barker District Council, the City of Victor Harbor and the District Council of Yankalilla. We work together to advocate for our communities, share knowledge and deliver regional initiatives.



Our region includes some of South Australia's best-known tourism destinations across the Adelaide Hills, Fleurieu Peninsula and Kangaroo Island. Its coastlines, landscapes, wildlife, historic townships, food and wine experiences attract visitors and support businesses and employment throughout the region.

Short-stay accommodation is an important part of this visitor economy. It provides expanded accommodation choices, supports local spending and helps meet demand during peak periods and major events. It also accommodates seasonal workers and others travelling for employment.

Our region is also home to growing communities that need affordable housing, reliable services and liveable neighbourhoods. Councils see the benefits of short-stay accommodation alongside concerns about rental availability, fair contributions from commercial operators and impacts on neighbours.

SHLGA brings these connected perspectives to this consultation. We want to work with the State Government on a practical scheme that supports a strong visitor economy while responding fairly to the needs of residents, workers and businesses.

Background

SHLGA welcomes the State Government's consultation on a Short Stay Accommodation (SSA) Register and Code of Conduct. We have consistently asked the State to establish a register and are pleased that councils, operators and communities have an opportunity to help shape how it will work.

SHLGA made a submission to the SA Parliament's Select Committee on the Short Stay Accommodation Sector in May 2025. Sensible regulation of this sector also forms part of our Advocacy Plan 2025–2029 and our 2026 State Election Policies.

Our advocacy responds to three issues raised across the region:

- The impact on housing supply and affordability, including rental housing for local workers.
- Inequity between traditional accommodation businesses and commercial short-stay operators, which can provide similar services while facing different rates and regulatory costs.
- The cost and difficulty of responding to community complaints about noise, neighbourhood amenity and whether accommodation is suitable for its location.

While SSA supports tourism, local businesses and people needing temporary accommodation, the sector has grown beyond its origins in home sharing to include significant commercial operations. Our regulatory arrangements have not kept pace with this evolution in scale and function.

We are seeking a light-touch scheme that addresses these concerns without burdening an economically important sector with unnecessary red tape. Noting, however, that some additional obligations and costs are reasonable to create a level playing field between commercial accommodation providers, provided they are clear, fair and proportionate.

The following sections set out how SHLGA believes the proposed scheme can work for councils, operators and communities.

What should be registered

The register should cover all paid short-stay accommodation in residential properties, including whole homes, hosted rooms, 'granny flats' and occasional holiday letting. It should cover direct bookings as well as bookings through platforms. A broad register will give us a more complete picture of the sector and provide the basis for good evidence-based policy making.

Being registered should not automatically mean a property is treated as a commercial business or subject to additional regulation or restrictions. Renting a spare bedroom occasionally is different from making an entire house available throughout the year. Both can be registered, while different rating policies or other regulatory requirements may apply.

The State should clearly define thresholds and establish consistent criteria to distinguish occasional home sharing from commercial operations, including how much of the property is offered and how many nights it is available each year. SHLGA understands that being available for 90 days or more in a 12-month period is a standard threshold test applied in other jurisdictions for determining whether an SSA property is operating commercially.

For housing supply, the priority is to collect information before deciding on further controls. Limits on operating nights or property numbers should only be considered where evidence shows they are needed, with further consultation. The data may support different responses in different parts of the State. Fair commercial rating can be supported from the outset, as explained below.

Who should manage the scheme

The State Government should host the register, process registrations and renewals, collect fees and enforce registration requirements. Councils need access to the information, but that does not mean they need to be responsible for administering the scheme.

The discussion paper proposes a central register but suggests councils could oversee registration and renewal. Spreading this work across 68 councils would duplicate staff effort, training and procedures. It would cost more and leave room for different interpretations, fees and processes. An operator with properties in several council areas should be able to deal with one administrator and one set of requirements.

A single state administrator would also make it easier to work with booking platforms, maintain consistent records and help operators resolve problems. Smaller councils should not need to maintain specialist knowledge to process a small number of registrations.

