

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

We have owned a holiday rental property (free standing house) since 2003 (holiday rental since 2005) in the quiet neighbourhood of Dalmeny, NSW. During that time the house/business has provided employment to local people including regular cleaner and the gardening service as well as others such as trades people, builders and draughtspeople. The margins of profit on this business is very lean after ensuring competitive pricing, maintenance and cleaning, and mortgage repayments.

We have adopted the Stayz House Code of Conduct which has been a successful tool in guiding our guests behaviour and awareness of the neighbourhood. This has seen our house receive positive reviews for over 10 years which can be read on our Stayz listing.

We know that the tourism industry in Narooma (and Dalmeny) is crucial to its economy and much of the infrastructure and services there have been designed to cater to tourist inflow particularly in high season periods and we are proud to be a part of this.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city. Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales. I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

We encourage the NSW Government to take a progressive and positive approach to this issue, that will benefit all parties - businesses, private residences and local communities. It is our experience that our guests really enjoy the online easy booking system of stayz and importantly thoroughly enjoy holidays in well appointed home-like environments.

Kind regards,
Barbara McConchie and Jane Barney

5401

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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.

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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. Christine

5402



Department of Planning
Received
26 OCT 2017
Scanning Room

Appendices

Appendix 1 – STHL Options Paper Submission Form

SHORT-TERM HOLIDAY LETTING OPTIONS PAPER SUBMISSION FORM

The NSW Government has released an Options Paper, building on the work of the Parliamentary Inquiry and existing practice, to start a public discussion on potential options to develop a suitable approach for short-term holiday letting (STHL) in NSW.

The Options Paper for STHL outlines potential options around the development of an appropriate approach to managing STHL. These options could be considered either individually or in combination.

Prior to making a whole of government policy framework, we are seeking feedback from the community and our stakeholders on the options discussed in the paper.

You are invited to respond to the Options Paper by submitting **this form** to the NSW Department of Planning and Environment.

You can also provide your feedback by:

- filling out the online survey
- email to STHL@planning.nsw.gov.au
- writing to:

Director, Housing Policy
Department of Planning and Environment
GPO Box 39, Sydney NSW 2001

If you have further inquiries, please email us at STHL@planning.nsw.gov.au

The consultation process is open until **31 October 2017**.

By hitting submit you agree to the Department's Privacy Policy.

How will your personal information be used when you make a submission?

Your personal information is protected under the Privacy and Personal Information Protection Act 1998 (PPIP Act). The Department collects personal information in submissions for the purposes set out in the Department's Privacy Statement.

We respect your right to privacy. Before lodging your submission, you will be asked to confirm that you have read the terms of the Privacy Statement, which sets out:

- how personal information is defined under the PPIP Act - it includes but is not limited to your name, address, and email address;
- the purposes for which the department collects personal information; and
- how personal information collected by the department will be used.

When you make a submission, **we will** publish:

- the content of your submission - including any personal information about you which you have chosen to include in those documents
- a list of submitters, which will include:
 - your name
 - your suburb or town

We will not publish offensive, threatening, defamatory or other inappropriate material.

If you do not want your personal information published, do not include any personal information in your submission.

All other information gathered in this submission form will be collated and used towards making a recommendation on the future approach of STHL in NSW.

Name, Surname	CLIFTON	
Organisation		
Suburb	CORLETTE	Postcode
E-mail Address	for any further	
Date of Submission	24th Oct 2017	

Introduction

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

Yes

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

No

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

No

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

Yes - 6 bedroom house next door - Party House

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

No

Impacts Associated with STHL

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

- Noise ✓
- Waste ✓
- Party Houses ✓
- Parking ✓
- Hazards and Evacuation ✓

Registration & Compliance with a code of conduct enforced by government / Council Regulations / Laws.

Self-Regulation

7 Considering the mechanisms below, how could self-regulation in NSW address any negative impacts of STHL?

- The Code of Conduct ✓
- Complaint Management Mechanism ✓
- Monitoring & Reporting

we do not believe self regulation will work as it has not worked in the past.

8 Are there barriers that may reduce the effectiveness of self-regulation?

These barriers are the vested interest aspect which reduces effectiveness of self regulation.

STHL in Strata Properties

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

Strata property problems are not relevant to our situation.

10 Should the Strata Schemes Management Act be amended to increase the ability of owners' corporations to manage the impact of STHL and obtain compensation for adverse impacts? If so, under what circumstances?

11 Is there scope for industry self-regulation in the short-term holiday letting industry? Would this effectively address issues that occur in short-term letting in strata schemes?

Regulation through the Planning System

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

- Exempt
- Complying ✓
- Development Consent ✓
- No planning regulation

Please indicate your reasons below:

see attached page

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

- Number of total days per year
- Number of consecutive days ✓
- Number of bedrooms ✓
- Length of stay ✓
- Presence of a host ✓✓
- Location (metro vs. regional)
- Compliance with a Code of Conduct ✓

Compliance with code of conduct

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

See response on separate page

Registration or Licensing

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

See response

Summary of Options

16 The options outlined in this paper are summarised in the below table. For the future regulatory framework, which top 3 options (if any) would you like to see in this framework? Why?

(Please tell us the reasons for your choices).

See response

Potential Options

Themes		INDUSTRY SELF REGULATION	STRATA REGULATION	PLANNING REGULATION	REGISTRATION
		Refer Section 4	Refer Section 5	Refer Section 6	Refer Section 7
Multiple Options	Code of conduct		By-laws to manage visitor behaviour	Development approval - exempt/complying	Registration to manage safety and amenity issues
	Complaints management			Development approval - development consent	
	Education		By-laws to receive compensation for adverse effects	Limit the length of stay	Registration to monitor that other regulatory approaches (e.g. number of days, number of properties) are being met
	Monitoring and reporting		By-laws to prohibit STHL	Limit the number of days per year	
				Limit the number of bedrooms	
				Regulate by whether the host is present when STHL takes place	

Note: The policy options for STHL could include regulatory or non-regulatory approaches, or a combination of both. A combination of options from any rows or columns (or/and other options not covered in the paper) can be chosen to suggest a policy framework for the STHL in the submission form.

Question 12

Development Consent in the first instance, followed by compliance regulations.

We believe this would be the only affective way of regulating the noise control, waste management (including garbage and sewerage)

Party house, Parking regulations, Fire and Evacuation compliance.

Question 14

We live in a "REGIONAL AREA", but within a normal suburban residential community. Maybe "RURAL" housing should be considered separately.

Question 15

A licensing/compliance system should work in NSW.

The State Government needs to develop the legal framework so that the local councils can oversee the administration and enforcement of the system with clear guidelines and strong fines for NON COMPLIANCE.

- 1) A development application for the STHL property proposal to be submitted to council and all adjoining and nearby property owners to be advised of what the proposal consists of for their comments.
- 2) If Council approval is given then a licensing/compliance agreement be issued as stated above.

Question 16

Code of Conduct

By-laws to manage visitor behaviour

Regulate whether the host is present when STHL takes place

Cont.

To the Director of Housing Policy

Please find attached my submission on the Short term Holiday letting in NSW options paper.

Please note I have made a small amendment in relation to the property at 1285 Botany road Mascot. I wanted to be clear that I am the chairman and caretaker and I am also representing all 35 owners 100% of the building. On behalf of all owners I am seeking permission to use the units for STHL its current use (approved by council) and add the use of Permanent residential to each unit and lift the unfair restrictive covenant placed on the units by the council.

It is total unfair and unreasonable that so many strata units are being illegally let as STHL(affecting our STHL's) yet we can't offer our equally sized strata serviced apartments for permanent residential use or so owners can rent or live in their own unit themselves.

Kind regards

Con Kotis

30th October 2017

Director, Housing policy
Department of Planning and Environment

By Email STHL@planning.nsw.gov.au

Submission on Short Term letting

Background

My company and I have been involved in short term letting and serviced apartment rentals since 1996 in Sydney.

I have extensive experience in Short Term letting in Strata Apartment Buildings which have been approved by council for short term letting or tourist and visitor accommodation / Serviced apartments. I also have involvement in strata buildings where there was no such approval in place but the building was set up and sold as short term let apartments with the majority of owners wanting STHL..

My experience extends also to caretaking and building management of those subject buildings, often known as management rights.

The subject buildings I have operated and owned management rights and managed strata apartment in are as follows and my experiences are summarized as follows.

AeA Sydney Airport, 1285 Botany Road Mascot. Is a council approved Strata Serviced apartment building.

The building comprises 35 Serviced apartments and it was commenced in 1998 and completed in 2003. The strata owners have been complying to the council approved use and restrictions since completion. Because council have placed a restrictive covenant on the units use , they can't be used as anything but for STHL . We can't let them out for more than 90 consecutive days, we can't permit owners live in their own units or permanent lets. As a consequence their values are pegged to 2006 prices, banks won't

lend, won't offer residential interest rates and require a 40% or more deposit. However, there are perhaps thousands of so called illegal residential units being short term let in the area.

The owners have applied to council to convert the all the strata serviced apartments use to residential but council but this has been unscheduled to date.

I submitted DA to convert the use of three penthouse style units to residential (with no work proposed) it was approved after 1 year at council. However, for some reason a section 94 contribution has been requested for \$39,000 to change the use of the airspace to permit residential but deny any STHL.

I firmly believe if STHL is permitted in a Residential strata building then serviced apartment buildings such as this should also be permitted to be used for residential use. Their use should be able to be switched as necessary or desired. It would not be fair if only residential units can be STHL as desired and switched back to residential when desired. It's only fair given the similarities of use that they should merge.

There are beneficial reasons to this apart from being fair. There is the potential to increase housing affordability for first home buyers and for long term tenancy availability that will be lost if STHL is permitted in strata buildings.

I am the Chairman of this strata plan and 100% of the owners have consented to submitting their units for a change of use so they can be used for STHL or Residential and council are denying this for years.

The unfair restrictions applied to the mum and dad invertors is so damaging many can't pay their mortgage, levies, rates and taxes or maintenance therefore making the investment obsolete. **A simple permission to offer STHL and residential will solve all this.**

Conclusion; We just seek the ability to use our units as long term or permanent residential and STHL (or serviced apartments) and have the restrictive covenants removed immediately while this debate is taking place and thereafter.

The Coogee View 56 Carr Street Coogee. A council approved, strata serviced apartment building.

We have operated the subject building continuously since 1996 according to council's approval and so to too have all the owners. The serviced apartment owners in the building have suffered over the years because council's restriction as a serviced apartment meant a lower value, higher finance costs through higher interest rates and higher deposit required. Owners up until recently were not allowed to live in their own strata apartments. The owners have and are still operating the units as serviced apartments and still comply to the DA yet unit owners in other Residential buildings are now operating as serviced apartments or short term let which is not fair. Now the building has been issued with a letter from Council threatening of a fire order and we must upgrade the smoke detectors and have a back to fire brigade smoke detector system. I can't imagine all buildings with STHL in the locality comply to a level of fire and smoke detectors which we have at present.

AeA Grand, 187 Kent Street (formerly Stamford Hotel) converted to 123 Strata apartments in 2004.

The subject building and the issue of short term letting within this building went to the land and environment court in 2005, 187 Kent Pty Ltd v Sydney City Council. The use of STHL was banned because of the court case despite 96% of unit owners consenting to STHL.

Conclusion: If the majority of owners desire a use and they can self-manage allow them to do so.

Bridgeport Apartments, 38 Bridge Street Sydney. 163 Apartments built in 1998 and set up and sold mainly to investors as hotel units. In 2015 Council took my company to the land and environment court

to declare STHL not permissible. Ironically, I would say 75% or more of the building would have wanted STHL in the building but were denied due to council.

Conclusion; if the majority of owners desire a use and they can self-manage allow them to do so.

The Robertson Hotel – Southern highlands

I also own the above Bed and Breakfast hotel. The building has operated as a hotel and wedding and event function center since 1924. We have approximately 60 rooms and suites for accommodation.

The impact of STHL on this property will be felt by houses used for STHL and as mentioned in Wingecarribee shire council's concern expressed in their submission quoted. *"The Popularity of the shire as a wedding destination and attracts use of the larger dwellings for STHL for weddings parties and guests"*.

Obviously as a B&B operator I feel it's not appropriate for local houses or rural properties to be used as wedding and function centers for parties and the like. It would not be fair for the operators and neighbors to have to put up with a use of a premises exceeding its fair capacity and intended use.

I note there seems to be numerous rural properties that will erect a marquee and hold weddings and receptions for 100- 300 guests and sleep many of these in basic houses.

There is no management on site to deal with any issues that may arise. It my view that to permit any rural or STHL property operate permission should be granted from each bordering property and if that permission is not granted its use as a STHL property should not be permitted.

Conclusion: Every house or rural property should not be permitted to be STHL or permit overcrowding or hold weddings, parties and functions.

My firsthand experience in SHTL in strata and B&B buildings leads me to have firm beliefs as below.

1)Every existing residential strata building should by default, NOT be permitted for STHL.

If an owner's corporation desires and majority of owners wish to permit STHL then a vote needs to be taken at an AGM to permit it and by laws created to create their own rules on management.

I believe on top of this no strata plan should permit STHL unless an onsite caretaker is present or available 24/7 to manage potential and actual issues that may arise, at the time they arise.

I also believe the fire safety standards should be appropriate for STHL guests and this standard needs to be set by the correct authorities.

I also believe there needs to be a mechanism for each strata building even if a strata plan owners corporation consents to STHL that neighboring properties also need to consent because noise and other issues emanating from a strata complex could disturb neighboring hoses or properties.

2)All houses should by default NOT be permitted to be STHL unless written consent is provided by every neighbor on its boundary. When a House is STHL the number of occupants staying, sleeping, residing or guests / friends/ temporarily visiting the premises should be capped by the number of bedrooms provided x 2 as a maximum.

A property manager should be on call 24/7 to deal with any issues that may arise.

STHL Accommodation use and using a house for a wedding reception and party are two different matters. I do not believe a house or rural property should be permitted to be used as a wedding venue serving or charging for alcohol consumption and food play music or entertain etc.

3)I firmly believe all existing approved and legal serviced apartments or STHL strata buildings should have any use restrictions lifted to permit residential use for permanent letting or owner occupier accommodation in addition to STHL and be able to switch between the two uses without council consent.

Thank you for taking time to read my submission.

I hope my experience will help create a policy which works for all.

Kind regards

Con Kotis

5404

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. It also provides an opportunity to become acquainted with cultural aspects of the two countries and exchanges of good things of the countries.

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.

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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.

Dr Jahan

5405

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?

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.

