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

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

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

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

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

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

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

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

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

Thank you for considering my concerns on this vital matter.
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Appendices

Appendix 1 – STHL Options Paper Submission Form

<table>
<thead>
<tr>
<th>Short-term Holiday Letting Options Paper Submission Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>How will your personal information be used when you make a submission?</th>
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</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Name, Surname</th>
<th>Organisation</th>
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<table>
<thead>
<tr>
<th>E-mail Address</th>
<th>Date of Submission</th>
</tr>
</thead>
</table>
### 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.
   - 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
   - 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?
    - Exempt
    - Complying
    - Development Consent
    - No planning regulation

Please indicate your reasons below:
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

<table>
<thead>
<tr>
<th>Themes</th>
<th>INDUSTRY SELF REGULATION</th>
<th>STRATA REGULATION</th>
<th>PLANNING REGULATION</th>
<th>REGISTRATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Refer Section 4</td>
<td>Refer Section 5</td>
<td>Refer Section 6</td>
<td>Refer Section 7</td>
</tr>
<tr>
<td>Multiple Options</td>
<td>Code of conduct</td>
<td>By-laws to manage visitor behaviour</td>
<td>Development approval - exempt/complying</td>
<td>Registration to manage safety and amenity issues</td>
</tr>
<tr>
<td></td>
<td>Complaints management</td>
<td>By-laws to receive compensation for adverse effects</td>
<td>Development approval - development consent</td>
<td>Registration to monitor that other regulatory approaches (e.g. number of days, number of properties) are being met</td>
</tr>
<tr>
<td></td>
<td>Education</td>
<td>By-laws to prohibit STHL</td>
<td>Limit the length of stay</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Monitoring and reporting</td>
<td></td>
<td>Limit the number of days per year</td>
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<td>Limit the number of bedrooms</td>
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<td></td>
<td></td>
<td></td>
<td>Regulate by whether the host is present when STHL takes place</td>
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**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 other options not covered in the paper) can be chosen to suggest a policy framework for the STHL in the submission form.
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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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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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4817
I am writing as a member of the public concerned about the NSW government’s proposals to overregulate Short-Term Home Lending (STHL) and the adverse impacts of these proposals on holidaying families, businesses, home owners, consumer choice, jobs, innovation and the tourist economy of New South Wales.

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

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

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

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

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

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

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

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

Thank you for considering my concerns on this vital matter.
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4819
I think it is a misnomer to describe what is proposed as short term holiday letting.

If the only time the letting occurred it was to people actually on a holiday then the concerns would be much less, but in my experience so much of the letting is to people who just want to party that causes the problems. think of a group taking a short term let to attend a wedding that turned in to goodness knows how many people camping all over a house having a riotous weekend causing disturbance to neighbours. The owner was left with unhappy neighbours and a large cleaning and repair bill.

There must be an ability to control the actions of “guests” and is is no good being able to complain after the event. The host has to be on the premises at all times to prevent things getting out of control and deal with problems the neighbours might be having.
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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 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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Michelle Nazzari

4827
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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.
Christine Neff

4828
Thank you for the opportunity to provide a submission to Short Term Holiday Letting (STHL) in NSW Options Paper July 2017.

For the purposes of context, my submission is based on my personal experience of living next door, in a residential neighbourhood, to short term holiday letting operations.

My experience is that the negative impacts on neighbours from this type of land use are enormous, to the extent that we have been considering selling our home of 17 years and moving elsewhere. It is clear that very firm and enforceable controls are required to regulate this type of land use if it is to peacefully coexist with permanent residents in residential neighbourhoods.

From a professional perspective, I am a Director of a Consultancy Company that employs 90 staff in the fields of town planning, urban design, civil engineering, project management and surveying. Twelve of our staff are town planners from whom I have sought advice in responding to the planning and regulatory framework presented in the Departments Option Paper July 2017.

The STHL industry has provided data in regard to its job creation and benefits to tourism and based on this economic information it would be hard to disagree that there is not a role for STHL in providing tourist accommodation.

