

I would like to put forward reasons for my disapproval of this practice, in the hope it will make you realize the impact it is having on the so called investors in the Tourist industry and its impact on the Economy as a whole. Plus the social problems it causes.

We own a unit in the Lennox Beach Resort, 7 Park Lane, Lennox Head. We have owned this unit for the past 12 years, and have continually struggled with the investment returns, not matching the amount of money invested. There are so many obstacles and extra charges, which have been imposed by the Council and Government making it not a economic investment but a liability. The Health and Safety restrictions; the insurances required; Strata Management fees; Security concerns; Noise restrictions; these are all extra costs associated with the legitimate tourist businesses, which are being undermined by the practice of opening up your home to the public.

The Tourist industry is meant to be one of Australia's biggest employers and taxable income produces. However, if people are allowed to obtain money via letting their home or rooms without restrictions, how can this do anything but harm the Tourist industry and the Economy? If you think the average Mum and Dad home owner will submit a tax return including the income achieved by short term holiday lets, than you are sadly mistaken.

If there is to be investment in the Tourist Industry, than it has to be a fair playing field. To allow the average home owner to reap the money from the persons who are doing the right thing of abiding by the restrictions, paying the taxable income on any profits obtained, and providing a safe and enjoyable place to stay, is not in sustainable.

The social problems can be summed up very easily, if there is no restrictions in place than how can you expect the public to behave themselves, whilst on holiday. Ask any police person of the problems associated with unsupervised Holiday Let Housing, and I am sure they will give you a whole list of reasons why this option should not be able to proceed. As Drugs and Alcohol are major factors in crimes, how can the Short Term Holiday Rental business be good for the society we live in.

The average home owner, who has worked very hard to achieve their own place of the great Australian Dream, should not have to watch their neighbourhood depleted of social and economic advantages, which is the result of unsupervised Holiday Lettings.

To allow Short Term Holiday Letting in normal suburban suburbs is a recipe for Disaster, on many fronts, of which I have named just a few.

Yours Sincerely,

Vivienne Earea

2701

My name is Jenny shiels I writing to add my submission on the STHL issue As a resident of byron bay I had to endure Three years of what I term illegal holiday letting .
When I purchased my home I did so with all the correct boxes ticked .
I did not imagine living next door to an all night garage for three years .
During this time I was teaching full time and found the constant noise very distressing.
People on Holidays are just that
They have little regard that you are a resident and need to sleep My neighbours would pray for a pram when a car pulled up .
Then we may have got some sleep or enjoy our backyard without constant noise .
This property was managed by a real estate agent who told the owners it just wasn't suitable for a holiday let I know I purchased a home in a holiday town but had no rights as a resident I am very lucky as the owners intended to retire to the property I told them that the day they move in I will holiday let my home They quickly got permanent tenants We had neighbours not strangers I really trust some laws are put into place for residents With growing airbnb we need this very quickly
Many thanks jenny shiels

2702

Dear Sir/Madam

I am writing to express my concerns for possibly allowing short term rentals through sites such as airbnb in secure gated communities. The purpose of living in a gated community is to have the benefit of knowing your neighbors and to have some feeling of security at our mature age. Allowing short term holiday rental would take away from the permanent residents that security and lifestyle that was sought by buying into a gated community. Our community is in Banora Point not far from Coolangatta which has many managed holiday apartments which are specifically designed for the short term rental market so there is no need to inflict a possible invasion of undesirables in a private community which does not have onsite management.

I respectfully ask that you consider allowing each Strata complex to uphold their rules and bylaws as they currently apply and not bring in a law to override the wishes of the residents in the community.

Yours truly

Frank Gyzemyter

2703

Dear Sir/Madam,

I wish to make the following comments about sthl.

I live in an apartment block where there are only 6 units. As residents, we do not wish to have sthl in the building, but it seems we are unable to state that in our By Laws. Very unfair!

If there is 100% agreement by residents that sthl will not be allowed in the building, then surely we can be allowed to have a By Law to that effect for our building.