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Your money grubbing grabs are going to prove that u dont want to foster jobs We recommend numerous tourist spots shops restaurants live music venues and other outlets...Many of these venues are now suffering on weekends because of staff shortages...I speak to a lot of these people and your small business support is dwindling...A lot of your people sitting at desks advising these decisions need to get out into the real world..I got my head out of my butt a long time age ...speak to me xxx

541

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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.

5411

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper. I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city. Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales. I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

5412

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?

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:

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5413

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city.

Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales.

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

“We are a Real Estate Management company dealing solely with holiday rentals. Due to our location in the sleepy village of Blackheath in the upper Blue Mountains we are lucky enough not to attract a rowdy element of guests and therefore we have little problems with neighbours etc.

We cater for many home owners who live not only in the Sydney area but also interstate and overseas. Should proposed legislation pertaining to capping of number of days, imposing regulations, etc be implemented we will lose not only those particular houses (thereby costing the individual home owner) but also place in jeopardy the livelihood of 5 office staff, 11 cleaners and 2 handyman who will all find it very difficult to obtain other employment, of a non-professional and non-tradesman nature”

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I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

My wife and I have 4 houses acquired over the years and have 2 fully available for long-term residential tenants. One that is jointly used by us for business and "sometime" accommodation during peak periods in [redacted]. The final one is a dedicated "Home away from home" and had not been tenanted for several years before we acquired it.

This being the case, we are not removing any affordable options from the local residential tenancy possibilities and disagree with any proposed limiting of the number of days allowed for short-term rental use in regional, rural and high tourist areas.

I concede that the conversion of historically and currently tenanted apartments into short term rentals is a problem in many city areas but it is not the case in our situation and would disadvantage us greatly as we head towards retirement age with this as our self-funded retirement scheme.

5415

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:

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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.

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 led 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.

5417

Dear NSW Government,

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I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

(You might like to add a personal message for the review here based on your own experience as a homeowner or guest.)

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5422

Dear Sir/Madam

I wanted to take this opportunity to provide a brief personal perspective on options for the regulation of short-term holiday letting in NSW. Many others will address the various regulatory options in greater detail; my input however will be limited to a few observations on how a change in the law with respect to strata buildings could assist somebody in my position. I would like my input to remain anonymous for several reasons.

Last year I purchased a small (36 square metre) one-bedroom apartment. For mainly financial reasons I decided not to live in it myself but to rent it out. For the last few years I have been unable to work due to a chronic health condition which forced me to give up a well-paying job and exciting career. I'm not yet sure if and when I will be able to return to the paid workforce. Also my partner obtained work with an overseas organization so I decided to move to a cheaper city where I could rent a place myself for less than I receive in rent for my property.

Ideally I would like to be able to join my partner overseas but spend say three or four months a year living in Sydney. A change in the regulations to allow for STHL in strata buildings would permit me to do this and also generate an income for me during those months I was living overseas. This would be particularly important to somebody like me, who is unable to derive salary income at the moment due to health reasons. Without a change in the law I would need to pay for expensive short term accommodation each time I wanted to spend time in Sydney - because I would need to rent out my apartment long-term in order to have an income (I could not afford to leave it unoccupied just in case I wanted to use it when back in Australia).

I absolutely understand the concerns that some residents in strata buildings have about noise and unruly behavior. I would make the following comments:

- Firstly, in my opinion the focus in terms of rules and regulations should be on preventing or punishing aberrant behavior rather than on making a distinction between short and long term renting. Long term renters, just as short term renters, can engage in antisocial behavior and bother others in a strata community. So rather than banning STHL in strata buildings, the law and strata by-laws should have strict conditions in place to deal with inappropriate behavior by ANY residents, whether long term or short term.
- Secondly, as an owner or a property the last thing I would want would be for my property to be mistreated/damaged or for relations with my neighbours to be adversely affected. So I would favour strict guidelines on managing inappropriate behavior and banning "guests" who have misbehaved from future STHL. I would definitely not want my apartment used as a "party house" under any conditions. I believe a majority of apartment owners who favour STHL would feel the same way about protecting their investment.

- Thirdly, I consider that state-wide consistency is absolutely vital for managing STHL in both metropolitan and non-metropolitan areas of NSW. If individual body corporates (Owners Corporations) are able to pass by-laws either permitting or banning STHL in their buildings there will be considerable inconsistencies and discrepancies within suburbs and even streets. It would be patently unfair if the owners of one strata building were able to rent their apartments short-term but the owners in the next door building were unable to do so. Also, if individual owners changed their opinion on STHL, or as properties changed hands and new owners with a different view on STHL came on to the body corporate you could end up with multiple changes in the strata by-laws banning then permitting and then again banning STHL. This scenario could be quite likely if the percentages of owners in favour and against were fairly evenly matched (say 49% to 51%). Of course such ongoing uncertainty would be very negative for owners (as well as tenants) because they would have no assurance that the arrangements they had entered into for letting their properties would remain in place.

In summary, I believe that with appropriate guidelines and penalties, STHL should be allowed in strata buildings in NSW. The focus should be on ensuring bad behaviour is penalised rather than banning STHL per se. STHL can provide a valuable income for people with no other income source (e.g. due to illness). It can work well for people who cannot or do not spend all year living in the one city (or country) but need a base in NSW to return to regularly. With increasing numbers of Australians living at least part of the year overseas this is a growing reality. Consistency in regulations across the board is required in order to provide owners (and strata communities) with certainty.

As mentioned above, I would like my submission to remain anonymous

Thank you for your patience in reading my comments.

Regards

5423

Dear NSW Government,

I have been staying in Airbnbs around the world for the past 6 years and it's my favourite way to feel like a local when I'm far away from home.

When I first moved to Sydney staying in an Airbnb enabled me to get settled in a new city while I found myself a more permanent address. It enabled me to try out different neighbourhoods and find the right community for me.

I strongly believe in the right of people to share their houses and apartments. I stay in a host's private room whenever I can, which allows for a wonderful cultural exchange which can only help to build more trust in the world.

I always treat the buildings and neighbourhoods I stay in with the upmost respect, and spend most of my time out exploring local areas, shops, restaurants and cafes. If I ever need anything during my stay, my host is always a text or call away.

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.

I wish to support the following options:

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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.

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Dear NSW Government,

As a guest who has travelled to NSW using the Airbnb platform in the past 12 months, I strongly believe people should be able to share their houses and apartments. I 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 afford travel with my young family. Please accept this as a formal submission to the Options Paper.

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Dear NSW Government,

I request that my name and personal information not be published, and that it be kept confidential.

As a traveller with Airbnb, I find the accommodation options available to me much better for my needs. When travelling for work, I sometimes need to stay in areas where there is no other accommodation option and Airbnb provides a place for me to stay. As a young family, Airbnb often provides travel options that are more accessible so that we can plan a family holiday within budget.

Should I ever live in a place where I have a bedroom to share, or would want to host from time to time whilst I am away, I should be able to do so. That money would help pay bills or fund my own holiday.

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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.

5427

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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Section 7: Registration or Licensing - A registration or licensing system 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, most home sharing requires no approvals. For others there is a simple, quick and cost effective self-assessment form, which is only required in limited circumstances - usually for holiday homes or weekends only.

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.

5428

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city.

Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales.

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

(You might like to add a personal message for the review here based on your own experience as a homeowner or guest.)

“We are a Real Estate Management company dealing solely with holiday rentals. Due to our location in the sleepy village of Blackheath in the upper Blue Mountains we are lucky enough not to attract a rowdy element of guests and therefore we have little problems with neighbours etc.

We cater for many home owners who live not only in the Sydney area but also interstate and overseas. Should proposed legislation pertaining to capping of number of days, imposing regulations, etc be implemented we will lose not only those particular houses (thereby costing the individual home owner) but also place in jeopardy the livelihood of 5 office staff, 11 cleaners and 2 handyman who will all find it very difficult to obtain other employment, of a non-professional and non-tradesman nature”

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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.

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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.

5430

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?

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 also believe Air bnb is bringing people together especially those of us who are empty nesters, who have successfully raised children - now solid pillars of society.

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:

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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.

5431

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?

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.

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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.

5432

Dear NSW Government,

As an Australian resident who has travelled across Australia 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. As a young adult, this is the most affordable option to travel, while meeting new people and living as a local, wherever I go. 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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I wish to register my opposition to the following options:

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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.

5433

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 led 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.

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?

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.

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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.

5435

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 spots, hikes, attractions, markets, cafes and restaurants 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.

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 allows Owners Corporations to ban outright short term rentals.

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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.

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 led 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.

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. This allows a broad range of quality accommodation at reasonable cost, bringing valuable tourism to our area. Please accept this as a formal submission to the Options Paper.

We depend on hosting as an economic means to help us pay the bills. We recommend our 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.

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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.

5438

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.

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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.

Dear NSW Government,

We, as hosts, share our second bedroom with visitors from all over the world. We welcome people in to our local community in an area without many traditional hotel options. With our vast knowledge of the local area we are about to provide a boost to local small businesses operators by giving our guests recommendations of our favourite local cafes, hairdressers, independent grocers, bars, restaurants and more. We offer a genuine local experience at a very reasonable price but this income helps us to sustain the the ever increasing cost of living in Sydney whilst paying the appropriate taxes in line with this extra source of income.

We have travelled the world and have had the most incredible experiences staying with families through Airbnb since 2012 and we're honoured to be able to provide an option for visitors in our home town.

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.

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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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.

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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.

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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 led 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.

Dear NSW Government,

I agree with the standard email below but wanted to add a personal message. Airbnb is one of the best things that has happened for travelers like myself. If any additional bureaucracy and cost are imposed I would travel less - depriving the areas I visit of knock on benefits. It gives me much greater choice and options when I am visiting an area

I live in a unit in Sydney and have had to call the police on several occasions for noisy party's - with not an airbnb guest in sight, you get idiots in all walks of life that do not respect their neighbours. In my discussions with airbnb hosts, they have always spoke of respectful behaviour of guests.

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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 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, most

home sharing requires no approvals. For others 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.

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.

5443

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?

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.

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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 NSW Government,

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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.

Anne Abbott

5445

Gins Allen

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper. I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city. Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales. I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

Being located in a regional area I am not only providing employment for a cleaner, gardener and local trades people I am also providing accommodation for many of the local tourism events especially FOOD Week and the Wine Festival in Orange and surrounding areas.

A couple of my guests have enjoyed their stay so much that they are relocating from Sydney to Orange.

I live in Western New South Wales and have used the house when we have come down to Orange for our children who attend boarding school here.

If the Government are going to impose extra charges or limit stays then I would have to sell my property.

5446

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. I am a single parent who does not claim any benefits in Australia so this is a great way for me to make extra money and have the flexibility of working and looking after my child. If the Government makes this difficult for me and others to do it is harder to make money in a flexible way and therefore they would be taking my employment away from me, I pay all my taxes and make sure my neighbours are not affected in any way by me renting out through Airbnb. I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

Please accept this as a formal submission to the Options Paper.

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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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.
Angela

5447

26 September 2017

Director, Housing Policy
Department of Planning and Environment
STHL@planning.nsw.gov.au

Dear Director

Short-Term Holiday Letting in New South Wales

I refer to the Options Paper on short-term holiday letting in New South Wales. I strongly urge the State Government to preserve the right of each Owners' Corporation to determine whether to accept or reject short term lettings in their building.

I have lived in my apartment building for over 10 years and for as long as I can remember our by-laws have prohibited rentals of less than three months. This by-law was put in place well before the recent popularity of Airbnb.

The concern with short-term letting in an apartment building is the impact on the other owners. Short term renters are more likely to treat an apartment building as a hotel rather than a home, particularly where the apartment is in a sought-after tourist area. There is likely to be more noise, more use of common property, and more physical damage and wear and tear to common property facilities. This is an added cost to owners in an apartment building that is unlikely to be recovered from the relevant owner or short-term renter, assuming it is possible to identify the person causing the damage.

Individual owners' corporations should have the right to determine whether they are prepared to take on the additional risk of permitting short term rentals in their building. The wishes of the majority of owners should not be disregarded. By allowing each owners corporation to regulate in this area, individual circumstances can be considered.

I live in the Bennelong complex at Circular Quay. Given its location and the increasing events occurring in this area, short-term letting in the complex would have an adverse impact on the building. There are sufficient negative impacts on residents in the complex due to events such as New Years' Eve and Vivid taking place around the complex, without having the added impact of additional guests during this time treating the building as a hotel – in fact worse than a hotel as there are no hotel staff monitoring behaviour. Of concern would be the possibility of parties taking place on balconies which could result in objects being thrown onto the street below.

Yours sincerely



Donna Awad

5448

Name: Slav Baboshyn

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city.

Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales.

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

5449

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

5450

Appendices

Appendix I – STHL Options Paper Submission Form

SHORT-TERM HOLIDAY LETTING OPTIONS PAPER SUBMISSION FORM

The NSW Government has released an Options Paper, building on the work of the Parliamentary Inquiry and existing practice, to start a public discussion on potential options to develop a suitable approach for short-term holiday letting (STHL) in NSW.

The Options Paper for STHL outlines potential options around the development of an appropriate approach to managing STHL. These options could be considered either individually or in combination.

Prior to making a whole of government policy framework, we are seeking feedback from the community and our stakeholders on the options discussed in the paper.

You are invited to respond to the Options Paper by submitting this form to the NSW Department of Planning and Environment.

You can also provide your feedback by:

- filling out the online survey
- email to STHL@planning.nsw.gov.au
- writing to:
Director, Housing Policy
Department of Planning and Environment
GPO Box 39, Sydney NSW 2001

If you have further inquiries, please email us at STHL@planning.nsw.gov.au

The consultation process is open until
31 October 2017

By hitting submit you agree to the [Department's Privacy Policy](#).

How will your personal information be used when you make a submission?

Your personal information is protected under the Privacy and Personal Information Protection Act 1998 (PPIP Act). The Department collects personal information in submissions for the purposes set out in the Department's [Privacy Statement](#).

We respect your right to privacy. Before lodging your submission, you will be asked to confirm that you have read the terms of the [Privacy Statement](#), which sets out:

- how personal information is defined under the PPIP Act – it includes but is not limited to your name, address, and email address;
- the purposes for which the department collects personal information; and
- how personal information collected by the department will be used.

When you make a submission, we will publish:

- the content of your submission – including any personal information about you which you have chosen to include in those documents
- a list of submitters, which will include:
 - your name
 - your suburb or town

We will not publish offensive, threatening, defamatory or other inappropriate material.

If you do not want your personal information published, do not include any personal information in your submission.

All other information gathered in the submission form will be collated and used towards making a recommendation on the future approach of STHL in NSW.