To reduce establishment costs, the State should consider augmenting an existing central property-based system such as those used by the Officer of the Valuer General, Land Service SA, Revenue SA or Plan SA. Ongoing maintenance of the system should be funded by registration fees, which are set at a cost recovery level. Registration compliance should be funded by reasonable financial penalties such as late fees and fines. A fit for purpose registration system should be able to operate without the need for financial contributions from councils and their ratepayers.

What information do we need

The proposed host, owner, property and contact details appear straightforward to provide. The register should also record the type of accommodation (hosted or non-hosted), guest capacity, whether it is a principal residence and the booking platforms the property is connected to. Registration should also include a declaration regarding mandatory safety features (such as working smoke alarms) and acknowledgement of mandatory registration terms and conditions (such as a Code of Conduct).

The register should record whether the accommodation is operated by the property owner or a tenant, as Western Australia's scheme does. Combined with information about whether the operator lives on site and how much of the property is offered, this would help identify homes leased primarily to be re-let as short-stay accommodation for profit – a practice commonly called rental arbitrage. Where homes otherwise available for long-term tenants are used this way, it disrupts supply in the rental market and affects housing availability and affordability. SHLGA considers that the scheme should discourage this diversion of long-term rental housing. Collecting this information would help establish the extent of rental arbitrage practice and inform a targeted response.

Annual returns should include both nights advertised as available for booking and actual nights booked. These tell us different things - availability helps show the extent of commercial operation, while bookings show actual use. Reporting needs to cover all platforms and direct bookings without counting the same night twice. Annual returns should also include ongoing declarations and acknowledgement of mandatory safety features and terms and conditions.

Platforms should be required to check the registration status before advertising a property and supply activity data directly to the State. Operators should be able to check and correct that information, with a simple reporting option for those who take direct bookings. Using information already held by government or platforms would reduce paperwork and improve accuracy.

Information for fair council rating

Short-stay accommodation that operates as a business should contribute fairly alongside other commercial accommodation. Councils already have powers to apply differential rating policies. What they need is a consistent definition of commercial SSA and reliable information from the Valuer-General to apply their policies fairly and transparently.

Relevant considerations for determining the threshold for when SSA is a commercial use include how much of the property is offered, whether it is a principal residence and how many nights it is available.

Councils and the Valuer-General should have direct access to relevant records and be notified when properties register or change their details. Councils should not need to buy data or search booking websites to find commercial operators. The system also needs to identify separate accommodation, such as a granny flat, even where it has no separate street address.

Public access to the register

Owners' and hosts' names, contact details and sensitive business information should remain protected, with privacy considered in the design of the public register.

The public should be able to check where registered properties are located and whether their registration is current or restricted, particularly those that are operating on a commercial basis. Providing public access to this information would reduce the number of calls and customer requests being directed to the scheme administrator and councils.

A mapping layer in the South Australian Property and Planning Atlas (SAPPA) could show registered SSA locations, registration numbers and status. This would build on the platform's existing spatial land use, development, and planning information.

Clear advice about planning requirements

While planning approvals are separate from the proposed registration scheme, this reform provides an opportunity to clarify how planning requirements apply to short-stay accommodation.

The State's 2016 advisory notice (Building Advisory Notice 04/16) explains that short-term letting does not, by itself, change a dwelling's use or require development approval. This guidance continues to inform the approach generally taken by councils. However, some councils have published different interpretations about when approval is required, creating confusion for operators and inconsistency in how requirements are applied.

SHLGA would welcome updated guidance under the *Planning, Development and Infrastructure Act 2016* providing a confirmed legal interpretation of how short-stay accommodation is defined and treated under the Planning and Design Code. This would give councils and operators a clear and consistent basis for understanding their obligations and applying relevant exemptions.

How should conduct complaints and enforcement be managed

There are two separate enforcement tasks. Firstly, failure to register or provide accurate details is a matter for the scheme manager. Councils should not be responsible for enforcing the register requirements.

Secondly, complaints about on-site behaviour, safety and amenity need clear pathways that explain who responds and what they can do. These responsibilities are shared between owners, booking platforms, councils and SAPOL.

