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Craig Cranko

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Whilst the Options Paper does not canvass opinions on a potential bed tax, I would like to register my personal support for a bed tax that applies to all accommodation providers in the Byron Shire Council. Such a tax would go a long way to ensuring a sustainable tourism economy in Byron Bay to pay for much needed infrastructure and services.

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susannah bonnor

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Thank you for the opportunity to provide a submission to Short Term Holiday Letting (STHL) in NSW Options Paper July 2017
On behalf of the local community of a very picturesque lakeside community I am responding to the increased concerns about the increasing impacts of STHL on the local amenity and neighbourliness of a place we call home.
Unlike city-based STHL where visitors go out to enjoy the surrounding area, our lakeside community is the destination point where the visitors recreate and relax at the venue, bringing in the necessary supplies to lubricate their enjoyment of the area.
The Coal Point-Carey Bay area is a residential zone that has always has a number of onsite host B&Bs that have quietly co-existed amongst the community generating an income stream for the owners and supporting local businesses. This permissible usage in a residential zoning is accepted.

The rise of online booking systems and investor-owner income streams for absentee hosts is changing the nature of the clientele and the community impacts. Without a host on site arrangement constitutes a serviced apartment, as such it is not permissible in a residential zone. It is incompatible to have tourist-zone impacts in a residential area not designed for such. The increasing number of Party Houses are often excessively loud, accommodate an increased number of people for which they house is not designed which impacts on parking and privacy. These tourist zone impacts compromise the amenity and ambience of family-centric neighbourhood.
To avoid the increasing impacts of STHL on a residential community of neighbours the following recommendations on the Options Paper are submitted.

Industry Regulation is Required.
All businesses have some form of industry regulation. The more the industry impacts on those around its field of operation the greater the level of industry compliance required.
As STHL is operating in a residential zone the impacts on the surround families needs to be regulated. Self regulation will not affect a solution to the problems associated with having tourists impacting on a residential zone.
An independent government body that has the capacity to monitor the occupancy levels, enforce compliance and issue fines is required, as would be expected of any business that operates at the scale and spread of the STHL industry.

Regulation through the Planning System.
People purchase a house in a low or medium density residential zone because they desire they amenity and friendliness associated with the familiarity of neighbours and a home context, otherwise they would live in a business or tourist zone. It is unreasonable to change the nature and the expectations of the zoning to accommodate solely business enterprises.
If STHL is to be part of the residential schema then it is imperative that the values and amenity of the residential zoning are maintained. This could be achieved by having Complying, Exempt and Prohibited regulation criteria as outlined below.

Exempt Development would be when the STHL
- Is registered and has a license
- The owners live on site
- There are no more than 4 guest on site at any time

Complying Development would be when the STHL
- Is registered and have a license
- The owners do not live on site
There are no more that four (4) guests on site
The use is limited to 30 nights per year

Development Application would be when

- The owners do not live on site
- There are more than 4 guests on site
- The host wants to operate greater than 30 days per year

Prohibited Development (In residential Zones)

More than ten (10) guests on site should be prohibited in residential zones as – this is getting to the size where guests should be accommodated in Tourists Zones.

A Metropolitan Approach

The options paper aims to differentiate between metropolitan and regional areas. With the transition of our area to ‘Hunter City’ the metropolitan criteria should be applied, as it is inconsistent to be touting the area to be metropolitan and the second largest city in NSW on one hand, but still allowing a regional context in which to develop and promote business on the other.

30 Day Limits to the number of total days per year

In a residential zone there is an expectation that you will be able to enjoy the amenity and solitude of your home. Within this context one has to consider how much disruption to privacy and amenity is reasonable.

I would suggest as part of complying development no more than 30 days be acceptable. This is still almost every fortnight, or once a month, which would be significant impost on neighbours.

Limiting visitor days is consistent with standards adopted in cities around the world and AirBnB’s own data which suggests “majority of hosts made their properties available for 25 nights each year, on average, and generated about $4500 of income”.

The Community Ethic of STHL

AirBnB founder Brian Chesky states “At the heart of our mission is the idea that people are fundamentally good and every community is a place where you can belong”. It is fundamental to our community that all who have chosen to live here on a permanent basis still feel that they belong, know their neighbour and can enjoy a home that they have emotionally and financially invested in.

On-site hosts provide continuity of community context. Non-resident investor driven hosting is compromising the integrity of our community.

In Summary

- Industry regulation is required as self-regulation by non-resident hosts is a conflict of interest
- There needs to be a planning framework to protect the intent of residentially zoned land
- A metropolitan approach is warranted as the region transitions to Hunter City
- 30 day annual limit for non-residential hosts will ensure community amenity is maintained
- The amenity and privacy of existing community of residents and families should not be compromised by solely business enterprises in a residential zone.

Regards, Suzanne Pritchard
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Wayne Krygsman

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Patrick Brennan

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Debborah Hawkins

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Stephanie Figg

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Penelope Luca

1426
To the Director of STHL,

As an owner/occupier of an apartment in Altair Apartments at , I strongly oppose any legislation that would prevent or curtail our Owners Corporation from limiting or restricting Short Term Holiday Letting (STHL).