Name, Surname	Lucas Vilela
Organisation	
Suburb	
Postcode	
Email address	STHL@planning.nsw.gov.au
Date of submission	31/10/2017

Introduction	
1	Do you use or have you ever used short-term holiday accommodation? Yes
2	Are you or have you ever been a short-term holiday accommodation host? Yes, I am a short-term rental host
3	Do you provide another form of short-term holiday accommodation? No
4	Do you live near a property that provides short-term holiday accommodation? Yes, other homes in my neighbourhood are available for short-term rent.
5	Are you from an STHL industry group, owners' corporations or community group? No
Impacts Associated with STHL	
6	Please indicate below which impact(s) are you most concerned about and how do you believe these could be managed. <ul style="list-style-type: none"> • Noise • Waste • Party Houses • Parking • Hazards and Evacuation
Self-Regulation	
7	Considering the mechanisms below, how could self-regulation in NSW address any negative impacts of STHL? <ul style="list-style-type: none"> • The Code of Conduct • Complaint Management Mechanism • Monitoring & Reporting
8	Are there barriers that may reduce the effectiveness of self-regulation? No
STHL in Strata Properties	
9	Should owners' corporations be given the legal ability to prohibit or restrict STHL? If so, how and under what circumstances? No
10	Should the Strata Schemes Management Act be amended to increase the ability of owners' corporations to manage the impact of STHL and obtain compensation for adverse impacts? If so, under what circumstances? Yes, fair compensation in the form of a small percentage of the rental returns, should extra cost be likely.
11	Is there scope for industry self-regulation in the short-term holiday letting industry? Would this effectively address issues that occur in short-term letting in strata schemes? Yes, self-regulation is the most effective and fairest without restricting the positive impact of STR.
Regulation through the Planning System	
12	How should STHL be subject to a planning regulatory framework? What would be the impacts of applying a planning framework to STHL? <ul style="list-style-type: none"> • Exempt • Complying • Development Consent • No planning regulation <p>Please indicate your reasons below:</p>

- 13 If STHL is to be regulated via the planning framework, how should it apply?
- Number of total stays per year
 - Number of consecutive days
 - Number of bedrooms
 - Length of stay
 - Presence of a host
 - Location (metro vs. regional)
 - Compliance with a Code of Conduct

14 Should there be different planning frameworks in regional and metropolitan areas? If so, how and why?
 No, everyone should have the same opportunity to benefit from the sharing economy

Registration or Licensing

15 Could a licensing system for STHL work in NSW? If so, how might it operate?
 No, it should be the equivalent to long term rent where no licenses are required

Summary of Options

16 The options outlined in this paper are summarised in the below table. For the future regulatory framework, which top 3 options (if any) would you like to see in this framework? Why?
 (Please tell us the reasons for your choices)

Potential Options

Themes	INDUSTRY SELF REGULATION <i>Refer Section 4</i>	STRATA REGULATION <i>Refer Section 5</i>	PLANNING REGULATION <i>Refer Section 6</i>	REGISTRATION <i>Refer Section 7</i>
Multiple Options	Code of conduct	By-laws to manage visitor behaviour	Development approval - exempt/complying Development approval - development consent	Registration to manage safety and amenity issues
	Complaints management	By laws to receive compensation for adverse effects	Limit the length of stay	
	Education		Limit the number of days per year Limit the number of bedrooms	Registration to monitor that other regulatory approaches (e.g. number of days, number of properties) are being met
	Monitoring and reporting	By laws to prohibit STHL	Regulate by whether the host is present when STHL takes place	

Note: The policy options for STHL could include a regulatory or non-regulatory approach, or a combination of both. A combination of options from any number of columns and other options not covered in the paper may be chosen to suggest a policy framework for the STHL in the submission form.

My name is Ross Barker,

I have a property on leasehold in Thredbo Village which comes under the National Parks and Wildlife jurisdiction. Under the sub lease that we entered into on purchase, all owners in the alpine ski fields must have our places offered for rent for a minimum of 26 weeks a year. Any changes to Stayz that could effect this will force owners to revert back to the mainstream property managers / real estate managers who have been proven to offer a poor return, bad cleaning and rental experiences and in a few occasions have gone into liquidation and have not had trust accounts and have caused personal loss to owners. Being able to manage our properties has given us a better return and less heartache.

I urge you to open dialogue with the NPWS and owners of head leases in both Thredbo and Perisher ski fields to ensure that any proposed changes do not affect the fragile ski industry we all enjoy.

Regards

Ross

5452

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city.

Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales.

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

“We are a Real Estate Management company dealing solely with holiday rentals. Due to our location in the sleepy village of Blackheath in the upper Blue Mountains we are lucky enough not to attract a rowdy element of guests and therefore we have little problems with neighbours etc.

We cater for many home owners who live not only in the Sydney area but also interstate and overseas. Should proposed legislation pertaining to capping of number of days, imposing regulations, etc be implemented we will lose not only those particular houses (thereby costing the individual home owner) but also place in jeopardy the livelihood of 5 office staff, 11 cleaners and 2 handyman who will all find it very difficult to obtain other employment, of a non-professional and non-tradesman nature”

5453

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?

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:

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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.

I simply wouldn't have an income if I didn't and that would just add to pressure if I had to go on payments for support

Vitoria Borg-Olivier

5454

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Annamarie Brbich

5455

Name: Jaquita Britton

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.

5456

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.

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Betty Brown

5457

Name: Joe Brown

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city especially where the properties are based in tourism areas , are operated and or hosted /managed professionally .

A more flexible payment arrangement should be mandatory for the Internet based listing companies , such as stayz whereby they are not able to adjust /increase their commission rates and or control all booking payment receipts without property owner approval

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners and fully consider the rights of owners /operators losing control of their property financial management to listing operators seeking to create /improve their own business valuations for little REAL value add.

Yours faithfully
JW Brown

5458

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?

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.

Kerry brown

5459

Dear NSW Government,

My husband and I have travelled, not only around NSW, but the world, using the Airbnb platform frequently over the past three years. I strongly believe in the right of people to share their houses and apartments. Especially now, as a young family, we've found that the short-term letting of people's homes is the most convenient and flexible way for us to travel with children. In many instances it would simply not be possible for us to road trip and stay in the small towns we visit if it weren't for AirBnB. We absolutely embrace our responsibilities as guests to treat hosts' homes in a responsible and respectful way, and I know from experience 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 our ability to travel using Airbnb and restrict our choices as a travelling family. Please accept this as a formal submission to the Options Paper.

Why do I travel to NSW using Airbnb?

We love the connection that staying with a local host gives us as they are often very helpful and accommodating to families. Even more importantly for local business, they are able to 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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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 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, most home sharing requires no approvals. For others 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.

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.

Kimberly Brown

5460

We wish to make a submission to the New South Wales Government's Short Term Holiday Letting Options Paper.

We are onsite managers and arrange holiday letting of the property and supervision of guests occupying the property. The owners of the individual apartments in our complex have made investments valued at well over \$8M. Any disruption to the holiday letting market directly affects their investment income and the value of their property as their individual apartment value is directly aligned to their return on their investment. As the apartments cannot by law be used for normal residential use their value is determined by their return as a business and banks value them solely on this criteria. It is my contention that the proliferation of residential homes in our area operating in conjunction with Online Travel Agents such as Airbnb and Stayz in direct competition with our resort is having a significant effect on the earnings for our owners and ourselves.

The aforementioned OTA's are spreading the myth that this holiday letting represents a "sharing" economy where people can make a few extra dollars from their spare room. The facts are entirely contrary to this myth as they are facilitating and encouraging a blatant method for people to by-pass local government planning instruments. Instead of applying to council regulators for approval to run a Hotel, Bed & Breakfast or other form of regulated accommodation industry, people simply buy houses and start holiday letting through these OTA's.

Unsupervised short term rental houses are a recipe for disaster with overcrowding, noisy and disruptive behaviour issues being foremost. In Byron Bay solving the issues arising includes forcing owners to post bonds to cover the cost of police and ranger call-outs. This solution is also flawed as it does not help or compensate the neighbours who have been subjected to the disruptive behaviour. I am also told that there is now a shortage of long term rental accommodation with the rental home owners wanting to cash in on the peak periods and school holidays.

Under NSW legislation, to be allowed to operate within the "management rights" industry, and carry out holiday letting a manager is required to maintain a real estate licence and an audited trust account for rental monies collected. There is also a considerable financial investment required to purchase a "Management Rights" business. In our resort we are onsite managers living in our privately owned on-site residence and are on hand around the clock to supervise the behaviour of our guests. This is a far different situation to our opposition just down the street with un-hosted holiday houses who operate outside the regulations we are subject to and put the reputation and financial stability of the entire accommodation industry at risk.

We believe the additional competition has had a deleterious effect on the demand for holiday accommodation in our establishment. This is unfair for the 16 owners of the holiday apartments in our resort as they have complied with every regulation and their income and investment is being affected by the non-complying "disruptor" opposition.

In short our submission is that:

- 1) Holiday letting of parts of a house should be subject to exactly the same regulations and approval processes that local government apply to people who wish to run an

- approved Bed & Breakfast establishment. It should not be allowed unless council have inspected the premises and addressed matters of parking, safety and hygiene.
- 2) Holiday letting of entire houses should be regulated by exactly the same approval processes and regulations as conventional hotels and accommodation establishments. Any application to council by owners to let a house for holiday purposes should address the method of supervision (paying security companies could be an option). Council should address and approve parking and carry out inspections for safety (building, pool, fire regulations) and hygiene should be mandatory.

The accommodation industry is a major part of our economy and can only maintain its image, reputation and profitability if all members operate on an equal playing field.

Best Regards,

Narelle & Peter Brown

5461

Dear Anthony and Matt,

Thank you very much for the opportunity to provide comments on the issue of short-term holiday letting.

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 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

5462

From:
Sent:
To:
Subject:

Sent: Wednesday, 25 October 2017 1:49 PM
To: ElectorateOffice LaneCove; ElectorateOffice Hornsby
Cc: ElectorateOffice Kiama
Subject: Short-term Holiday Letting in NSW – Options Paper

The Hon. Anthony Roberts MP

Minister for Planning Minister for Housing Special Minister of State
lanecove@parliament.nsw.gov.au

The Hon Matt Kean MP

Minister for Innovation and Better Regulation
hornsby@parliament.nsw.gov.au

Subject: Short-term Holiday Letting in NSW – Options Paper

Sirs,

I write to you with regard to the Options Paper on Short-term Holiday Letting (STHL) in NSW. Short-term holiday letting and the tourism industry in general is the major contributor to the economy of Kangaroo Valley and surrounding areas. Properties which provide STHLs vary from purposely built and Council approved properties through whole house lets of weekenders on 100acre properties to houses in the village and spare rooms in private houses or former dairies and workers cottages on working farms. The variety and rural/historic nature of properties available is a big drawcard for tourists both from city areas and overseas. Most people do not visit Kangaroo Valley to stay in a large hotel or motel.

It is acknowledged that there are some adverse effects associated with STHL, particularly in Sydney, where many of the properties being let are in apartment buildings managed by strata schemes. In such properties any increase in noise, waste or damage caused by the short term nature of a stay has a substantial impact on other, permanent residents of the building and the body corporate which has to repair any damage caused by willful neglect or simple ignorance, as well as maintain common property such as pools which would have a higher rate of wear and tear due to the short term nature of the let.

However, in regional areas such as ours, the vast majority of SHTLs are of separate Torrens title houses, where noise is less of an issue and all repairs and waste management are the responsibility of the owner.

Within Kangaroo Valley, the vast majority of accommodation available for SHTL is managed either by an owner on site, or by a professional agent in Kangaroo Valley, who provide a comprehensive booking and guest service offering much greater accountability and a minimization of any problems as well as early correction should any arise. They also provide advice with regard to insurance, fire and risk assessment requirements.

Taking into account the economic contribution to the NSW economy (estimated in the region of \$15 million), the provision of a wide range of accommodation types for both domestic and overseas tourists, and the existing proper management of properties in rural areas, we ask that the Government steer towards options one and two in the Options paper when reviewing legislation with regard to Short Term Holiday Letting. To adopt an option involving Complying or Development Applications, while attractive at first sight, would place even further burden on Local Councils, who struggle to meet current demand in this area. Our own Shoalhaven City Council is well behind in processing DAs, (many taking more than 12 months!) as they cannot attract enough qualified staff to do the work.

Regards,
Alexandra Bruce

5463 [\[Redacted\]](#)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[\[Redacted\]](#)
[Redacted]
[Redacted]

To whom it may concern

I don't think the govt has taken into account that almost all of the blue mountains cottages are in high risk bushfire zones

upgrading these to those same standards of the new houses being built would be extremely expensive and simply not possible or feasible in a vast majority of cases.

The Blue Mountains and other regional areas with surrounding bushland have a very large amount of listings on short term holiday sites.

People also don't come to the historic blue mountains to stay in new builds which are the only ones that would become exempt or comply if DA's are required

for short term rental properties.

(that would mean that any thing over a few years of age when these bushfire rules came into place - would not be able to be rented out

without serious financial loss) I don't think many people are aware of this possible issue.

I think this would be a good thing to bring up during discussions / options

I also don't think the problem lies with regional properties - All the problems I ever hear of seem to be caused by those living in close proximity to each other in cities/apartments

or so called party houses with teenagers on the coast where large groups are allowed to book houses and of course cause noise and rubbish issues because no one takes responsibility for the groups actions. Sure I think that strata management should have greater power to restrict or stop this happening and there should be a restriction on the number of bedrooms that can be rented out in these huge mc mansions to stop these issues happening in the city and on the coast where schoolies or large groups seem to have no respect for other peoples quiet enjoyment

We and all the other owners I know who have rented out our little holiday houses (ours is only a 2 bedroom 1920's railway workers cottage) in the blue mountains without any issues whatsoever ! (we have been renting out as short term for over 12 years now)

people that come to the mountains come to enjoy the peace of the country and escape the dramas of the city so seriously there is no need for any restrictions.

The Blue mountains is a huge draw card to tourists from all over the world and finding accommodation in the blue mountains during school holidays or peak season is almost impossible even with all the holiday rentals on offer - the hotels and b&b's would not be able to accommodate the influx of tourists at this time and without these tourists visiting the area

cafe's restaurants and businesses in the area would really suffer along with the many owners of holiday rental houses who have come to rely on the income from renting out their houses when they are unoccupied and those who have mortgages to pay in order to keep them .

I dont think it would be fair to the area or other rural /regional areas which would be affected by any changes.

Country towns are already struggling to survive !!!

Regards, Fiona

concerned holiday home owner
please let me know this message has been passed onto the appropriate person dealing with this matter.