Information provided by AirBnB to the Parliamentary Enquiry (submission Number 207 dated 1-12-15) refers to positive economic benefits, however their submission does not mention the negative impacts on some residents who live next door to these operations. The impacts on mental health caused by stress and anxiety as a consequence of lack of controls and accountability around these businesses, the constant use and the intensification of numbers of people using the facility can’t be measured in monetary terms.

The fundamental premise of creating and establishing land use zonings is to apply restrictions on incompatible uses, and to separate competing land uses that are likely to have disruptive impacts on each other (i.e. Residential zones verses Tourist zones). Whilst I understand the practicalities that some communities are reliant on this form of accommodation, it is very important that proposed changes to policy settings don’t undermine the fundamental principles of a residential land use zone and ultimately the neighbourhoods which many people are so heavily invested in both capital and emotional terms.

**Personal Experience and Issues**

By way of background I have lived on a waterfront property on Lake Macquarie for the past 17 years.
Myself and my wife Jenny have raised two (2) daughters in a tranquil and happy environment in which we have established long term relationships and friendships with many of our neighbours.

In October 2016, one of the adjoining properties was sold, with the new owners, who don’t reside on site, almost immediately establishing an AirBnB operation at the premises. Whilst I was aware that under Council’s LEP this was a prohibited use (defined as a serviced apartment under LEP) we did not seek to prevent them from doing so, rather we had a talk to the owners to try and establish some operational parameters that would allow the operation to occur without unreasonable impact to us. The owners did genuinely try to work with us by implementing behavioural rules, limiting the number of occupants etc, however ultimately, they were unable to control guests behaviour which lead to us having to lodge a complaint with Council on 13th March 2017.

During this difficult period, which has brought great stress and anxiety to my wife, daughters and myself, the owners of the other adjoining property, who also don’t live on site, also established an AirBnB which operated for part of the summer period. We were therefore enduring the impacts resulting from simultaneous STHL operations on both sides of us for this time. Mercifully the second one is no longer operating. Despite Council requests for the first facility to cease operating, the business continues to do so on an almost continual basis.

Without going into the details of the numerous events, our experience as neighbours has been at times anything but positive. Whilst some guests have been respectful of the neighbourhood and environment where they are residing, unfortunately others have not. We have experienced:

- Large groups of people arrive in excess of the hosts own rules;
- Noise at all hours of the night;
- Strangers in our yard who have come to the wrong house;
- Guests being abusive to myself and wife in instances when we have been forced to ask them to comply with the hosts unenforceable rules;
- Privacy impacts from an endless stream of strangers next door;
- Drunken parties including “doe shows”; and
- Monopolisation of on street parking.

From week to week, we have no idea who will be arriving next and whether we will be up for another sleepless night or not. The anxiety this is causing us is significant.

Until ten (10) months ago our street was a peaceful residential neighbourhood where we have lived and raised our family. Since the AirBnb started, it has felt more like a quasi-tourist zone where transient guests arrive every few days in holiday mode. This situation has becoming demoralising and is unacceptable for a residential environment where the underlying land zone should be protecting our rights and amenity.

The problems we have endured are a consequence of the following factors:

1. The owners not living on site;
2. The number of guests on site;
3. The number of days of constant use; and
4. The high amenity of the area.
In regards the first point where owners don’t live on site, the hosts own rules cannot be enforced which results in the neighbours bearing the consequences. As there is no consequence or penalties for bad behaviour or breaking rules there is no accountability or deterrent.

After one disrupted night, the hosts told me that his guests would “receive a bad review on Airbnb”. This is hardly an effective deterrent to drunken party goers when trying to reason with them in the early hours of the morning.

In regards to the second point, at times, particularly in summer, large numbers of “visitors” of the guests have arrived with consequential effects of parking and people coming and going at various times of day and more problematic late at night. We therefore believe that occupancy limitations should be based on number of guests, including visitors and not number of bedrooms, which can easily be exploited.