I specifically purchased into the Altair community in 2017 after carefully examining its By-Laws and the manner in which the building was being organised and maintained.

As you are aware from the many detailed submissions opposing STHL, Altair contains over 140 apartments. The proper maintenance, security and amenity of our complex requires strict and effective control from within. Each apartment complex must have the right to organise its own affairs referable to its particular needs; to create legal and enforceable By-Laws to protect its amenities and residents.

STHL must not be mandated by legislation. If Altair (or any other large apartment complex) is rendered powerless to effectively control and monitor the movement of people within our complex, this would lead to serious issues regarding security, noise and an inability to manage incoming and outgoing traffic. Our lives within our special community would become unworkable and unbearable.

STHL is a matter that must be considered and determined by each individual apartment complex.

Kindly register my objection

Gary Zamal BE (UNSW), HonFellow Eng Aust, Fellow ASTE
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To maximise participation in the sharing economy, any regulations should be clear and easy to understand and comply with, and also cost effective for hosts.

I encourage the NSW Government to follow the lead of South Australia and Tasmania, as well as other cities around the world, which have embraced home sharing and are reaping the rewards.

Madeline Oliver

1431
Dear NSW Government,

I strongly believe in the right of people to share their houses and apartments across New South Wales in a responsible and respectful way, without extreme regulations like caps and costly registration processes. Please accept this as a formal submission to the Options Paper.

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marie Philippe

1432
Dear NSW Government,

As a guest who has travelled to NSW using the Airbnb platform in the past 12 months, I strongly believe in the right of people to share their houses and apartments. I absolutely embrace my responsibilities as a guest to treat hosts’ homes in a responsible and respectful way, and I know that Airbnb’s review system keeps hosts and guests accountable for their travelling behaviours.

I have used Airbnb a number of times when travelling with a family. It is absolutely the most efficient way to travel when you have a large group of people. I believe the number of the visitors to Australia will become lower with negative consequences for Australian economy if such option does not exist.

Extreme regulations, and red tape like caps and costly registration processes could severely affect my ability to travel using Airbnb and restrict my choices as a traveller. Please accept this as a formal submission to the Options Paper.

Why do I travel to NSW using Airbnb?

Local hosts make valuable recommendations of their favourite cafes, restaurants and shops so that small businesses get a boost from local tourism, with a ripple effect of supporting jobs in these communities.

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Yevgeniy Zhukov

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Justin Kern

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nice community

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anthony soligo

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Robyn Palmer

1448
Submission Short Term Holiday Letting.

Background

- Around 4 years ago we retired from Adelaide, South Australia and moved to a 28 acre property we purchased in far northern NSW.
- We don’t see any neighbours from our property – it is private and secluded.
- My partner and I poured all our super into renovating the house specifically for the purposes of STHL (‘Short Term Holiday Letting’) as an income stream for us. The house comprises two wings all under the same roof. We live in one wing and host AIRBNB guests in the other wing.
- We have been hosting now for around 2 years.
- We are making a success of our STHL, we have a unique property and are highly praised by all our guests by what we offer. We provide quality accommodation in a rural setting that is not found in any mainstream standard accommodation offering.
- The income from hosting allows us to maintain a moderate lifestyle on this property. We actively advertise as best we can to maximise the number of guests and therefore our income in relation to our STHL activities.
- We are steadily increasing the number of guest stays and impose a 2 to 3 night minimum stay.
- The NSW Government is now considering options in relation to STHL in NSW.

Discussion / Issues

- Our income stream maybe effected depending on the requirements /any regulation of STHL.
- Hosting STHL guests in rural areas, such as ours, when compared to hosting in densely populated areas/suburbs/strata/body corporate present very different issues. We are hosts that live under the same roof as our STHL guests and we are present on the property when hosting. This type of hosting must be considered in a different category to hosting in densely populated situation.
- The ‘neighbours not strangers’ slogan and its implications do not relate to our type of hosting but do in other forms of hosting.
- There are no neighbours that would be impacted by our hosting activities and we are present to manage our guests accordingly to ensure compliance with our ‘house’ rules. Because of the distances involved we physically can’t see our neighbours and hardly have any interaction with them.
- Given our type of hosting we don’t require any additional form of regulation other than that of performance reviews currently managed for example though platforms such as AIRBNB – if we get bad reviews nobody will book with us.
- We consider any imposed additional regulation that will have a detrimental impact on our income stream, particularly in relation to any annual caps on the allowed number of occupied room nights and/or restrictions on determining a minimum night stay, as unnecessary and unfair.
- Income generated from hosting is our major income and we do it well and are rewarded accordingly with increased stays – any restrictions that will detrimentally effect our income will mean we have to sell our property against our will.
- In our locality there are many examples of our ‘type’ of hosting as described above.
- Our guests can be visitors or tourists – we have many situations where guests stay and visit family or friends in the locality due to shortages in standard tourist accommodation.
• We heavily promote goods and services of our immediate locality and broader region to ensure delivery of financial and broad social benefit.