SHLGA has some reservations about a statewide Code of Conduct. In principle, a Code should explain what owners, property managers, guests and platforms must do to manage noise, parking, waste, safety and other impacts on neighbours. Primary responsibility for preventing and responding to poor behaviour must remain with those providing, platforming and using the accommodation.

Councils are concerned that the proposal for them to manage complaints under a Code of Conduct will have significant budget and resourcing impacts. Existing nuisance investigations can be expensive and lengthy, leaving neighbours frustrated while evidence is collected and court action is pursued. A new Code of Conduct would only be supported if it genuinely provides clear complaint resolution pathway, rather than create another lengthy and expensive process that councils are expected to manage and fund through rate revenue.

SHLGA has been advised by SSA industry representatives that, in their view, the mandatory Code of Conduct in NSW has not been an effective enforcement tool. Public reviews and parliamentary evidence have identified concerns about unclear responsibilities and limited use of sanctions.

SHLGA would not support a Code of Conduct that becomes another 'toothless tiger'. It must provide a practical way to address serious or repeated misconduct promptly, including through suspension or cancellation of registration, without requiring neighbours or councils to pursue lengthy and expensive court proceedings. Booking platforms should be required to act quickly on registration restrictions, suspensions and cancellations; with failure to act being grounds for a penalty. Fair review processes should protect operators while allowing effective action against those who disregard their obligations.

If pursuing a Code of Conduct, South Australia must also set clear grounds for sanctions, reasonable evidence requirements and response timeframes, with fair opportunities for operators to respond and seek review. Councils should not be the only authority with responsibility for enforcing a Code – owners, booking platform, the registration scheme authority and SAPOL should also have responsibilities for monitoring, compliance and sanctions.

How should the scheme be funded and introduced

Fees should recover the reasonable and efficient costs of running the register and enforcing registration requirements. The scheme should not need subsidies from council rates or other general revenue. A single statewide fee structure should be transparent about what operators are paying for.

Councils should not contribute to the costs of the central register. Applying commercial rates to short-stay accommodation would not automatically increase a council's total rate revenue. It may instead change how the rate obligation is shared between properties, ensuring commercial accommodation providers contribute fairly and equitably. Where a council does receive additional revenue, it should support local services and infrastructure, rather than fund the State's new registration scheme.

Existing operators should have at least 12 months to register and meet new requirements. The State should lead communication, provide simple guidance and offer practical help. Education should be the initial focus, followed by enforcement once operators have had a reasonable opportunity to comply. Councils could work in partnership with the registration authority to support and extend the local reach of a state-led information and education campaign through their own communication channels.

The final requirements for supporting documents, safety standards, reporting and fees need to be clear before implementation. Processes should be tested with operators and councils so that registration, renewal and deregistration are easy to complete. Requirements should avoid duplicating existing processes or imposing unnecessary certification costs.

The State should set a timetable to review whether the scheme is working, including its costs, data quality and handling of complaints. Information from the register should be analysed alongside housing and tourism data before further controls are proposed.

Conclusion

SHLGA provides qualified support for a statewide register built around the following principles:

- Keep it simple and proportionate. Support tourism and temporary accommodation needs without undermining an economically important sector through unnecessary red tape.
- Establish one state-run system. Provide consistent requirements and efficient administration, funded through cost recovery without shifting costs to councils and ratepayers.
- Create a level playing field. Enable commercial short-stay businesses to contribute fairly alongside traditional accommodation providers, supported by clear definitions and reliable information.
- Use evidence to guide further intervention. Capture the breadth of short-stay activity, then assess whether additional housing measures are needed and where they should apply.

- Make responsibilities clear and enforcement effective. Owners, guests and platforms must meet their obligations. A Code of Conduct should only be contemplated if it can genuinely offer timely, practical remedies for serious or repeated misconduct.
- Provide transparency while protecting privacy. Make registration status publicly accessible and give councils and relevant agencies the information needed to carry out their functions.

SHLGA welcomes the opportunity to help the State turn these principles into a workable scheme that supports our visitor economy, responds to community concerns and improves confidence in how the sector is managed. A well-designed register can give us the information we need, support fairer treatment of commercial operators and make responsibilities clearer for everyone involved.