



**Stockdale & Leggo Wodonga**

**Submission to the DEPARTMENT OF  
JUSTICE AND REGULATIONS**

**Draft for Comments regarding Review of the  
Warehousemen's Liens Act 1958 VIC  
February 2016**

**Prepared by Stockdale & Leggo Wodonga**

**CONTACT**

Heather Hood

Stockdale & Leggo Wodonga

ABN:63033625643

4/91 Hume Street

WODONGA VIC 3690

PH: 0260437777

## 1 WHO ARE WE?

We at Stockdale & Leggo Wodonga, manage five (5) different self storage facilities in the Wodonga/ Baranduda area. We have been providing this management service for 15 years. All five facilities: Extra Space Self Storage; Eastend Self Storage Bunkers; Border Self Storage; Hovel Street Self Storage and Barra Self Storage all provide storage space to storers who have complete control over the entry into their rented space. We have under management 251 storage sheds across the 5 facilities.

We provide storage sheds to a variety of clients, many who are long term storers such as trades people requiring storage space for tools and equipment or professional businesses requiring document storage or overflow floor stock. We also have storers who are storing while travelling overseas or around Australia, or building homes. We have a storage facility whose main clients are people with boats, caravans cars etc due to the location to the Hume Weir.

In summary we have a diverse range of clients who require self- manage storage in the Wodonga/ Baranduda area.

Dear Dr. Elizabeth Lanyon,

I Heather Hood have read both the Department of Regulation and Justice's review of the *Warehousemen's Liens Act 1958 Vic* and the Self Storage Association of Australasia's submissions pertaining to the review of the *Warehousemen's Liens Act 1958 (Vic)*. I am full and complete agreement with the Self Storage Association of Australasia's submission the summary of which is seen below.

## SUMMARY

The SSAA believes that the following changes to the *Warehousemen's Liens Act 1958 Vic* are advisable:

1. The Act should be amended to address the distinction between traditional Self Storage which is a license agreement and all other storage scenarios including warehousing which are an example of a bailment. The legislation should make it clear that traditional Self Storage is not caught by the Act. Only Self Storage where the Facility has keys and access to the Space, and thus is in a bailment relationship, should fall under the scope of the Act.
2. The general notice provisions in the Act should be amended to distinguish between storage where third party goods are permitted to be stored by the primary Storer. Where Storers are not permitted to store third party goods it should be a requirement that there is signed written agreement of this prohibition between the Storer and the Storage Facility. Where such an agreement is made neither party should be required to undertake these notice requirements given their redundant nature.
3. The Act should be amended to provide parameters for sending notices when dealing with Storers who have broken into the storage Facility and stored Goods, trespassed or otherwise engaged in unauthorised use of the Space which has resulted in the Facility having no contact details for a Storer. For example, the Act should allow for notice to be placed on the front door of the Space, advertised in a local newspaper or both.
4. Where the Act applies the Act should be amended so that Facilities wait three months prior to selling a non-paying Storers goods, not twelve.
5. Where the Act applies the Act should be amended so that public auction is not the only method of sale available to sell goods. Rather than the Act prescribing the method of sale the Act should prescribe a general duty for Facilities to 'take steps to obtain the best reasonably obtainable price'.
6. The default notice provisions in the Act should be amended to distinguish between storage that allows for third party goods to be stored and those

that do not. This would mean that where no third party goods are stored, only the notice requirements that apply to the Storer should be required and all other notices including to third parties and in newspaper advertisements should not be required.

I wish to place my support behind those changes requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Heather Hood', with a large, stylized initial 'H'.

Heather Hood