5464

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

5465

Name: Maria Byrne

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper. I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city. Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales. I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

Sincerely

Maria

5466

Name Surname <i>Mark Cameron</i>	
Organisation	
Suburb	Postcode
E-mail Address	
Date of Submission <i>29th September 2017</i>	

25

Introduction
<p>1 Do you use or have you ever used short-term holiday accommodation?</p> <p><i>Yes</i></p>
<p>2 Are you or have you ever been a short-term holiday accommodation host?</p> <p><i>Yes</i></p>
<p>3 Do you provide another form of short-term holiday accommodation?</p> <p><i>No</i></p>
<p>4 Do you live near a property that provides short-term holiday accommodation?</p> <p><i>Yes</i></p>
<p>5 Are you from an STHL industry group, owners' corporations or community group?</p> <p><i>No</i></p>
Impacts Associated with STHL
<p>6 Please indicate below which impact(s) are you most concerned about and how do you believe these could be managed.</p> <p><i>I believe all of the following can be and should be addressed as an integral part of the house rules for each and every STHL place being used. It should be in a booklet that is placed in an obvious position for all guests to access a copy of which the guest should sign acknowledging that they have read and accepted the house rules. The host retains the signed copy for a period of 12 months. A brief comment, after the guest has left,, by the host could be used via a simple rating system of the guest such as that used by Airbnb to rate the guest. Random audits could be carried out to</i></p>

ensure hosts are complying with this requirement. If hosts are not then fines could be imposed.

*The house rules would and should be required to follow the guidelines of a Code of Conduct as per Appendix 3 of the **Short-term Holiday Letting in NSW Options Paper**.*

These same house rules should be in the description of the STHL being advertised in the online platform.

- Noise
- Waste
- Party Houses
- Parking
- Hazards and Evacuation

Self-Regulation

7 Considering the mechanisms below, how could self-regulation in NSW address any negative impacts of STHL?

- The Code of Conduct

See above

- Complaint Management Mechanism

Access by neighbours/stakeholders to the online providers to state their concerns and these providers to initiate an investigation into any alleged incident. Sanctions to be placed on the host by the online provider against the host if continued incidents are found to be occurring. This could be in the form of ; a warning, a suspension, a total ban from all providers ie cooperation between online providers would be required.

- Monitoring & Reporting

See above comments

8 Are there barriers that may reduce the effectiveness of self-regulation?

STHL in Strata Properties

If the above sanctions were used I have no doubt that hosts that continually allow less desirable guests to stay in their STHL properties then the irresponsible hosts will be weeded out and removed from the STHL system.

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

No as per above.

10 Should the Strata Schemes Management Act be amended to increase the ability of owners' corporations to manage the impact of STHL and obtain compensation for adverse impacts? If so, under what circumstances?

I have not seen enough data to make a comment on this.

11 Is there scope for industry self-regulation in the short-term holiday letting industry? Would this effectively address issues that occur in short-term letting in strata schemes?

As per my statements concerning self regulation stated above.

Regulation through the Planning System

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

- Exempt
- Complying
- Development Consent • Noplanningregulation

Please indicate your reasons below:

26 | Short-term Holiday Letting in NSW Options Paper

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

- Number of total days per year
- Number of consecutive days
- Number of bedrooms
- Length of stay
- Presence of a host
- Location(*metros.regional*)
- Compliance with a Code of Conduct

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

Registration or Licensing

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

Yes. This could be effective in ensuring that all STHL premises are compliant with the code of conduct. Also that all hosts are declaring their income to the ATO who should have access to this data. The fee could be a minimal say \$55 inc GST which would be tax deductible and the income generated fro this fee to be used for compliance audits etc.

Summary of Options

16 The options outlined in this paper are summarised in the below table. For the future regulatory framework, which top 3 options (if any) would you like to see in this framework? Why?

(Please tell us the reasons for your choices).

Potential Options

1. Industry self-regulation with government support.

I believe that if what I have outlined above were to be implemented then the very few inconsiderate hosts would be eradicated from the STHL market place.

We don't want or need another "greyhound industry" debacle in NSW. There will always be a few "rotten eggs" and I have no doubt that they should and can be removed from the industry.

For people like myself, who is on a pension, STHL is a very important income stream for me to survive. If restrictions are imposed it will make life very difficult financially for me and my wife.

Hopefully my thoughts will be read and taken note of.

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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 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, most home sharing requires no approvals. For others 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.

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.

Penny Campbell

5468



Director, Housing Policy
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

28 September 2017

cc. NSW Premier; Minister for Planning; Minister for Innovation and Better Regulation; Lord Mayor, City of Sydney.

Response to Short-term Holiday Letting (STHL) Options Paper

Dear Sir / Madam

I write in my capacity as President of the Walsh Bay Precinct Association to provide feedback to the STHL Options Paper recently published by the NSW Government.

Background

The Walsh Bay Precinct is a predominantly residential Precinct of ~ 350 apartment, and several commercial lots. The Precinct is situated on the Sydney Harbour's waterfront, adjacent to Millers Point, Dawes Point, and Barangaroo - within walking distance of the CBD. The Walsh Bay community at large has no objection to the adoption of STHL in free-standing, individually owned homes, and have no wish to interfere with their owners' possible rights or actions. However, we are concerned about the potential impact of STHL on higher density Strata living. As the original 'Adequacy of Short Term Holiday Lets in NSW (STRA)' report tabled in parliament in October 2016 acknowledged, 'Strata is different' in that decisions made by one owner affect the amenity, enjoyment and security of all residents.

We point out that all Strata Plans similar to ours are at a risk of having control of their amenity swamped by STHL. We are also concerned that, in these days of heightened risks to national security, the effect of the proposed option would reduce the security for residents and buildings.

At Walsh Bay, we have recognised this risk and have had by-laws in place for over 10 years regarding STHL. We police these by-laws stringently.

Comments Regarding the Options Paper

- Recommendation 10 suggests that Strata Committees be given some extra retrospective powers to address problems after the fact.

We believe that Recommendation 10 will fail as it assumes that Strata plans are commercial enterprises with full-time, possibly even 24/7, staff that can be deployed to respond to issues of noise, security, damage and other nuisances as they arise. This is not the case for our community.

The Recommendation ignores the reality that Strata plans are mostly run by unpaid volunteers who are in many instances already stretched by the necessary duties required under NSW law to properly run a Strata scheme. Clearly, Recommendation 10 would exacerbate workloads.

- Recommendation 11 suggests that the situation regarding STHL in Strata plans be re-visited three years after any legislation relaxing STHL in NSW is enacted.

We suggest that Recommendation 11 would be significantly improved by amending it so that Strata is exempt from any changes to the laws regarding relaxation of STHL in NSW for three years. This approach would enable a review of the impacts on the simpler ownership and more easily controllable environments of free-standing dwellings to achieve a proper and thorough assessment of any law changes before addressing the vastly more complex Strata issues.

Observations on Strata Plans and Free-standing Properties.

- A free-standing home is generally owned by an individual or a family. Within reason they should be able to deal with that property as they wish subject to the law, council regulations and respect for their neighbours
- Within a Strata plan an apartment owner effectively owns a void. Within their apartment they own the carpets, the paint on the walls and their chattels. The surrounding walls, floors, ceilings, balconies and windows are collectively owned by the Owners Corporation of the Strata plan. These, the land and the building are common property as are the jointly used and community funded foyers, entrances, lifts, stairwells, gardens, gyms, pools, etc.
- A free-standing building may be owned by an individual owner or family who is responsible for making decisions about that building
- A Strata plan building is jointly owned by the Strata plan community (the Owners Corporation) that is responsible for making decisions about that building. Strata committees work hard to manage the building in the interests of the community of owners.

Comments on STHL Disputes Resolution

Every remedy that is promulgated in the Options Paper to the myriad potential issues of STHL in Strata is retrospective. It assumes that each Strata plan has ready access to professional help over and above their Strata manager with all the concomitant legal and financial implications. Airbnb's dispute resolution plan also requires action after the event. The Options Paper alludes to resolving issues, often involving now departed guests, by recourse to NCAT.

The reality is that NCAT is not effective in Strata matters. It has no relevant expertise (no specialist Strata mediators); a work-load that defies quick or easy access and, crucially, no ability to enforce decisions once made. This creates a farcical 'catch-22' where to enforce an NCAT decision we have to go to the District or Supreme Court but neither the District nor Supreme Court will hear a Strata case until it has first been heard at NCAT. Direct experience has shown this to be a tortuous and expensive process.

Overview

Strata Committees are unpaid volunteers. The workload for properly conducted Strata Committees is ever increasing; in large schemes, it requires a level of professional expertise.

The vast majority of Strata plans do not have concierges and or full time building managers; so who will manage the unknown guests? Who will manage party noise, damage and resident amenity issues, inevitably in the early hours of the morning? It is both unfair and unreasonable to expect committee members to be responsible for this.

If STHL is allowed in Strata plans, some of those buildings which are close to public transport, hotels, clubs and restaurants and the CBD or beaches etc. will become hotels overnight. Walsh Bay and most Strata plans are simply not set up to be hotels nor do they choose to be.

We do not have, and do not want to have, CCTV in every corridor (our residents would be appalled), security-trained concierges (incurring considerable pay loadings), increased insurance to cover the potential damages and liabilities, the extra fire safety issues of unknown guests, the invasion of strangers into our homes with all the attendant security issues or to be maintaining booking management or expanded concierge services. And it is unfair to expect all residents to meet the additional costs of these services while the profits from STHL accrue to the few.

An Equitable Way Forward

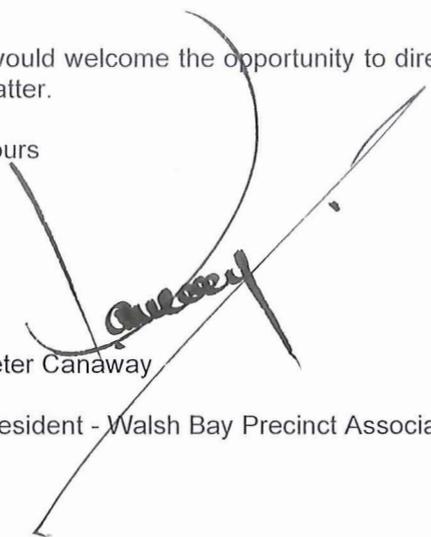
We acknowledge that, like Uber, Airbnb is here to stay, however, STHL is a clear and present threat in Strata plans to resident amenity, property damage, insurance and fire risk, realistic management protocols by Strata Committees and to owner values.

Every Strata plan however has to have, by law, a General Meeting every 12 months. Any owner can put a motion to that General Meeting. Some owners may wish to have the right to have STHL in their Strata plan and some may not; but it is a decision for the whole Strata community.

We believe that each Strata plan should be able to make up its own mind on allowing STHL within their Strata plan by a vote of the Owners at a General Meeting which would be required within 12 months of the passage of the law.

I would welcome the opportunity to directly address any formal government enquiry or forum into this matter.

Yours



Peter Canaway

President - Walsh Bay Precinct Association.

Name: WENDY CARTER

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city.

Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales.

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

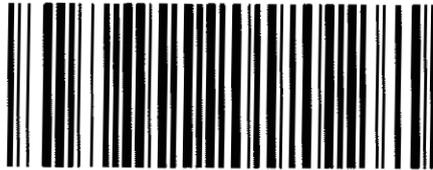
(You might like to add a personal message for the review here based on your own experience as a homeowner or guest.)

Our area is suffering economically with many large manufacturing business closed down in the past two years. This in turn has had a flow on effect with many small businesses having to cease operation and therefore mass unemployment in the area. We use cleaners, gardeners, mowing contractors, linen hire services, maintenance services just to name a few. This is all employment for our region!

The Shoalhaven area needs employment and if the Government and the do gooders get together and apply more restrictions on people who are running these short term rental businesses, there will sadly be, more unemployment and less people travelling out of cities to spend their time and money on weekends and holiday times to stay in our area. We are working very hard to offer these facilities to travellers who come in to our areas and further restrictions on rentals will only turn us off bothering to continue, as it will be just too hard and not worth the effort.

We and our families urge you to look at the big picture and look at the decades that families have held their holiday homes and have been able to offset some costs of owning them through occasionally doing short term rent to allow others to enjoy as well as themselves. We are fast becoming a communistic society! Don't allow these changes to ruin the freedom that we have as a unique country.

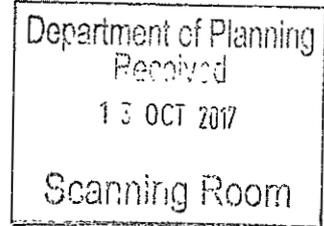
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PCU072627

3rd October 2017

Director, Housing Policy
Department of Planning & Environment
GPO Box 39,
Sydney NSW 2001



Response to the NSW Government Options Paper:

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?

The Airbnb host community depends on hosting as an economic lifeline to help us pay the mortgage and the bills and for self-funded retirees as a stable means of income in a low interest rate environment. I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism and support for the local community and the NSW transport network.

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. *This would include obligations on participating organisations & property managers to enforce and comply with codes of conduct, respecting residential amenity, no party houses, comply with parking regulations and ensuring neighbours are not inconvenienced.*

Section 5: Strata Regulation - This includes options for by-laws to manage visitor behaviour for home sharing. I would also support rules to deal with bad factors 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 be cost effective for hosts.