In regards the third point, the property that is still operating is in almost constant use, it is like living next door to an unregulated hotel. The mental stress that this causes is difficult to articulate, our amenity has gone, the vulnerability of not knowing whether you are going to have to deal with problems at times becomes overwhelming. This is no longer the residential neighbourhood that we once lived and raised our family in.

In regards the fourth point, the amenity is the lake which is why we decided to live and raise our family in a beautiful residential environment. The amenity of the lake is also the attraction for the guests who upon on arrival generally stay on the property and maximise the use of the amenity rather than use it as a base to visit other parts of the region.

With the regular changeover of guests, this results in people who are all in holiday mode being less aware that they are residing in a residential neighbourhood and making full use of the property and environment for the full extent of their stay which occurs both mid-week and weekends. Part of the amenity includes common facilities in the form of a jetty, the waterfront areas are open and the homes are all in close proximity. We have had times over summer when guests monopolise the jetty and have also been using our own property. It’s like having strangers in your backyard and whilst in the early period it didn’t worry us, the constant use wears you down and your own tolerance levels are eroded particularly when some guests want to argue when you are trying to protect your own rights.

In summarising my personal experience, my wife and I chose to live in an urban environment, not a tourism zone and have invested both capital and emotional energy into our lifestyle and home which is currently under threat. As a consequence of the business operating next door, and its negative impacts, our home no longer feels like a home and at times it has become intolerable living here, one option for us is to sell, not because we want to, but because of what is happening around us.

Based on our personal experience and what appears to be the inevitability of STHL becoming a permissible use in residential zones, I have outlined below thoughts, based on the option paper, on what regulatory and planning framework could be provided to mitigate the impacts of STHL in residential zones. (NB I have provided no commentary on strata regulation).
Commentary on Options Paper

As stated previously, having read numerous reports, I understand that based on economic data STHL has a role to play in the tourism sector. As stated previously this needs to be carefully considered in the context of the potential erosion of the fundamental land use principles of residential zones which are used to manage and separate competing uses and their associated impacts.

In regards the relevant questions posed in Appendix 1, I have provided responses to the relevant questions that apply to residential environments.

Impacts Associated with STHL

As outlined previously the impacts that we are most concerned with are:

1. Party Houses – where a property has a large number of rooms that can accommodate a large number of guests the likelihood of this occurring increases particularly in high amenity areas around lake and beaches;
2. Noise;
3. Privacy; and
4. Amenity – erosion of the neighbourhood as a consequence of impacts 1, 2 and 3.

Self-Regulation

The seriousness of the numerous issues that we have endured warrants Government Regulation to ensure that land use principles of residential zones are not undermined to the extent that pockets of high amenity residential areas do not, as a consequence of their amenity, become quasi tourist zones.

There needs to be a means of dealing with poor guest behaviour on the spot as it is occurring. Self-Regulation has a built in conflict of interest and will not succeed - akin to Dracula minding the blood bank.

When problems occur neighbours need the confidence and surety that issues are dealt with by an independent Government body which does not have a financial interest in the sector. The functions of the independent regulator could include:

- Monitoring;
- Compliance; and
- Issues fines and penalties for non-conformance.

I would suggest:

- A policy of 3 complaints within a 12 month period results in operation being shutdown for a period, similar to the way the hotel industry operates.
- All operators should have to display a contact number at the front of property for residents to be able to ring in circumstances where guests are not complying with rules. This number should be available 24hrs per day and should be the hosts number, not somebody who is managing the site. An example of this, after another disrupted night, which finished at 2.00am, where the guests were playing music and making noise, breaking the rules and disrespecting the fact that they were staying in a residential environment, resulted in the owner (host) sending me a text message at 7.20am saying “sorry, hopefully they will come over and apologise”, this despite the fact that the host had previously told me he would always have his phone on, at all times, to deal with any problems. When I rang him at 1.00am it
went to voicemail. Failure to answer the phone by the owner should constitute a “strike” for the 3 strikes policy.

