



11 October 2017

Director, Housing Policy,
Department of Planning and Environment
G P O Box 39 SYDNEY NSW 2001
(STHL@planning.nsw.gov.au)

Dear Sir,

The Casuarina and South Kingscliff Residents Association Inc. (CASKRA) welcomes the opportunity to provide input into the state-wide policy framework to enable better regulation of Short term Holiday Letting (STHL) in NSW.

Sincerely,

Vince Mamone
President

Draft Submission STHL – CASKRA

Contact Details

Organisation: Casuarina and South Kingscliff Residents Association Inc.

Date of Submission: 11 October 2017

Introduction

Do you use or have you ever used short-term holiday accommodation?

Yes

Are you or have you ever been a short-term holiday accommodation host?

Yes – some residents are hosts of short-term holiday accommodation

Do you provide another form of short-term holiday accommodation?

Various forms of short-term holiday accommodation is provided in this area, eg. B&Bs, Resorts, Houses, Units , Cabins, Caravan and Camping Sites

Do you live near a property that provides short-term holiday accommodation?

Yes – some residents live near this accommodation

Are you from an STHL industry group, owners' corporations or community group?

Yes – community group

Impacts Associated with STHL

Please indicate below which impact(s) are you most concerned about and how do you believe these could be managed

Noise

Must have 24 hour phone contact to complain about and get immediate action on offensive/excessive noise

No use of swimming pools between 10.00 pm and 7.00 am

House Rules to include noise limits and to be displayed on the premises

Near neighbours (front/rear/next door) to be given a 24 hour phone contact number

A funded professional 24 hour security service to be employed. This could be funded jointly by contributions from managers and landlords with call-out fine to be paid from the bond of offending tenants. The security service number to be posted on all properties with STHL usage.

Waste

Additional waste services must be provided and monitored by owner or managing agents

Bins must be of a size to suit premises

Instructions on dealing with waste and the use of the bin system must be included in House Rules

Excess waste must not be stockpiled on premises or on nature strip

Party Houses

No party houses in residential areas

House Rules to include rule of no parties and be displayed on premises

Parking

Restrict number of vehicles to what can fit in the garage and on the driveway of the premises

Owners/Managing Agents responsible for monitoring this

Hazards and Evacuation

Comply with the relevant regulations

Self Regulation

Code of Conduct

Acceptable standards of behaviour for guests/visitors must be included in the House Rules. These behaviours should be based on reasonable community expectations, eg. this is a home, respect and be considerate of your neighbours, leave it as you find it.

Complaints Management

Local council or other administrative body to manage complaints as per their complaint procedures

Owners/Managing Agents to deal with complaints in the first instance including employment of security personnel to visit problem occupiers.

Monitoring and Reporting

Administrative requirements to be carried out by the local council or other administrative body.

Local council or other administrative body to monitor STHL in their areas

Owners/Managing Agents submit quarterly reports to council on STHL eg. complaints, how they are complying with regulations

STHL in Strata Properties

Should owners' corporations be given the legal ability to prohibit or restrict STHL? If so, how and under what circumstances

Yes, by incorporating rules into By-Laws and restricting the number of people per unit and limiting to 90 days per year

Regulation through the Planning System

How should STHL be subject to a planning regulatory framework? What would be the impacts of applying a planning framework to STHL?

For STHL – complying development. Assessed by a certifier and certificates for STHL compliance/occupation issued. No DA required

For STHL properties Registration of premises by suitable body.

Impacts of a planning framework could be expensive and will require local government administration, however, with the growing trend towards this type of activity it will be needed to control the impacts on local infrastructure, amenities and residents

If STHL is to be regulated via the planning framework, how should it apply?

Number of total days per year

No restriction

Number of consecutive days

90 – any more than this then tenancy agreements can apply

Number of Bedrooms

Number of occupants to be restricted according to house size, preferably two per bedroom, and all guest names to be recorded

Length of Stay

No restriction, except the 90 day rule

Presence of a host

Not required if Registered

Location (metro vs. regional)

No comment

Compliance with Code of Conduct

Bonds to be withheld if not compliant with code of conduct

Three (3) serious Breaches of the code to result in de-registration of dwelling for holiday letting.

Black listing of tenants who offend in a serious manner and to record them as unfit to occupy dwellings for STHL purposes.

Should there be different planning frameworks in regional and metropolitan areas? If so, how and why?

No comment

Registration and Licensing

Could a licensing system for STHL work in NSW? If so, how might it operate?

Yes, all STHL properties to be registered by local council or other administrative body for a set period

Managing agents to hold a separate licence/registration for STHL with code of conduct. Three breaches of the code of conduct and licence to be suspended or terminated. Fines to be applied as well.

For landlords, a three strikes and you're out rule to apply per property. Fines to apply.

STHL properties to require compliance approval i.e. via a building certifier. This approval can be revoked if the three strikes rule above is breached.