**Conclusion**
Clearly our type of hosting does not warrant any additional regulation that would have a detrimental impact on our incomes stream, any such imposed restriction would be unfair and unjustified.
Our accommodation offering and its rural setting is a rare find and as such does not compete with more traditional types of available accommodation.
We should be allowed to continue to operate as we currently are.

Yours sincerely

Peter Rackauskas and Philip Baker

1449
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Grant Bradly

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Patricia Smart  
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penny piccione

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Bill Parker

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Gustavo Soares

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Grahame Ramsay

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Bridget Bonner

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Kristen Roehrig

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Dr Hook

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Millie Cooper

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Paulette Majdalani

1470
I am writing as a member of the public concerned about the NSW government’s proposals to overregulate Short-Term Home Lending (STHL) and the adverse impacts of these proposals on holidaying families, businesses, home owners, consumer choice, jobs, innovation and the tourist economy of New South Wales.

The STHL sector has contributed significantly to the tourism sector and tourist economy in recent years, buoyed by the growth of the ‘sharing economy’ and its innovative platforms.

STHL has a longstanding history in Australia since the 1900s and these platforms have simply made the process more efficient and transparent. As a result, they have allowed Australian families to supplement their household income while attracting tourists from all over the world to New South Wales and creating 40,823 Full-time jobs for Australians. Half of these fall within the regional economy where accommodation options have traditionally been limited. These platforms should be encouraged and facilitated as part of the government’s innovation agenda – not undermined.

I am concerned that heavy handed or punitive measures such as new taxes, draconian limits on how long a family can lend their home, mandatory development consent or a licensing regime telling Australians what they can or can’t do with their own home will only hurt the sector, cost jobs and harm businesses while driving tourists to other states and impinging upon private property rights.

Home lenders already pay income tax on their STHL earnings and innovative online platforms only make these earnings more transparent.

I believe that preventing the lending of secondary homes is also undesirable. When this measure was introduced in Berlin, Germany, it lead to a sharp drop in available STHL accommodation, a reduction in government income tax revenue as well as a significant increase in the prices of available accommodation – taking money out of visitors’ pockets which could be spent on local businesses. Such a reform would especially wreak havoc in our tourism-dependent regional economy.

If the government or traditional hospitality providers such as hotels are concerned about tax neutrality, the government should instead cut the significant red tape, zoning laws and taxes which burden these establishments – not punish their competitors and competitors’ customers.

I believe that non-coercive measures such as an industry code of conduct or community-focused measures such as allowing Strata associations to create by-laws for STHL accommodation offer a more sensible solution for addressing community concerns without the dire consequences of heavy-handed, anti-innovative options.

I urge you to do the right thing by avoiding any overregulation of the burgeoning and innovative STHL sector.

Thank you for considering my concerns on this vital matter.
I write in objection to any moves to restrict the power of Owners’ Corporations to prohibit short-term rentals in our building. The Bennelong Apartments are located directly over Circular Quay and very close to the Sydney Opera House, thus requiring special consideration in terms of public safety and owner security.

My objections to any loosening of restrictions on short-term rentals are as follows:

- Given the location of Bennelong Complex and the increasing events (NYE, VIVID etc) occurring in and around the precinct, if this restriction is removed it is likely to have an impact on the Complex. Many may use this complex as an alternative to a Hotel and the complex was not designed for this kind of use

- Of particular concern would be the incidence of New Year’s Eve or other parties on balconies attended by drunk and disorderly unsupervised people that could result in objects being disposed of over the balustrades onto the thousands of people using East Circular Quay

- I am concerned about the possible risk of terrorist activity, with this strategic property presenting a convenient option to lease on a short-term basis, providing ready exposure to target the throngs of people below at Circular Quay and the Opera House

- Depending on the frequency of the movements, there may be additional costs of wear and tear caused by endless stream of occupants

- If damages occur in common property the recovery of costs of any damage that short-term tenants cause is limited

- The building’s insurance may need to be increased

- Short-term letting requires increased monitoring of security and management of access cards

- The Owners Corporation acts in the best interests of the whole complex and this proposal will remove its decision-making and control

With kind regards,

Dr Colin Goldschmidt

1472
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Rochelle Jeffery

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Daniel Hamilton

1486
I am writing to you with regard to the current debacle over short term letting. I am Chairman of a large scheme and own a number of other properties that may be affected by recent decisions or changes.

Simply put there should be no variance to the planning controls that affect properties. The recent (very poor) decision upholding an owners right to use their apartment for short term letting flies in the face of all planning controls. Moving to its ultimate conclusions what is now to stop me using any of my properties for any commercial activity? Short term rental is not a residential activity it is commercial.

Having our properties retrospectively re-zoned is unfair and quite possible unlawful. The lack of governance in protecting owners rights to peaceful enjoyment of their properties (both strata and freehold) is causing an enormous amount of consternation.

You simply cannot create an unlawful business because people like it. I would urge you to uphold planning laws and protect the rights of the many residents of NSW that these short term stays are affecting.

Kind Regards
Paul Clark

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1493
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