- Funding for the independent regulator could be based on a licensing fee that requires registration of all forms of STHL. The licensing fee could operate on a sliding scale based on whether owners live on site or not, numbers of days operating per year, number of guests etc.
- The owners should be required to put all their bookings on a webpage that provides information on number of days use per year; this provides a level of transparency that allows all neighbours, councils and other stakeholders to view to ensure that thresholds of use are not being exceeded.

**Regulation through the Planning System**

Amendments to the LEP residential template which allows STHL in residential zones, needs to be carefully considered, noting that in many LGA’s, where owners don’t live on site, STHL is by definition classed as a serviced apartment which is prohibited. Ourselves and many more homeowners have purchased properties on the basis that we have chosen to live in a residential environment where we are part of a community that forms relationships with each other. What we have experienced over the last 10 months is the slow degradation of both our immediate neighbourhood and the amenity of our own home by the unregulated impacts of STHL and transient guests whom are essentially strangers to us. What we have experienced is the incompatibility of mixing holiday guests with permanent residents which is exacerbated by the amount of use, number of guests and lack of regulation through penalties.

The key considerations are:

- Whether the owners live onsite or not (houses with no owners to police rules are more likely to be a problem, irrelevant of the number of guests);
- The location of the accommodation, some houses are simply used as a place to sleep whilst people explore the broader area whilst other houses are used as a destination in themselves and so people tend to stay put and enjoy the house (the later can often result in greater problems as they can tend to be used as a party house);
- Numbers of guests attending including visitors of guests (number of guests needs to include visitors);
- Any rule/regulation change should refer to number of guests not bedrooms, as bedrooms is open to exploitation;
- The number of days use per year;
- The availability of parking; and
- Who can be contacted when there is an immediate complaint to deal with and how can an owner be convinced to ensure their tenants conduct themselves properly and without disturbance to neighbours over the long term.

The key issue in terms of allowing for Short Term Rental Accommodation through the approval process and appropriate thresholds should all be set on the worst case scenario on how to do deal with the ones that go wrong.
APPROVAL PROCESS

Exempt Development

This should only be available in situations where:

- The STHL is registered and has a licence;
- The owners live on site; and
- There are no more than four (4) guests on site at any one time.

Where owners live on site they effectively police rules and control behaviour of guests.

Based on the information provided by AirBnB to Enquiry (Submission Number 207 dated 1-12-15) this should cover the majority of situations as it was stated that:

“the majority of hosts (85%) rent their primary residents occasionally and earn a modest but significant amount of extra income they use to help make ends meet”

Complying Development

This should only be available in situations where

- The STHL is registered and has licence;
- The owners do not live on site;
- There are no more than four (4) guests on site; and
- The use is limited to 30 nights per year.

Development Application

This should be required in situations where:

- The owners do not live on site;
- There are more than four (4) guests on site; and
- The host wants to operate greater than 30 days per year.

Census data shows that the average household size is 2.4 people per household. The policy settings for complying development thresholds need to carefully consider the consequential amenity impacts based on over intensification of numbers of people in the house and the number of days operating per year. The precautionary principle should apply as these guests are staying in residential environments, in our experience amenity impacts are greatly reduced when smaller numbers of people are staying. Smaller numbers are generally a couple or families. Allowing larger numbers of guests on a residential property increases the risk that the house becomes a party house, hence suggested threshold requiring a DA beyond four (4) guests.

Prohibited Development (In Residential Zones)

More than ten (10) guests on site should be prohibited in residential zones as - this is getting to the size where guests should be accommodated in Tourist Zones.
Location (Metropolitan vs Regional)

We live on Lake Macquarie which is part of the Hunter Region. Our home is located in a highly urbanised environment, where the majority of people are permanent residents with many of the homes, particularly around the waterfront in close proximity to each other. If our home was considered regional and a different set of rules were to apply I would be aghast. If there is to be a distinction it should be defined in the context of the land use possibly urbanised residential (where the majority of people are permanent residents) vs Rural. The potential amenity impacts of noise, traffic etc. would be much less significant in rural areas in comparison to urbanised residential neighbourhoods.