In addition to the above support & opposition I would like to raise the following relevant issues directly related to my property, located in Kirribilli, which has been an enormous success not just for me but importantly my guests:

- **Why Airbnb:**

- *My guests have had the need to have facilities that are not necessarily available in alternate accommodation and hotels.*
- *The apartment is fully self-contained, comprising;*
 - *Two bedrooms, lounge, dining, kitchen, laundry, bathroom and a courtyard. These are features not readily available elsewhere.*
- *The booking, payment and review system provides a platform for both guest and hosts to benefit in an orderly and controlled, safe and secure manner.*
- *There is an auditable trail of income for taxation purposes.*

- **Community Support:**

- *My guests support the local business community, shopping locally and using the neighbouring eateries and food & beverage shops.*
- *Guests are also encouraged to support the local farmers markets and arts & crafts markets.*
- *My guests use adjacent public transport from Milsons Point & Kirribilli and Jeffery Street wharves.*
- *Transport is readily available for taxi's, buses, trains, ferries and Uber all of these are within walking distance from my property.*
- *Most of the guests travel in without motor vehicles, so the impact on local parking is minimal.*
- *Kirribilli being so close to Sydney Harbour and Sydney CBD makes it an ideal locale for tourists and business people, ease of transport & location etc.*
- *Reviews from my guests have all loved the location and feedback has been extremely positive.*
- *In providing this service I use local laundromats and casual cleaners, again benefiting the local community.*

- **Self-Funded Retiree income stream:**

- *I am a 64 years old, single female and have been a self-funded retiree for six years. Interest rates being so low has significantly affected my retirement income.*
- *By purchasing an apartment and providing an Airbnb service this has provided a more stable income stream for me.*
- *By providing this service it has also provided me with an opportunity to meet new people from all over the world and has been very satisfying personally & professionally.*

- **Tourist location hot spot:**
 - *Kirribilli being so close to Sydney Harbour and Sydney CBD makes it an ideal locale for tourists and business people, with accessibility to various modes of public & private transport etc.*
 - *Airport access by rail has been instrumental in guests booking my apartment as has cruise ships visiting Sydney.*
 - *Admiralty House & Kirribilli House are close by and of special interest to my guests.*
 - *Within walking distance there are many tourist facilities such as North Sydney Olympic Pool, Luna Park, Harbour Bridge walk & climb, Bradfield Park, Harbour Foreshore walks and cycle paths.*
 - *This location has provided guests with a wonderful opportunity to experience many Sydney features, some for the first time. For example, the view of the Vivid Festival from the nearby foreshore has enthralled guests.*
 - *Access to The Rocks, Circular Quay and Sydney shopping precinct is another feature appreciated by guests.*
 - *Fine dining restaurants and more casual eateries being local and in the wider Sydney community has been a talking point of my guests and very much appreciated.*

- **Property Management & Guest check in:**
 - *My apartment is in Kirribilli Avenue, Kirribilli, one street removed from Sydney Harbour providing guests with unsurpassed access to the best harbour in the world.*
 - *The apartment is owned by me is and not sublet, which is a key feature of the options papers.*
 - *This property has been appreciated and sort after by guests looking for comfortable self-contained accommodation rather than a sterile hotel room.*
 - *Guests feedback have described the apartment as "a home away from home" as it provides the facilities, space and services that are not readily available in alternate accommodation.*
 - *Along with my daughter we provide full management of the property, including complete cleaning services and in contact with guests 24/7 if required.*
 - *We also provide guests with a welcome pack and substantial B&B meal requirements.*
 - *Guests are greeted on arrival and personally checked in. This process allows me to reinforce rules and ensure guests are fully aware of conduct on the property.*
 - *All guests are booked through the Airbnb platform which provides the ability to vet guests before the bookings are accepted.*
 - *The Airbnb platform furnishes a comprehensive history on guests' past performance by the review system in place. This ensures that guests have Airbnb experience and their past conduct is verified.*

- **Exceptional hosting & cleanliness:**

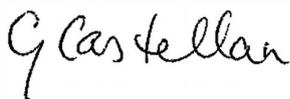
- *Since I commenced this venture in December 2016 the provision of services, cleanliness and review feedback has resulted in my status has been upgraded to Super Host twice with another pending quarterly review at the moment.*
- *Hosts are rated on extensive criteria namely; cleanliness, response rate, completed trips, commitment rate, five star trips and review rate with an overall rate of 4.9 out of 5.0*
- *Airbnb are introducing a new pilot program named "Select Program". This listing will set a new minimum criterion for selected hosts providing extraordinary service. To quote Airbnb "You've raised the bar for our host community with your unique style, high ratings and elevated hospitality, that's why we'd love to invite your listing to join Select"*
- *Our Guest Reviews have been extremely positive and some unsolicited examples are as follows:*
 - **Denai - 5 star ******* *and wrote "I don't know where to start. From the beginning right through to the end of our stay Gail and her daughter Bianca were beyond amazing. From accommodating an early check in to providing simple advice on parking options, it was nothing less than fantastic! Safe to say has by far been the best experience I have ever had with accommodation and all the little touches to make it more at home helped as well. The location is beautiful and the home is so warm and inviting. You would be crazy to stay anywhere else. July 2017.*
 - **Grace – 5 star ******* *and wrote "Gail's apartment sets a gold standard for Airbnb apartments. Location, comfort and style, amenities and furnishings, communication – all top notch. She has got EVERYTHING in place and in order to make sure your stay is truly comfortable. Spotlessly clean, amazing beds, million-dollar views walking back and forth to the ferry and trains, great little neighbourhood with restaurants, there was nothing else that could have made it any more perfect. We truly enjoyed our home in Sydney for 10 days. Thank you, Gail. " June 2017*
 - **Shane – 5 star ******* *"Everything about our stay was perfect, couldn't recommend it any higher! The location was fantastic, went down to the waterfront at night and looked across at Sydney Opera House!! Only minutes from where we were staying. We were greeted by Gail and her daughter Bianca at the house. We had a marvellous reception when we arrived. All the amenities were modern and clean, with a very well thought out and clear manual in regard to the house appliances! Also, very helpful for first time visitors in Australia!! Very generous, kind and gracious hosts, Thankyou Gail!!! " December 2016*

- **Extensive list of instructions and information provided (including guest conduct):**
 - Adherence to parking & council regulations Most of the guests travel to Kirribilli without motor vehicles, so the impact on parking is minimal.
 - The apartment is a designated no smoking facility.
 - Guests are counselled not to disturb other residents.

- **Service to the Business Community not just holiday letting:**
 - While we have had number of tourist guests we have also been able to provide a sought-after service to the business community namely:
 - Business guest attending the Sydney Opera House for orchestral rehearsals and performances for 12 nights who is bringing 2 children and a nanny with her.
 - Guests attending professional seminars.
 - Guests from the UK to attend job interviews in Sydney.
 - Interstate guests setting up new retail paint stores.
 - Marketing personnel working with Manly Sea Eagles.
 - Charitable events at Admiralty & Kirribilli House was within walking distance.
 - Sporting contestants competing in the Sydney Marathon.
 - Travel Agent from Adelaide to attend travel & work opportunities.

- **Ownership no sub-letting:**
 - The apartment is owned by me is and not sublet, which is a key feature of the options papers.
 - This is not a part time venture, this is further supported by the fact that since starting in Dec 2016 the occupancy rate has been 85-100%. This has proved to be not seasonal at all.

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.



Gail Castellan

Mr. Choong S W & Mrs. Choong
Poh Chin.

25 October 2017

Director, Housing Policy
Department of Planning and Environment
GPO Box 39, Sydney NSW 2001

Dear Director,

Re: Response to Short-term Holiday Letting.

We **OPPOSE** the use of short term lets in strata title buildings.

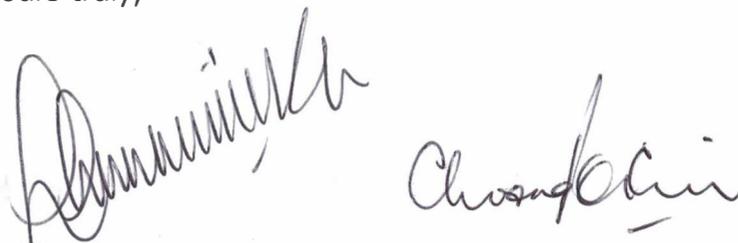
We purchased into this property on the assurance of the Development Consent being of residential use, which in Willoughby LGA is a minimum occupancy of 3 months. We have committed to leases of minimum of 6 to 24 months on the same basis.

We highly value the many excellent attributes that this building has to offer like; excellent security, good sense of community amongst the permanent residence importantly, a high standard of housekeeping that offers a sustainable cleanness and hygiene.

I simply cannot imagine having myself and my family to stay in this apartment that is treated as a 'HOTEL' and surrounded by transient strangers moving in and out of the building with absolutely no regards or sense of respect, responsibility and safety for used of the shared community amenities and facilities provided in this building. The immediate security and safety of the permanent residences are under threat should this propose short term holiday letting is allowed.

We demand the government maintain the conditions of the development Consent and putting security and safety of the residences as the utmost priority which I believe is your top responsibility as the Director of Director, Housing Policy, Department of Planning and Environment

Yours truly,

The image shows two handwritten signatures in black ink. The signature on the left is 'Choong Sin Wing' and the signature on the right is 'Mrs Choong Poh Chin'. Both signatures are written in a cursive, flowing style.

Owner: Choong Sin Wing & Mrs Choong Poh Chin.

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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 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, most home sharing requires no approvals. For others 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.

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.

Stephanie Clifton

5473

SUBMISSION

SHORT TERM HOLIDAY LETTING

I live in a block of units and have done so for many years. There are fifteen units in this building, some are owner occupied and others are rented.

Owners here tend to hold on to their units for the long term and tenants, also, tend to remain for long periods of time, mostly years.

As residential occupiers here, whether owners or tenants, turn over infrequently we are familiar with the people who live in our building and are on neighbourly terms with them. That is, we know who does and does not belong on the premises.

Short term letting, in what has always been a stable residential building, will undoubtedly have an impact on the tone of this strata plan.

Short term renters don't always know or perhaps care about the by-laws. After all they're only there for a short period. They are in a "holiday mood" and may not appreciate that other residents still have to get up for work or school the next day. Laundry drying on the balcony is another common practice of people on holidays. Being on holidays usually means having a limited wardrobe and therefore getting clothes washed and dried quickly is essential. Parking on common property is another contentious issue in most strata buildings. This could be exacerbated with unfamiliar vehicles on the property. It is breaches of such by-laws that will impact on the day to day living of long term residents.

New developments may choose to have short term letting as part of their by-laws on the registration of the strata plan. When prospective buyers are aware that short term letting has been approved for the building and their decision to purchase or not includes this knowledge then there are no surprises. Current strata owners, however, bought their properties when short term holiday letting was easily identified. Therefore, if they wanted a stable, suburban residential lifestyle they chose accordingly. If owner corporations don't have the legal ability to prohibit short term letting then that choice is removed.

I don't believe there are any truly effective mechanisms that can manage the impacts of short term holiday letting for occupiers of strata plans. Dispute resolution and/or mediation processes take months and by then the renters have vacated. It is a great impost on strata committees to have to monitor or approach short term renters breaching by-laws. If complaints regarding short term renters are referred to the strata's managing agent then that may incur additional charges as this may be considered outside normal management duties.

Short term holiday letting's greatest impact is on the harmonious, enjoyment of community living for long term residents. Therefore, the owners corporation should have the legal ability to prohibit short term letting.

Sincerely yours

Evelyn Collaro

To whom it may concern,

My company has been contracting building management services to several residential strata complexes at Pymont (behind Darling Harbour) since 2003.

I have a lot of first hand experience and spent hundreds of hours dealing with unauthorised STHL in these buildings.

Attached is an earlier report on STHL I wrote back in March, and disturbingly, the situation continues to deteriorate. To update:

- In the building that is used as an example in the report, since 2014 we have now closed down 25 STHL operations, including 21 lease terminations. (with no assistance from NCAT)
- NONE of these STHL's were operated by the apartment owners. 25 out of the 25 STHL's were operated by either the lessee or by an unknown "host" using a bogus lessee (no doubt with acceptable references) to secure the apartment for them. NONE of these people sought permission to operate STHL from the leasing agent or the apartment owner (whose lease conditions they were breaching) or the owners corporation (whose strata by laws they were breaching) or City of Sydney Council (whose development consent they were breaching).
- With the most recent STHL operation shut down, the lessee had an assistant host (Jonn) on Airbnb. This assistant host had 32 properties in Melbourne, listed on Airbnb. The unit in our building at Pymont had two separate listings on Airbnb; one as "entire home" and one as "private room". You may ask, why would they do that? The answer lies in the 1,472 online reviews of the 32 properties hosted by Jonn (some of which also have dual listings). The two Pymont listings each have a booking calendar. When the "entire home" and "private room" calendars are dovetailed together then the apartment is fully booked. Reviews of the 32 Melbourne properties hosted by Jonn reveal "private room" guests complaining when they discovered they were sharing two bedroom apartments with three unrelated groups of guests (one group in each bedroom and two groups sharing the partitioned lounge room!)
- Taking account of the above comments and the content of the attached report, it is obvious that self regulation, "spirit of the law" and honesty systems will not work. Too many of these type of people are out there looking to use other peoples property to get rich by any means. Realistically expect the worst and legislate accordingly.

The "sharing economy"

- There is a lot of hot air in the media about what the new 'sharing economy' is and how everyone needs to get with the program.
- For example, Uber is referred to as a "ride sharing service". Ride sharing is car pooling as distinct from Uber, which is a taxi service using private cars with booking through an on line app.
- Similarly Airbnb spokespersons promote a media image of "mum and dad" hosts, letting out a spare room to make ends meet similar to pensione style

accommodation overseas or bed and breakfast (real bnb) in Australia. Private room may represent half Airbnb listings, but only 10% of Airbnb commission income.

- The reality is about half Airbnb listings are for "entire homes". I estimate this would generate 90% of their commissions (why? because these properties are advertised to be overoccupied. Because they are available for rent 100% of the time. Because a lot of guests would rather not share with a host (the asking rents and bookings are evidence). Airbnb promote this through their "super host" program, designed for commercial operators.

I sincerely hope that the government puts the public interest first.

Please do not hesitate to contact me to discuss any aspect of my submission.

Regards,

Philip Colless

5475

Maxwell Condon & Annette Owen

Date of Submission: 24/10/2017

Introduction

- | | |
|---|-----|
| 1 Do you use or have you ever used short-term holiday accommodation? | |
| 2 Are you or have you ever been a short-term holiday accommodation host? | YES |
| 3 Do you provide another form of short-term holiday accommodation? | YES |
| 4 Do you live near a property that provides short-term holiday accommodation? | NO |
| 5 Are you from an STHL industry group, owners' corporations or community group? | NO |
| | NO |

Impacts Associated with STHL

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

- Noise
- Waste
- Party Houses
- Parking
- Hazards and Evacuation

Noise affects neighbours. In strata complexes the noise by-laws should be tightened. In separate homes neighbour noise complaints should be more easily addressed - possibly NCAT could issue fines for serious or serial breaches.

Party houses are the greatest concern: they could negatively impact all of the above. Restricting them to zoned holiday accommodation areas may work. They could be licensed & treated in a similar manner as pubs.

Self-Regulation

7 Considering the mechanisms below, how could self-regulation in NSW address any negative impacts of STHL?

- The Code of Conduct
- Complaint Management Mechanism
- Monitoring & Reporting

An industry Code of Conduct is essential so that all know (or can find out) their responsibilities and manage neighbour expectations.

Internet providers should abide by the Code of Conduct and have a robust Complaints Management Mechanism so that neighbours can have quick responses to impacts such as noise. NCAT may need to resolve some issues.

Without Monitoring & Reporting the industry will be unmanageable. There should be penalties for not fully reporting. This would provide the information so that other mechanisms could be put in place if self-regulation is inadequate.

8 Are there barriers that may reduce the effectiveness of self-regulation?

New internet STHL companies (similar to AirBnB) popping up, especially if they are foreign.

STHL in Strata Properties

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

No, definitely not!