Thank you

Beverly Kelso

2704

I'm opposed to letting out whole apartments without host present. I want to live in a community where I know my neighbours. If I want to live in a hotel or boarding house I'd have moved into one.

Regards

Dr Kevin Mclsaac

2705

Dear STHL Committee

I would like to comment on Airbnb and any similar short term accommodation proposals for strata buildings.

I live in a strata building with 35 residential lots and 5 commercial offices on street level. We have an excellent strata manager, a proactive and keen strata committee and by laws that have been updated since 2005 to cover new issues.

Two thirds of the residential lots are rented and while we have some long term tenants who are a great asset to our building, most seem to rent for either 6 or 12 months.

So there is constant moving in and out, and despite updating our by laws to cover as many contingencies we could think of we still have the following issues:

Moving in at any time day or night without advance notice Leaving front door and garage doors opened Propping open fire doors with fire extinguishers taken off our walls The one lift monopolised for hours on end so residents have to use stairs The lift malfunctioning due to doors propped open too long The lift walls scratched and marked due to no advance notice being given and consequently no lift curtains installed by the committee Goods left in hallways and all over the building Cars parked in other lots spaces or blocking entrance Chute blockages due to everything shoved down on last moving out day We've had smokers who deny smoking and thats been a big problem with cigarette butts tossed out of windows and smoke drift.

These are just a few of the issues in a small well managed building - so what happens if and when apartments are offered for short term rental ?

Are we to sell and move out when we can't stand the disruption any more - this is hardly fair when we assumed that this was our long term home.

Do we pay higher levies to cover the inevitable wear and tear on common property ?

Do Airbnb customers follow our by laws ?

Airbnb customers are not confined to within the lot they are renting- they expect to use the common facilities such as lifts, foyers, gyms, pools and gardens but their Airbnb landlord pays no extra for the upkeep of these.

If Airbnb is forced upon us despite our by law that requires a minimum tenancy of 6 months it appears to me to be a travesty of common sense and fairness.

Perhaps a New York system is the way to go with the Airbnb Owners still required to live in the building and a 30 day per year limit ?

Personally, the argument that an Airbnb landlord can earn a little extra money on the side doesn't resonate with me. Today's case as reported in the SMH of the Woollahra/Bondi Airbnb decision seems flawed. Surely a long term resident and owner has a right to feel comfortable in a common property shared laundry- why should a revolving door of different short term tenancies have more rights than an Owner in a Lot ?

Thank you for the opportunity to comment.

Yours sincerely

Bronwyn Wilson

2706

My comments are provided as a result of living in a suburb containing multi-residential strata properties.

In summary, the advent of Air BnB has already led to multiple incidents of disturbance and unrest in residential apartments.

Currently the residents of affected apartments are able to refer incidents to agents, in the knowledge that short-term sub-letting is not permitted.

If short-term letting becomes permitted in multi-unit residential buildings, it is likely that serious incidents of conflict would occur.

Please contact me on 0450 320 310 and by reply to this email if it is not clear to you that Air BnB tenants have a tendency to create disturbance and unrest.

I and several other owners of apartments in this suburb strongly object to any proposal to legalise short term letting.

If this proposal is passed, the reaction against our government at state election time could be significant.

kind regards

Rod Brown

2707

Dear Sir/Madam,

I write as the owner of a strata unit and from the point of view of the Chairman of the building's Strata Committee.

Our building has recently adopted a By Law banning all illegal activity (including short term letting as it is against the Council zoning in our area).

As Chairman of our building I have recently been the project Manager on an expensive renovation of the building's entrance area lift and foyer. This of course was funded by the Owners Corporation.

Owners are most concerned about the potential for damage to our common facilities (pool, foyer, lift, garage) resulting from constant comings and goings of people with luggage and the disregard that people often have for that in which they have nothing invested.

There is also resentment that the Owners of some units are running a commercial operation and thus benefitting financially from the expenditure (levies) of others.