Number of Total Days per Year

The restriction on the number of days/year that a property can be used for the purpose of Short Term Accommodation addresses the issue of pockets of high amenity neighbourhoods being changed to quasi tourist zones. This could potentially be varied depending on whether a property is located in the inner city, suburban or rural setting.

In suburban locations where there is a high uniformity of land use, it would be more appropriate to limit the number of days let to 30 days a year (as per Complying Development Suggestion). This figure is consistent with Airbnb advice from ABC News 19-10-2016 (“Airbnb ban in Sydney, other parts of NSW not the answer, report tabled to Government says”) this article has reference to Airbnb Australia Manager Sam McDonagh stating that “majority of hosts made their properties available for 25 nights each year, on average, and generated about $4500 of income”.

Limiting the number of days of use is consistent with other cities around the world, it also addresses the issue of loss of properties from rental pool for permanent people, addresses affordability, prevents properties becoming commercial operation/ventures in residential zones, prevents the potential impact of deterring investors from developing tourist accommodation in tourist zones due to uneven playing field in regulation/ability to attract guests, etc.

Summary of Options

Planning approval pathways based on whether owners are on site or not, limits on number of guests and limits on number of days of usage provide a greater scrutiny and can reduce amenity impacts on neighbours. In order to protect both the amenity of neighbours and the property rights of a residential land use zone there needs to be an independent regulatory body, possibly through Department of Fair Trading, that requires the registration of all short term rental accommodation. It is considered inappropriate for an organisation or even an industry group to be responsible for the regulation of the industry. Registration fees should be paid by operators and the fees can be used to regulate operators.

The owners of premises need to be held accountable, not just their guests. If a Short Term Rental Accommodation owner continues to allow their property to impact on neighbours they should be removed from registration and prohibited from operating. This would ensure owners actively participate in managing their guests.
Neighbours living next door to Short Term Rental Accommodation need to have their amenity protected and problems addressed within reasonable timeframes should an issue arise. Weeks on end of revolving noisy holiday makers is completely unacceptable in our neighbourhoods.

Mixing of short term holiday letting guests with permanent residential occupants is fundamentally incompatible as my family has experienced. Based on these experiences it is critical that the policy settings are carefully considered to ensure that the economic arguments being presented don’t overwhelm the social considerations that have potential to undermine the rights of residents to enjoy the peace and amenity of their own homes of which they are heavily invested. If the government choses to make amendments I believe the regulation and thresholds presented in this submission would provide stakeholders with a framework that could addresses the problems we have endured.

If the threshold settings are weighted to allow too many guests and too many days of operation without effective Government backed regulation the effect on the amenity of many people living in our community around the lake, as we have experienced, could be catastrophic.

Regards

Michael Nelmes

4829
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.
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:

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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.

Rowan Ness
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.

In my personal experience I have enjoyed being a guest in STHL and it has enabled me to stay in places that are more home like than a hotel, more affordable and also more convenient for a family (kitchen, washing machine available). I have also experienced it as a homeowner and the vetting process we use via our agent MadeComfy is extremely strict and more hands on than any long term real estate agent has ever given us with our home. Parties and noise has never been a problem. However it is sometimes with our long term neighbors! Why should there be different regulations for long term and STHL?

Yours sincerely,
Miranda Newcombe

4831
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Kind regards,
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Yours sincerely,
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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 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?

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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.
From a personal view I prefer staying in and sharing a more unique local experience it has never failed to meet my expectations.
Sally Newell

4834
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. We are conscious of other peoples rights and ensure that our guests respect all our neighbours enviroment. As it is our home we vet all prospective guests to ensure a person who uses our home meets our high standard. We have no hesitation in rejecting anyone who does not meet our criteria nor do we let our home out without a member of the family being present throughout the guest’s stay. Please accept this as a formal submission to the Options Paper.