The new strata laws are meant to address a number of strata issues, especially where one or a few people dominate the strata to the detriment of other owners. Giving the owners' corporation the legal ability to prohibit or restrict STHL would be a retrograde step. The people haven't changed - there is still a "not in *my* building" mentality. And there are still individuals who dominate strata committees.

Likewise, claiming that STHL should be limited to certain floors & have separate lifts in high rise buildings are a way of prohibiting STHL in every building that doesn't have at least 2 lifts! And if implemented, STHL ghettos would occur on those floors! What happens to a non-STHL host owner on one of the designated floors?

10 Should the Strata Schemes Management Act be amended to increase the ability of owners' corporations to manage the impact of STHL and obtain compensation for adverse impacts? If so, under what circumstances?

Claiming additional wear & tear of common property or additional waste should not be allowed. How would it be proven? Some SC would use additional fees to make it uneconomic for STHL - prohibit it by stealth.

Residential tenants come & go. Six month leases are not uncommon. And apartments get sold. Residents, ex-owners & tenants alike all seem to leave their unwanted large items on common property and/or fill the bins with anything from pillows to broken furniture when they leave. How are STHL contributing more waste than others?

How are STHL damaging or using common property more than residents? People work from home, or one partner stays home to look after children. Should they also be charged for additional use of common property? Residents moving in and out furniture & white goods also damage common property, far more than suitcases that STHL guests bring.

Most maintenance of common property is time-based. Cleaning is done regularly. Even pool maintenance is time-based. As Secretary & Treasurer for the apartment complex where we live, we cannot think of how we could assign costs to any one unit for **additional** services or wear & tear. If a resident is "abusing" the systems on a regular basis, then we send a letter notifying them or the owner of the by-law breach. There are existing by-laws to cover most "abuses".

Owners' corporations should be able to claim compensation only for increased insurance premiums due to STHL, and then only if the details of cover & **increase** is specifically listed in the insurance premium, to be passed on at cost for only the proportion applicable to the unit(s). One owner with STHL cannot be expected to pay for "potentially" every unit being used for STHL!

We see no reasons for owners' corporations to have by-laws designed "to manage" STHL. This is also too open to abuse. An often - cited complaint is that STHL have too many guests staying. But so do some inner-city apartments have too many tenants staying in a unit! A strata law amendment limiting the number of adults to 2 per bedroom would be sensible - and not specific to STHL. Noise is another often-cited complaint. Owners corporations can now pass stricter noise by-laws, but they must be prepared to defend them in NCAT as being "not unreasonable". There is no need to target STHL in this - it should apply to all residents & guests.

Strata laws can now address serial offenders. Perhaps the Fair Trading should make it plain that the owner is liable for the offences of guests. e.g. The owner should not be able to use the defence that it was different guests (now long gone) for each offence when brought to NCAT over multiple noise complaints. Current residential tenancy agreements require tenants to comply with by-laws. The owners' corporation take the owner, not the tenant or STHL guests to NCAT.

11 Is there scope for industry self-regulation in the short-term holiday letting industry? Would this effectively address issues that occur in short-term letting in strata schemes?

Yes!

An Australian Code of Conduct that the internet STHL companies such as AirBnB would be expected to abide by would solve many issues, especially with a robust complaints management system.

The final arbitrator for individual issues should still be NCAT.

Regulation through the Planning System

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

- Exempt
- Complying
- Development Consent
- No planning regulation

Please indicate your reasons below:

Where the **host is present**, STHL should be **exempt** development as long as the number of people per property does not exceed 2 per bedroom. **Otherwise complying** development. The host remains responsible for the impact on neighbours, even if the particular guests have already left. Penalties for breach due to neighbour complaints may be to increase to next level of development control.

Where the **host is not present**, and it is not in a strata scheme, **complying** development. Ensures that the property is suitable for STHL & neighbours are aware & have recourse in case of issues. Penalties for breach due to neighbour complaints may be to increase to next level of development control.

Where the **host is not present**, and it is in a **strata scheme**, **exempt** development as the strata laws are a quicker & more targeted method of dealing with property & neighbour impacts.

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

- Number of total days per year
- Number of consecutive days
- Number of bedrooms
- Length of stay
- Presence of a host
- Location (metro vs. regional)
- Compliance with a Code of Conduct

In all cases, Compliance with a Code of Conduct is sensible: it could be issued as part of the initial registration.

Maximum limits on the number of days per stay is sensible: 6 months or more for one guest is equivalent to a 6 month lease, so should be considered long term residential. A maximum of less than 6 months becomes onerous on long term residential as that requires a lease signed & bond registered. Less than 6 months should be considered STHL. As an investment property owner for 20 years, if tenants change regularly then the rate of return diminishes to near zero once agent re-letting fees & advertising, and the other property fees are taken into consideration.

We are against limiting the number of days of STHL as a solution to housing affordability. As an investment property owner we should have the right to maximise our return on investment as long as we are not negatively impacting the neighbours or damaging common property. Housing

affordability is an issue is for all levels of government to address, not for us to subsidise poor planning decisions by governments.

An exception to limiting the number of STHL days per year may be in very particular precincts, such as specific locations in major metropolitan cities, e.g. the Sydney CBD where the number of buildings are constrained by geography and the precinct needs to retain long term residents for the liveability and vibrancy of the precinct. But that does not mean that the CoS should prohibit or limit STHL due to housing affordability, nor extend the limits to their villages such as Glebe.

Limiting STHL for housing affordability reasons would have unintended consequences and would probably really only help the traditional tourism accommodation operators. As self-funded retirees, we could be away for up to 6 months each year. If we let our vacant apartment out as STHL it would fund our travel costs, whilst not affecting housing affordability in any way.

Importantly, the more income we can extract from our investments, the longer we can retain them, and the longer we can remain self-funded before we need to apply for a pension!

What the housing affordability argument doesn't recognise is that STHL & residential property investment is a free market: if too many independent owners in an area open their places to STHL, then the price drops - making residential property more attractive to investors. Our STHL management company suggested that we could expect 30% above rental returns at 75% capacity, but their fees are 3 times residential agents, and we pay for furniture, facilities, utilities & internet - not insignificant additional costs, and there is the uncertainty of income. A residential lease at least assures a fixed income for that period.

If a council allows STHL in only some precincts, or some councils prohibit it & adjacent councils allow it, they may exacerbate STHL issues: by forming STHL "ghettos" where the number of long term residents is far less than the number of short term visitors.

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

No comment - we are not familiar with the issues in country areas.

Registration or Licensing

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

Hosts should be licensed in the same way & with similar costs as an ABN, but with 100 points identification:

- Family trusts, businesses & companies should not be permitted to STHL.
This reduces the likelihood of rorts whereby a business sets up an "AirBnB motel", without the industry regulations - whether in one development, or across multiple properties.
- Hosts must be able to be legally responsible for the property. e.g. Children could not be hosts.
- Where a host is present, that residence should be listed as their principal residence with the ATO. This ensures that "host present" cannot be used on numerous properties, and drives home their potential tax burden.
A tenant may sublet a room for STHL, but should need permission of the owner via the residential tenancy agreement.
- Only individual owners of the property should be able to STHL without the host being present. Limit of 1 property per individual owner without host plus their primary residence (for when they are on holidays). Joint owners can list only one as host, so that the other can host one property elsewhere.
This ensures that a family or other group cannot have numerous STHL properties listed without them each also owning part of the property (& thus have a taxable income from the property), or a "family business" of an "AirBnB motel".
- Tenants should not be allowed to STHL without host as the owner is ultimately responsible for the property.
- Safety & Amenities are already largely covered under tenancy laws - just widen the definition to include STHL with & without host

In our case, the two of us own two investment properties plus our home. We could end up with the two investment properties listed for STHL, then our own home whilst we are away - which could be for several months. Why should we be restricted from maximising our income? What harm would we be doing and to whom? Our STHL investment is now better maintained (we are after good reviews to increase occupancy & returns) and checked regularly (cleaners & management company) compared to when we had a long term tenant.

Summary of Options

16 The options outlined in this paper are summarised in the below table. For the future regulatory framework, which top 3 options (if any) would you like to see in this framework? Why?

(Please tell us the reasons for your choices).

Registration to monitor other regulatory approaches.

Needed to provide a high level view of the industry, and to ensure standards are met. This should protect the tourism accommodation industry as well by not having "AirBnB motels".

Regulate by whether Host is present or not.

The host is responsible for the immediate behaviour of guests. If the host is present they would be dealt with as would any property owner or strata resident.

Complaints management.

If neighbours or strata committees feel empowered and listened to, then the need to pursue complaints further will reduce, and hosts are more likely to acknowledge to rights of others.

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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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.

Matthew Couani

5477

Name: Carol D'Aoust

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city.

Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales.

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

As mentioned above the income generated in regional NSW is extremely important. Cleaners are employed on a regular basis (that wouldn't be without STHL) and the money spent at food outlets is very important for small business.

We have had absolutely no trouble, no noise and no damage in our regional rental house.

5478

Short Term Rental Response Letter

Thank you for the opportunity to comment on the Short Term Rental (STR) issues.

We note there is no effective clear cut regulation or definitions of this segment of the accommodation industry.

We really do not go along with the concept of the “sharing economy” which is being strongly promoted by those who have a particular vested interest. When you analyse recent events such as the introduction of Uber it is quite obvious;

1. The promoting company manipulated rules and regulations for their own benefit
2. Protections such as proper insurance coverage, driver qualifications, medical standards has been circumvented.
3. Financial benefits and security for participating drivers is questionable
4. Taxation issues were not properly addressed
5. Privately registered vehicles are carrying out what is clearly a commercial operation and are avoiding paying commercial registration fees and insurance charges.

We see a similar pattern with short term rentals

1. The promoting companies are manipulating rules, regulations and loopholes for their own benefit.
2. Little thought is being given to the practicalities of insurance repercussions
3. A major attempt is being made to label owners corporations and other owners or tenants as irrelevant
4. A substantial miss - information campaign is being conducted by lobbyists and advertising by the pro short term rental industry.

Definitions

The definition of short term rental must be clearly stated. In New South Wales the accepted minimum rental period is 6 months. Short Term Rental would then be classed as any rental less than 6 months.

A shorter rental period e.g. people moving house or quite often associated with business related purposes could be made acceptable provided a formal rental agreement is signed and properly recorded.

Any other rental arrangement would then be classed as a short Term Rental and be subject to additional rules and regulations specifically targeted at this segment of the casual rental market.

Original Concept of Short Term Rental.

The Original Intention of Short Term Rental (such as Air BNB) was for the owner to make use of available capacity (such as an extra bedroom) which was not being used to provide accommodation for a limited time while the owner remained in residence.

Current Situation

It is now increasingly being used as a means of making money, in many cases, by engaging in what is clearly a commercial activity, circumventing rules, regulations and by-laws while admitting little responsibility for the actions of the participants. An increasing number of owners of investment properties are using it to their own advantage to pay off properties rather than use traditional rental methods.

This is having a noticeable affect on the housing market and rental prices.

Holiday Rental Areas

It has been noted that there are a number of areas in the State where Holiday Rental has been a long established practice. Usually a real estate company has control of the property and proper supervision and control is exercised. There is a strong case for this to continue. Perhaps there should be a requirement that in defined areas short term holiday rental is permitted but through a registered real estate company managing the property and it be a formal written agreement where the renter is made aware of rules, regulations and responsibilities and the renting organisation has the responsibility of supervising the short term rental.

Rental by way of companies such as Air B n B etc would then be prohibited in those areas.

Difference between Short Term Rental in Freehold and Strata properties

Short Term Rental in freehold properties appears to be a relatively straight forward proposition. If the owner of a freehold property, wishes to rent part or the whole of the property then that is a matter for themselves as long as they comply with local council rules and regulations and fit in with their local community. No major issues should arise.

For the Government and local councils to set appropriate rules and limitations which specifically apply to freehold properties would be a desirable and a common sense move in regulating this segment of the market.

Short Term Rental in Strata properties is a totally different and far more complex proposition. This difference must be addressed in rules and regulations which would apply to strata properties.

Why?

1. The strata unit owner does not own the building. The Body Corporate does. The strata unit owner only owns the airspace encompassed by his/her lot and cannot make decisions which affect Common property without the Owner Corporation approval.
2. Most Strata buildings are zoned as residential.
3. Short Term Rental is clearly a commercial activity as money changes hands and is undertaken for profit.
4. Strata living requires a high degree of co-operative living where you must always be aware of how your actions impact on your neighbours.
5. Strata property owners, residents and their guests are bound by the By-Laws of that Strata. This applies whether the owner/resident is present or not.
6. If a guest damages strata property the owner/resident/guest is liable to rectify the damage.
7. If an owner/resident engages in short term rental the host and the guest are equally responsible to observe the By-Laws and equally liable for any damage.

8. Unlike freehold property the owner/resident is severely limited in what they can do with their property. Strata living requires a high degree of cooperative living whereby you must not interfere with another person's right to peaceful enjoyment of their amenities.
9. People who live in strata properties often run foul of this requirement, as can be demonstrated with a perusal of letters from Strata Managers to offenders citing breaches of By-Laws relating to excessive noise, damage to common property, garbage issues, parking issues, animals, drying laundry on balconies, smoke from BBQs or smoking issues.

I will confine the remainder of my comments to short term rental in Strata Properties. These will refer to situations where the host receives payment for the use of part or the whole of a unit within a strata property. We regard this as clearly a commercial activity.

Non Commercial use of a strata property.

We would like to clarify we have no objection to a unit owner/resident having guests who are not charged e.g. family or friends or perhaps "house swap" arrangements. These are obviously a non commercial arrangement.

Short Term Rental is a change of Change of Use as it is a Commercial Operation.

In our local government area the only permitted short term rental is a Bed and Breakfast. This requires a Development Approval to be obtained. By definition the host will be present.

This is obviously a commercial activity where minimum standards are set by the council. If it were intended to run a B and B in a strata property the approval of the Owners Corporation must be obtained and documented in the DA application.

It is logical that anyone wanting to run **any** commercial operation, including short term rental in a residential strata building, must obtain the approval of the Owners Corporation and Council approval before commencing operation. This means the Owners Corporation must be given the right to approve or not approve short term rental applications. The Owners Corporation must have the right to impose rules or limitations by way of By-Laws which protect the interests of other owners or residents regarding any such commercial activity.

We also believe that the local council, Owners Corporation insurers and the tax department must also be advised of a commercial operation taking place.

Standards

The short term rental industry has consistently avoided complying with many rules applicable to the traditional accommodation industry. I believe this must change.