As the Chairman I am a very busy person even without issues arising out of short term letting. It is unacceptable to me to be rung by 'guests' of the unit which is short term let with problems they encounter. This has even occurred late on a Saturday night. I have also been required to investigate rubbish left in the fire stair well adjacent to the unit in question. This involved going through the rubbish to be sure from whence it came-tourist maps are a dead give away. Frankly I have better things to do with my time. The 'guests' also tend to order take away and then leave the resulting rubbish all over the garbage room rather than in the designated bins upsetting our janitor who I of course have to calm down.

The end result is that if short term letting is permitted in buildings where the majority of Owners do not want it, such as ours, I shall resign.

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Penelope Gardiner

2708

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.

Why do I host with Airbnb?

I love meeting new people and providing a homely affordable place for travellers.

The Airbnb host community depends on hosting as an economic lifeline to help us pay the mortgage and the bills. I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

I wish to support the following options:

Section 4: Industry Self Regulation - including industry complaints management and education which encourages responsible hosting and self regulation. Any Code of Conduct would need to be reasonable and representative of the home sharing community.

Section 5: Strata Regulation - This includes options for by-laws to manage visitor behaviour and to receive a revenue share from home sharing. I would also support rules to deal with bad actors and isolated incidents of unruly behaviour. I would not support a regulatory environment which allowed Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

Section 6: Planning Framework - A planning framework including caps and restrictions would have a negative impact on home sharing. The planning frameworks in both South Australia and Tasmania don't include any caps on nights at all.

Section 7: Registration or Licensing - A registration or licensing system such as fees to share your own home would have a negative impact on home sharing. In South Australia there are no fees and no registration or licensing system, allowing the home sharing economy to thrive. In Tasmania, there is a simple, quick and cost effective self-assessment form, which is only required in limited circumstances - usually for holiday homes or weekenders only.

Section 5: Strata Regulation - By-laws which could prohibit hosts from sharing their own homes would see strata residents treated as second class citizens. Current rules in NSW do not allow by-laws that ban hosts from sharing their own home, and this would be a step backwards for NSW.

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.

Dear Sir/Madam,

With regard to the Short Term Holiday Letting Regulation paper, we would like to make the following comments with regard to tenants on-leasing the properties that they lease from landlords:

- There should be a term in Residential Tenancy Agreements and an update in the Residential Tenancies Act that prohibits tenants from listing the properties that they lease on short term letting sites such as Airbnb. The sub-lease clause isn't sufficient to stop this.
- If a tenant lists the property where they are the lessee for a period when they are overseas, we as agents are not aware of who is in the property, nor is the landlord or the Owners Corporation in a strata building. This has repercussions in the event of an emergency, ie fire in a high rise building, etc.
- If a tenant lists the property where they are the lessee and damage occurs from sub-renting it to short term renters there is no recourse in insurance if the property is damaged.
- If a tenant lists the property where they are the lessee they are effectively running a business. This may require GST/ABNs/business and public liability insurances. How can these be monitored.
- The Government should put the onus on the big corporation (ie Airbnb) to check on some public register whether the property is marked Airbnb-able with large fines and compensations to owners for breaches. Properties that are under a Residential Tenancy Agreement should not be deemed Airbnb-able.
- In strata buildings there is the added issue of waste management, common area damage, noise breaches, parking infringements etc.
- One other issues is the safety of the person renting out a room to an unknown person where the host remains in the property.

If you would like any further details, please don't hesitate to contact me.

Yours faithfully,

Kate Baker

2710

I am a resident and owner of a unit in the Sydney city fringe. Our strata building has By Laws prohibiting short term leasing and many owners bought their units relying on those By Laws. Our residential amenity would be totally different if we had 'hotel' rooms around us.

Each strata block should have the right to determine whether they wish to permit STHL. Because such arrangements would strike at the heart of 'peaceful residential amenity' any amendments to the By Laws permitting STHL should be by 75% vote to change the By Laws. A 51% majority vote could leave a large block of owners (49%) significantly affected.