Rules must be put in place regarding;

1. Insurance suitable for commercial activities to protect both the owner, host, guest and the owners corporation
2. Enhanced fire safety requirements, signage and equipment.
3. Limitation on number of guests permitted per bedroom.
4. Limitation on availability of number of nights per year.
5. Requirement that only the owners/residents principal place of residence may be offered for short term rental.
6. Regulations to prohibit inaccurate or false advertising.
7. Compliance with strata, council, government and taxation By-Laws, regulations and legislation

8. Notification of occupancy regarding short term renters to the Owners Corporation including sufficient identification information to enable recovery of costs for any damage caused.
9. Providing “guests” with a proper appreciation of strata by-laws the guest is required to comply with.
10. Prohibit a person renting a unit to offer the unit for short term rental without the written approval of the owner.
11. Where a tenant has reached the end of their lease period and is on a month to month basis, prohibit an owner advertising the property for short term rental unless suitable alternative accommodation is provided to the long term renter for the period of the short term rental.
12. Provide protection for existing tenants against being unfairly evicted so owners can benefit from short term rental.

Insurance.

Most strata buildings are approved as residential buildings. They are insured as a residential building – not as a commercial building. In the event of a building having short term rental activities the Insurance Company would be able to deny a claim on the grounds it was incorrectly insured. The owners corporation would then pursue the host to recover damage costs.

The owners corporation would recover the additional insurance premium from the host if a loading is added to the building premium due to commercial activities taking place in the building .

Liability for Damage.

There have been a number of cases where the Owners Corporation has not been able to identify a person who has caused damage to common property when that person is a short term renter. You cannot book into a hotel , cause damage and expect to avoid being liable for the damage.

All short term rental guests must be registered in a way which would allow the owners corporation, unit owner, host and insurance company to identify them and be able to recover costs for damage of a unit or common property.

At all times there must be a clear understanding that both the unit owner, host and guest is liable for any damage to common property.

The owner and host must carry adequate 3rd public liability insurance for the short term rental activity separate from the Owners Corporation insurance.

The owner and host may need to upgrade their contents insurance to landlord insurance to be able to cover any damage to the unit as this is not covered by the Owners Corporation insurance.

Prohibition of Short Term Rental when the host is not the owner

The Host must not partake in short term rental if they themselves are the tenant and this activity is prohibited in their lease. In this case the host risks being evicted by the owner without notice for breaching their lease terms.

A person renting a unit must have the written approval of the owner to undertake short term rental activity and meet all additional costs, regulations, requirements, By-Laws and Legislation associated with short term rental activity.

Keeping of Records

The host must keep and provide to the relevant party (e.g. owners corporation, council, insurance company, taxation department) details of

Bookings – numbers of guests, booking dates details

Contact details of guests

Compliance with By-Laws

As previously noted strata living requires a high degree of cooperation and compliance with By-Laws. To exclude short term rental guests from compliance with By-Laws is totally unacceptable. It would create a class of resident who could do as they liked and thumb their nose at any or all By-Laws. All owners, residents, visitors and guests must comply with a strata building By-Laws which are there to protect the safety and comfort of everyone in the building.

All short term rental guests must be given or made aware of the By-Laws and advised they must comply with them.

In cases where the host is not present, the host must leave their contact details with the Owners Corporation, building manager and strata manager so that in the event of breach of By-Laws, unruly or noisy behaviour or damage to property, the host can be contacted immediately and be required to rectify the situation.

The Host must also provide guest with details of parking arrangement, contact details for the host, smoking restrictions, other restrictions such as no drying of laundry on balconies or common property.

Number of guests permitted

Maximum of 2 guests per bedroom

Number of Days per year Short Term rental Permitted

This would be the number of days approved by the individual Owners Corporation. Suggested maximum number would be 28 days per year.

Summary

We believe this area of the accommodation industry must be reviewed with an approach which addresses concerns of the whole community and not just from the view point a very small, self interested section of the community.

Kind Regards

David Foster

5479

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 led 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.

5480

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.

We actually tried to rent out our unit to a tenant and after 3 months of being vacant and constantly reducing rent, we decided to use Short Term rental and have been very happy with how it has worked out. The size of the apartment and the facilities built in seems to be more suited for a short term rental than a long term renter as it didn't meet most people's needs.

Adam Dayeian

5481

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?

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.

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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.

Klaudia Debes

5482

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.

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5483

Grace Di Giorgio
Randwick, NSW

27 October 2017

Director of Housing Policy
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Email: STHL@planning.nsw.gov.au

Dear Director,

RE: Submission to the Government Review of Short-Term Holiday Letting in NSW

Thank you for the opportunity to contribute to the Government Review of Short-Term Holiday Letting (STHL) in NSW (*the Review*). Please find my submission to the Review attached (*Attachment A*) in addition to a summary of recommendations (*Attachment B*).

I have used STHL across the world, including in areas of NSW, and appreciate the benefit that STHL can bring to travellers and hosts alike. I am also an occupant of an apartment building in Randwick, and understand the negative impact that STHL may have on occupiers of apartment buildings. Please also note that I am a law student at a university in Sydney, and have written this submission in partial fulfilment of completion of my degree. It is against this background that I make a submission to the NSW Government for consideration in the Review of STHL.

Please note that the arguments and recommendations expressed in this submission are my own personal views, and do not represent the position of any institution or agency with which I am affiliated.

Thank you,

Grace Di Giorgio

5484

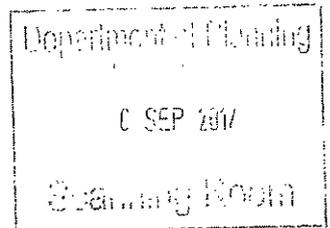
PO Box 585
North Sydney



29 August 2017

Submission - Short-Term Holiday Letting

Director, Housing Policy
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001



My submission is that the legislation for short-term letting in NSW must include the following provisions to ensure that it:

- (a) allows for a majority of Owners in Strata Schemes to decide to preclude and/or restrict short-term letting by way of passing and then having registered a Special By-Law; and
- (b) requires, in a strata scheme where short-term letting is permitted, that any property owner of a lot where short-term letting is conducted, be required to hold specific and adequate insurance which indemnifies the Strata Scheme against any claim arising from or associated with short-term letting; and
- (c) gives landlords, in any Tenancy Lease document, the option to specifically prohibit short-term letting by the tenant/s, including that such letting is a breach of lease.

I also suggest that there should be clear definition that "Holiday" letting actually includes any residential letting not covered by a Tenancy Lease (e.g., short stays related to business trips), so that there is no opportunity for inventive persons to claim that anything other than holiday short-stays, is exempt from or not regulated by the same legislative instrument.

Yours faithfully


DJ Cass

Dear NSW Government,

I would like to start by saying that airbnb has reintroduced old fashioned values in a very modern way and got humans talking to each other again. Guests respect our home and often share their life stories. This is a wonderful thing on its own. As a host and a guest who has travelled through 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.

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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.

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Graham Drever

5486

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The money I make from Airbnb pays for my elderly mothers care - since my dad died I am her sole carer - my mother was left penniless - I could not afford to pay for her medical needs - or support her to have a decent level of living without the money I make. Air bnb puts clothes on my mums back .. food on the table etc .. how dare the govt try to take away my ability to care for my family!

Julia Ford

5487

12/10/2017

Director Housing Policy
Dept' of Planning and Environment
GPO Box 39
Sydney
NSW 2001

Please find my submission to ***Short Term Holiday Letting (STHL) in NSW Options Paper July 2017.***

For clarity and disclosure, my family and I have a STHL operating on our eastern side boundary. The STHL use of this property is destroying the basic amenity of our family home, and I will speak specifically to that in this submission and also more generally in relation to the traditional STHL model.

I would like to say at the outset that I feel STHL's have a place in our residential communities. A private and or family residence vacated from time to time by the permanent residents, at times of high accommodation demand, so as to facilitate STHL's is understandable. Obviously this assists in easing accommodation demand stress at peak times and provides the residents of the property with some additional "side" income. However, the current arrangements that do not provide any real regulatory frame work or governance are resulting in significant erosion of amenity in many residential communities due to the operation of these STHL's with little regard for neighbourhood impacts.

I would initially like to differentiate the 2 distinct types of STHL that we see active in our community. The first is as I have referred to above; a private or family residence in an area zoned residential, occupied by permanent residents, which from time to time is let out during periods of high accommodation demand, typically in areas of high amenity (beachside, lake side, inner city etc). In these instances the property may be let in total with the residents departing for the period of the STHL, or in part with the residents staying present during the STHL. In my view, this is the *Traditional STHL Model*. This Traditional STHL Model requires regulation, governance and compliance enforcement so as to ensure no negative impact to the amenity of other residents in the area. Amenity that is their reasonable expectation having bought a home in an area zoned residential, as opposed to having bought in an area zoned as

an entertainment and or tourist precinct. I will come back to this traditional model later in this submission.

The second type of STHL is a property again in an area zoned residential, in an area offering high amenity that has no permanent residents inhabiting the property. This second type is essentially available for STHL's 7 days a week, 52 weeks a year. The nature of use of this type of property is tantamount to operating a commercial tourist hotel in a residential zone. It is a 7 day a week, 52 week a year commercial undertaking, by any reasonable evaluation, a business in fact.

Operating a commercial tourist hotel in amongst private and family residences is completely inappropriate, as my family and I are unfortunately experiencing first hand with the use of number 22 John Parade. These commercial tourist hotel properties often have multiple lettings across any given week, with each letting being an "event" for the guests, and guest numbers far exceeding the number of occupants you would expect of a typical private family residence. 22 John Parade for instance would be typical of a family home for four people, but advertises as sleeping 9, and often does!

The guests enjoying their letting "event" is typically partying at all hours, potentially any night of the week, but almost guaranteed every Friday and Saturday night. This partying has seen my children exposed to language and behaviours that are just completely inappropriate to have occurring in a family residential zone. Even the basic amenity of being able to sleep in our family home is being compromised by the activities at this commercial tourist hotel. My 8 year old daughter recently said to me, "you know dad, I just realised something really good, I had a great sleep last night because there was no party next door last night". Surely by any modicum of reasonable expectations, no family living in a residential zone should be subjected to the activities of a commercial tourist hotel that is even impacting the basic human need for sleep!

Hence I would submit that this second form of STHL, being a commercial tourist hotel, available 7 days a week, 52 weeks a year should not be permitted under any circumstance in residential zones. As a commercial tourism undertaking, a business, they need to operate in zones designated such, not the residential suburbs of our communities.

To deliver some personal insight into the effects that this commercial tourist hotel is having on our family, I've also included separately file,

this file being a letter my wife, Kirsten, wrote and gave to Mr Sherman who owns and runs the commercial tourist hotel at number 22 John Parade Merewether. This letter

was written with honesty and consideration, prompted by the abject despair she feels due to what is happening next door to our family home. To date we have received no response what so ever from Mr Sherman. Not even acknowledgement of having received the letter.

I reiterate, these commercial tourist hotels have absolutely no place in residential suburbs and action needs to be taken to stop them operating and destroying basic neighbourhood amenity. I could not commence operating a restaurant for tourists from my home dining room, so how can we let people run a hotel from a residential property? The answer is we can't, and we shouldn't!

With regard to what I have defined as the Traditional STHL Model, private and or family homes with permanent residents used from time to time as STHL's, regulation and governance is an absolute requirement, as is ensuring effective mechanisms for enforcing compliance to the regulations and governance. The foundation of regulatory measures must be ensuring the property owner offering the STHL is accountable for the conduct of those utilising the STHL.

Measures that I would advocate for are as follows,

1. Maximum number of lettable nights per annum defined; suggest 36 nights maximum (nominally 10% of a calendar year), but of those 36 nights, no more than 12 weekends (only one night of the weekend needed to define the stay as one of the 12 available weekends).
2. A transparent third party database so letting history and upcoming bookings can be seen by neighbours, including the number of guests and whether or not the permanent residents will be on site.
3. Operators of STHL's required to be licensed and that license number, along with the licensed individuals full name and mobile phone number displayed on the front fence of the property whilst ever there are STHL occupants in the house.
4. A "No Party House" provision that has a mechanism to remove the operator's license if contravened.
5. Compliance Enforcement. Local councils be tasked with enforcing compliance and the cost of that compliance enforcement be passed directly to those who operate the STHL properties by way of annual fee, augmented by a fee per stay night that the property is let.

Per my opening comments, there is clearly a place for the Traditional STHL Model in our communities, but the operation of these STHL's must be regulated to ensure residents of neighbourhoods zoned residential are able to enjoy the basic amenity of their homes and suburbs, basic amenity that I would suggest is a fundamental right.

Key to any regulatory measures however is point number 5 I make above, Compliance Enforcement. Without this, there will be no consequences to not operating within whatever regulatory frame work is ultimately established, and a lack of consequences will guarantee those operating STHL's will give no regard to those regulations what so ever.

In closing, I implore government and local council's alike to ensure STHL regulations are put in place and that those regulations have "teeth". With appropriate regulation, STHL can be a positive in a community, but without appropriate regulation, STHL's will ultimately become a wide spread blight on our communities, and I unfortunately make that statement from first hand experience.

Tony Fox

5488

Dear Department,

I have lived and worked in a dozen major cities across Europe and Asia. From this experience, I find some of the statements in the Options Paper bizarre.

Impact of STHL on rental availability

The Options Paper states on page 12:

However, the limited evidence currently available suggests that the impact of STHL on rental availability is negligible.

From my international experience, I found this statement by the Department not credible. I asked the Department to tell me what its evidence was. To date, I have not received a reply. Possibly, the Department relied on a similar statement in the Parliamentary Committee report, but that report relied on data that is now quite old, not “current”. Accordingly, this submission of mine is unsatisfactory as it is impossible to provide satisfactory comment on alternative regulatory responses without knowing on what the impact on rental availability in NSW is.

NSW Government policy on housing affordability

According to various press releases, the NSW Government’s strategy for making housing more affordable is focussed on increasing supply. This is the correct approach. However, if the Government believes supply is crucial, how can it also believe that the loss of housing stock to visitor accommodation is of no consequence?

Insideairbnb

The website insideairbnb.com/ claims to offer “an independent, non-commercial set of tools and data that allows you to explore how Airbnb is being used in cities around the world.” I cannot comment on the veracity or accuracy of its data, but I find it strange that the Department seems oblivious to it. According to the website:

City of LA: Incentive Data Shows that Landlords Make More Money Renting Short-term for as Few as 60 Days Per Year

August 30, 2016

Inside Airbnb’s Murray Cox releases data showing that affordable housing will be lost if short-term rentals are permitted for as few as 60-days per year in some Los Angeles neighborhoods.

The impact on rental markets is why cities around the world have opted to control STHL.

According to the insideairbnb.com website, Sydney has 24,038 listings. In my building, Stayz has listed an apartment not listed by Airbnb, so the 24,038 figure is a conservative estimate of the total number of listings in Sydney. The [insideairbnb](http://insideairbnb.com/) website has listing data by LGA, so it is a straightforward matter to assess the impact of STHL on the rental markets of different LGAs.