If such arrangements were codified into law, developers would build blocks of units specifically permitting STHL and investors would be attracted to such blocks.

Regards

Peter Burton

2711

Hi

As already submitted, but in response to your request (your ref. MIN17/2692) it is resubmitted:

On behalf of Strata Plan 959 (by resolution), we wish to have the ability to ban short-term holiday letting in our building. Further, at our 2017 AGM, we passed a resolution to that effect.

We have a 1960s building with only 8 x 2 be x 1 ba units in a beachside suburb. The adjacent Shire permits short term holiday letting ("tourist and visitor accommodation") in this zone, but ours does not. The Councils had a forced merger. The forthcoming (merged) LEP's provision about the permissibility/prohibition of short term holiday letting in our zone has not yet been drafted. Council has been notified of the position of SP959.

Our building does not have modern acoustic standards and is unsuited to holiday letting: noise (adjacent front doors, adjacent windows, no privacy screens on the narrow decks which provide entry to units, thin walls and floors), completely inadequate parking by modern standards and jam-packed kerbside parking with bus stops outside, long and carefully managed harmonious occupancy periods, shared laundry, a minimal common outdoor area, virtually no common areas etc.

As a group of owners we should have the right to control the predictable impacts any absentee owner has on their neighbours.

Holidaymakers behave differently when away from home and letting their stress go. Many of your submissions during the policy development process remark on the consequences in suburban areas of holidaymakers' behaviour. We want to avoid the policing aspects that accompany bad or just annoying behaviour (eg incorrect rubbish bin usage, blocked driveways, extra visitors to a small building with small units and minimal common areas, unauthorised pets etc.). We want to avoid the costs that will fall on **all owners** from having the strata manager being required to undertake additional management tasks should holidaymakers be permitted in a single unit (everything from extra cleaning and extra wear to common areas, after-hours call-outs, to liaison with police or Council etc.).

No-one wants to have long-term arguments with their neighbours (it destroys a community's fabric), but having to complain repeatedly to a Council so as to trigger a DA for STHL is unfair. That is currently Gosford's policy, as one example. A body corporate should be a legitimate place for the first decision to be made (will this building allow STHL or not?) (obviously they can choose not to address it at all), with Council as a fallback (DA required if the LEP permits STHL in that zone – all subject to public scrutiny).

There is a long-established public accommodation industry which is currently hurting from the emergence of the sharing yet largely unregulated economy (AirBnb, Uber; Stayz being more conventional public accommodation albeit in private premises but exclusive to the renter). If you want small government, let those with direct interest make a decision to protect their interest (and their investment) – i.e. bodies corporate representing all owners in a specific property.

Regards
Helen Monks

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.

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.

I wish to support the following options:

Section 4: Industry Self Regulation - including industry complaints management and education which encourages responsible hosting and self regulation. Any Code of Conduct would need to be reasonable and representative of the home sharing community.

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Blake Feehely

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Lisa murray

2714

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Emily Greaves

2715

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Jazuli Henderson-Smart

2716

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Nicola Gala

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Molly Clifton

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Constance Papadakis

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Oswaldo Rudmann

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Katie Parsons

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Jessica Ozdirik

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Louis Grist

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Breanna Nelson

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Jemma Wilson

2761

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simeon hinov

2771

Name: Rachel O'Halloran

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper. 1. Impacts such as noise or party-house caused by short-term holiday letting (STHL) can be managed by industry self regulation such as (1) code of conduct (2) complaints management (3) education.

2. STHL and strata management can work collaboratively whereby strata management can receive fair compensation to adverse impacts of STHL, if any.

3. STHL should be treated equally to long-term letting in terms of licenses required to operate.

Note: I live in a strata plan of 379 lots. I haven't heard of any complaints due to short term letting. If holiday makers are correctly vetted and id'd there are no problems. Fortunately there are great companies out there who do this very well.

Kind regards

Rachel

2772

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Tamika Collins

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