Rental prices

Time series data on rentals is available from the Department of Family and Community Services. According to the website of the Department of Family and Community Services, its quarterly *Rent and Sales Report* is “the sole authoritative source of data on NSW rent movements”. The quarterly rental data includes price data by local council. It would be a straightforward matter to compare the trends in rental prices in LGAs with a high incidence of short-lets with those with a low incidence. For the Options Paper to talk of “the limited evidence currently available” suggests that the housing specialists in the Department of Planning and Environment don’t talk to those in the Department of Family and Community Services.

Availability of rental housing

The quarterly *Rent and Sales Report* also contains data on new bonds by local council. Analysis of this data would indicate trends in the availability of rental housing in different local government areas.

Regulatory response to loss of rental housing

Local councils concerned about the loss of their rental housing must have effective interventions available to them. The City of Sydney, my local council, has sensibly introduced an affordable housing levy. The Local Environmental Plan governs the application of the levy. In my opinion the Council should extend the levy to the conversion of dwellings to visitor accommodation. To facilitate this, the Government should provide a clear and acceptable definition of visitor accommodation. In my opinion, the Department of Planning and Environment should have provided a draft definition for comment. The Department is the repository of expertise in development control, and should offer a draft for comment. It cannot escape its responsibilities for technical excellence by trying to take a kind of opinion poll on regulations.

John Freeman

The Astor

5489

Thank you for the opportunity to provide submissions on the Short Term Holiday Letting Options Paper.

Overall I found the paper to be balanced and contained some good ideas. However, I would like to raise the following matters for consideration:

- Short term lets of apartments have the potential for a greater impact on the safety and amenity of residents (including those on a short term basis), than lettings of stand-alone dwellings and so may require different policy considerations/rules
- There could be a case for dealing with short term lets in a city CBD (where there are other accommodation options available – such as hotels) in a more restrictive fashion, than in the suburbs or regional Australia, where there may not be so many other accommodation options
- A strong mechanism should be in place to reduce the risk of adverse impact (eg increased noise, reduced security and general amenity) occurring. Relying on sanctions to deal with problems after the event may not be a sufficient or effective deterrent.
- A registration scheme requiring all short term lessors to be licenced, display a registration number on advertisements and comply with appropriate conditions directed towards the safety and amenity of occupants, with a sanction of the removal of registration, could provide sufficient stimulus to ensure compliance
- Some apartment blocks have had in place for a long time restrictions on lettings, in particular short term letting. Owners have bought into these apartment blocks in full knowledge of these restrictions and potentially have assigned a value to them, knowing that they will not be subject to short term letting. To prevent owners in that apartment block from maintaining restrictions on short term letting could be seen as devaluing their asset. Where an apartment block can demonstrate that such a restriction has been in operation for a period of time, the owners of the apartments should be entitled to maintain that restriction.

Yours sincerely

Elizabeth Gavey

5490

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper.

I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city.

Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales.

I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners.

This is my only income which pays for schooling for 2 children. If I was to lose the job that i have created we would fall on hard times. At a time when holiday rentals have been quiet I have had my retail friends crying on the phone that the mortgage was not going to be met. The money circulates through the community keeping everyone employed. Before holiday rentals unemployment was extremely high in this area, and I fear it will return to this way again.

Kind regards

Paula Giaccio

5491

Submitted on Monday, October 09, 2017 - 06:16

Submitted by anonymous user: [10.10.52.41]

Submitted values are:

NSW Minister for Planning and Minister for Housing, The Hon. Anthony Roberts

I am an owner/resident in the Bennelong Apartments, at 7 Macquarie Street, Sydney, NSW 2000. 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 a 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,

Colin Goldschmidt

From: NSW Premier
Sent: 2017-10-09 06:16:46
To: premier@nsw.gov.au
Subject: Short Term Holiday Letting

I would like a response: Yes, I would like a response

5492

Appendices

Appendix 1 – STHL Options Paper Submission Form

SHORT-TERM HOLIDAY LETTING OPTIONS PAPER SUBMISSION FORM

The NSW Government has released an Options Paper, building on the work of the Parliamentary Inquiry and existing practice, to start a public discussion on potential options to develop a suitable approach for short-term holiday letting (STHL) in NSW.

The Options Paper for STHL outlines potential options around the development of an appropriate approach to managing STHL. These options could be considered either individually or in combination.

Prior to making a whole of government policy framework, we are seeking feedback from the community and our stakeholders on the options discussed in the paper.

You are invited to respond to the Options Paper by submitting **this form** to the NSW Department of Planning and Environment.

You can also provide your feedback by:

- filling out the online survey
- email to STHL@planning.nsw.gov.au
- writing to:
Director, Housing Policy
Department of Planning and Environment
GPO Box 39, Sydney NSW 2001

If you have further inquiries, please email us at STHL@planning.nsw.gov.au

The consultation process is open until **31 October 2017**.

By hitting submit you agree to the *Department's Privacy Policy*.

How will your personal information be used when you make a submission?

Your personal information is protected under the Privacy and Personal Information Protection Act 1998 (PPIP Act). The Department collects personal information in submissions for the purposes set out in the Department's *Privacy Statement*.

We respect your right to privacy. Before lodging your submission, you will be asked to confirm that you have read the terms of the *Privacy Statement*, which sets out:

- how personal information is defined under the PPIP Act - it includes but is not limited to your name, address, and email address;
- the purposes for which the department collects personal information; and
- how personal information collected by the department will be used.

When you make a submission, we will publish:

- the content of your submission - including any personal information about you which you have chosen to include in those documents
- a list of submitters, which will include:
 - your name
 - your suburb or town

We will not publish offensive, threatening, defamatory or other inappropriate material.

If you do not want your personal information published, do not include any personal information in your submission.

All other information gathered in this submission form will be collated and used towards making a recommendation on the future approach of STHL in NSW.

Name. Surname	Catherine Brennan
Organisation	
Suburb	Belrose
Postcode	2085
Email address	catherine.gosling@gmail.com
Date of submission	25 October 2017

Introduction	
1	Do you use or have you ever used short-term holiday accommodation?
	Yes
2	Are you or have you ever been a short-term holiday accommodation host?
	Yes, I am a short-term rental host
3	Do you provide another form of short-term holiday accommodation?
	No
4	Do you live near a property that provides short-term holiday accommodation?
	Yes, other homes in my neighbourhood are available for short-term rent
5	Are you from an STHL industry group, owners' corporations or community group?
	No
Impacts Associated with STHL	
6	Please indicate below which impact(s) are you most concerned about and how do you believe these could be managed.
	<ul style="list-style-type: none"> • Noise • Waste <input checked="" type="checkbox"/> • Party Houses • Parking • Hazards and Evacuation
Self-Regulation	
7	Considering the mechanisms below, how could self-regulation in NSW address any negative impacts of STHL?
	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> • The Code of Conduct <input checked="" type="checkbox"/> • Complaint Management Mechanism • Monitoring & Reporting
8	Are there barriers that may reduce the effectiveness of self-regulation?
	No
STHL in Strata Properties	
9	Should owners' corporations be given the legal ability to prohibit or restrict STHL? If so, how and under what circumstances?
	No
10	Should the Strata Schemes Management Act be amended to increase the ability of owners' corporations to manage the impact of STHL and obtain compensation for adverse impacts? If so, under what circumstances?
	Yes, fair compensation in the form of a small percentage of the rental returns, should extra cost be likely.
11	Is there scope for industry self-regulation in the short-term holiday letting industry? Would this effectively address issues that occur in short-term letting in strata schemes?
	Yes, self-regulation is the most effective and fairest without restricting the positive impact of STR
Regulation through the Planning System	
12	How should STHL be subject to a planning regulatory framework? What would be the impacts of applying a planning framework to STHL?
	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> • Exempt • Complying • Development Consent • No planning regulation <p>Please indicate your reasons below:</p>

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

- Number of total days per year
- Number of consecutive days
- Number of bedrooms
- Length of stay
- Presence of a host
- Location (*metro vs. regional*)
- Compliance with a Code of Conduct

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

No, everyone should have the same opportunity to benefit from the sharing economy

Registration or Licensing

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

No, it should be the equivalent to long term rent where no licenses are required

Summary of Options

16 The options outlined in this paper are summarised in the below table. For the future regulatory framework, which top 3 options (if any) would you like to see in this framework? Why?
(Please tell us the reasons for your choices).

Potential Options

Themes	INDUSTRY SELF REGULATION	STRATA REGULATION	PLANNING REGULATION	REGISTRATION
	Refer Section 4	Refer Section 5	Refer Section 6	Refer Section 7
Multiple Options	Code of conduct	By-laws to manage visitor behaviour	Development approval - exempt/complying	Registration to manage safety and amenity issues
	Complaints management	By-laws to receive compensation for adverse effects	Development approval - development consent	Limit the length of stay
	Education	By-laws to prohibit STHL	Limit the number of days per year	Limit the number of bedrooms
	Monitoring and reporting		Regulate by whether the host is present when STHL takes place	Registration to monitor that other regulatory approaches (e.g. number of days, number of properties) are being met

Note: The policy options for STHL could include regulatory or non-regulatory approaches, or a combination of both. A combination of options from any rows or columns (or, and other options not covered in the paper) can be chosen to suggest a policy framework for the STHL in the submission form.

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?

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.

Sophie Graycar

5494

From:).
Sent:
To:
Subject:

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 led 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.

5495

To The Director, Housing Policy

Department of Planning and Environment

GPO Box 39, Sydney NSW 2001

Dear Sir,

I own an apartment in the CBD of Sydney with very good views of the Opera House and the Harbour Bridge.

This apartment would be a very good candidate for high end STHL.

Unfortunately the Owners Corporation has taken a strong stance against STHL and has lobbied the State Government against any changes.

I and a considerable number of owners welcome STHL as it adds flexibility to the use of our property. I and they are in the minority in the building.

I would like to be able to let out my property for a minimum of 1-2 weeks so that there is not too much turnover for myself and the building.

I would employ an agent to take care of the entry and exit of short term tenants minimizing the work required by building staff.

I also propose to charge STHL customers considerable deposits to dissuade these tenants from causing damage to my and common property and causing other

issues that the owners that do not want STHL worry about. Like excessive noise etc.

I think it is not beyond the wit of man to come up with a scheme that accommodates the needs, wishes and rights of both camps.

My building currently allows stays of 3 months minimum. The people who stay for 3 months are not likely to be too much different to people who stay 2 weeks.

The reasons the people who stay 3 months behave themselves are same as the ones who stay 2 weeks.

A well thought out set of rules will overcome most problems.

There will be some people who do not follow the rules, but they are generally in a small minority in all sets of people no matter what the situation is.

It seems a great pity that the concerns that a few people may not follow the rules has restricted what would be a great boost to the tourism economy of the state.

I hope the committee that makes the final decision takes into account the needs and rights of both sides of this policy debate and comes up with a balanced approach that we can all live with.

Thank you for your time.

Kindest Regards

Peter Gregory

5496

I am writing as a concerned citizen and resident apartment owner. We chose our apartment in an area that suited us for our home. Our building like most strata properties in Sydney is zoned '*residential*' and therefore has a combination of owners and renters living and abiding by a set of By laws which ensure that safety and the peaceful enjoyment of our home is protected. We pay levies toward the upkeep and maintenance of the building which cover the normal usage of permanent residents,

I do not agree with the retrospective rezoning that you are considering with these amendments regarding Short Term accommodation, such as Airbnb.

Having additional short stay people puts more stress on the facilities and also they are not constrained by the By Laws which causes problems when they engage in noisy or other unsocial behaviour. We should not have to deal with any problems after the fact when the 'short stay person' has left the building.

Strata laws should be confirmed as they are now, to protect our investment and our right to a peaceful life. Tenancies should be maintained as this provides housing for those who need to rent .

Hotels, serviced apartments etc should also be protected from 'Short term' rentals as they also pay taxes and conform to licensing etc.

Thank you.

Dallas Griffin

5497

Dear Sir

As direct investors in the currently well-regulated holiday rental property industry, we are vehemently opposed to any suggestion that the overall industry should be deregulated in favour of AirBnB-type operators who do not have to abide by the standard accommodation rental rules, regulations and obligations.

The proliferation of AirBnB “businesses” in towns and suburbs up and down the country has had several deleterious effects, apart from damaging the equity we hold in our own legitimate and regulated investment property.

1. The amenity of ordinary urban streets and apartment blocks has, especially in holiday locations where we have our property and where our friends and family live, has been effectively destroyed by casual AirBnB rentals that reduce local security and create a noisy party environment night after night for local residents and regulated holiday tenants.
2. It is manifestly unreasonable to deregulate the entire market to the lowest common denominator. Legitimate investors (like ourselves and hundreds of thousands of other ordinary Australians) are rightfully compelled to operate within a business environment that entails significant compliance costs. It would not only be unreasonable, but also possibly dangerous, if other property owners or renters could simply avoid the costs that are properly imposed to ensure guest safety and the provision of the services (sewage; parking; waste disposal; power supply; fire; security; pool safety; management) that are needed to deal with high-level, multiple and changing holiday occupancy.

In short our submission is as follows:

- 1) Holiday letting of parts of a house should be subject to exactly the same regulations and approval processes that local government applies to people who wish to run an approved Bed & Breakfast establishment. It should not be allowed unless council has inspected the premises and addressed matters of parking, safety and hygiene.
- 2) Holiday letting of entire houses or apartments should be regulated by exactly the same approval processes and regulations as conventional hotels and accommodation establishments. Any application to councils by owners to let a house for holiday purposes should address the method of supervision (paying security companies could be an option). Councils should address and approve parking and carrying out regular inspections for safety (building, pool, fire regulations) and hygiene should be mandatory.

The accommodation industry is a major part of our economy and can only maintain its image, reputation and profitability if all provider participants operate on an equal playing field.

Yours sincerely

Dr William and Mrs Maryellen GRIFFITHS

5498

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.

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 allows Owners Corporations to ban outright short term rentals.

I wish to register my opposition to the following options:

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 any change to this would be a step backwards for NSW.

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 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, most home sharing requires no approvals. For others 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.

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.

Mrs Hall

5499

Name: Tony Hatton

I write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper. I do not believe that the same rules should be applied to holiday homes that are being considered for apartments and room sharing in strata properties in the city. Short-Term-Rental is a key part of the visitor and tourist economy of regional cities and towns. If some of the proposed options are put in place, it could be too burdensome to rent out holiday homes. If this happens then jobs will be lost and the economy will be starved of much needed tourist income in regional New South Wales. I urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners. (You might like to add a personal message for the review here based on your own experience as a homeowner or guest.)

Regards Tony

5500