Personally I am not opposed to there being a fair regulation, but to impose a costly regulatory scheme sounds to me like another bureaucratic level that will take away the whole purpose of operating a small AIR BNB. In addition we pay our tax on our earnings and there is a shortage of reasonably priced suitable affordable accommodation in NSW. Many of our guests are visiting junior doctors who come to NSW to do their placement, there is no suitable accommodation in our area and if unable to find accommodation these young professional will go elsewhere and deprive NSW Health of a lucrative source of income. There are many factors that are not cut and dried when looking at the advantages of having the AIRBNB scheme operating. If Hotels and Motels believe they are being deprived of income, I would suggest that their pricing inhibits far more customers than the AIR BNB operation does to their businesses.

Patrick Newman

4835
Dear NSW Government,

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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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Belinda Nguyen

4836
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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 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.

Michael Nguyen

4837
Dear Sir/Madam,
We have been enjoying a number of holidays in Australia, generally staying for more than two months because of the long journey from UK.
In the past we have stayed in hotels starting at the Ibis in Darling Harbour, then flying to Tasmania. When planning our long trip this year we discovered that hotel prices had risen to such an extent that our trip was in jeopardy. We then discovered Airbnb and stayed in more than ten of these welcoming places during our long holiday. We would certainly not be able to repeat the trip to Australia without these Airbnb hosts.
Your sincerely,
Wendy and Dan Nicholson.
Dear NSW Government,

I worked very hard to buy my small house 14 years ago and when I met my husband I moved out and rented my house out through a real estate agent. The agent didn't look after my house, in fact my tenant had been subletting my house. I wanted the tenant gone but was advised that this was not a good idea as they could take me to the rental tribunal and I might lose.

I like many honest hard working people should be able to rent my house out in a manner that suits me. AirBnB works for me because I manage the house myself, I don't have tenants threatening me and I have had to give up working to help my child stay in school. I declare all income I make from renting my house out to the tax department and this method gives me enough to live on (just) and be around to help my child stay at school. I am still paying a mortgage on my house and AirBnB contributes to this mortgage. If I didn't rent my house out this way I would need to sell it. Please don't penalise those people who are trying to make ends meet by introducing regulations like caps and costly registration processes. AirBnB is keeping my child in school. Please accept this as a formal submission to the Options Paper.

I am a responsible AirBnB host and have received outstanding reviews from all my guests. In my very small way I am promoting tourism to NSW. The industry has changed and people are coming to Sydney because of AirBnB marketing. I provide all guests with a list of local restaurants and cafes, I promote destinations and I State Transit details.

While AirBnB is a "newcomer" to market, home stays and rentals is age old in Australia as well as all over the world. Why take a step backwards now when we can move forward positively in this changing economic and digital world?

Yours faithfully
Helen

4839
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:

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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.

Belinda noel

4840
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.
Lydia Nome

4841
Dear Sirs,

Thank you for the opportunity to submit feedback on the Short-term Holiday Letting in NSW Options Paper.
I write in the hope of alleviation of some of the suffering caused to others due to 'out of control' STHLs in NSW as they currently exist. This is especially evident in Strata properties.

For the Strata resident/s most affected by STHL units in their Strata properties, they can be confronted by poor Strata management, lack of support or tardy Owner Corporation followup especially if Owner Corporation members and executive members are not directly affected or themselves STHL operators. In instances of out-of-hours disturbances, the offending STHL occupants such as weekend STHL occupants, may have left the property before any disturbance can even be acted upon.

OFT processes can be time-consuming and stressful. Current OFT fines are not substantial enough to be an effective preventive especially to lucrative STHL operators.

Due to the close proximity of STHL occupants and shared ceilings, floors and balconies of units in Strata buildings, I believe that STHL should not be permitted in Strata properties.

Until that legislation is introduced, or should that disqualification not occur, please rein in this industry in Strata properties by means of a special STHL Board set up to:

1. impose STHL levies, higher insurances
2. be accessible 24/7 for monitoring and immediately acting on breaches of Strata by-laws to relieve NSW police from callouts
3. enforce building construction standards of soundproofing in a Strata properties
4. restrict the number of bedrooms in STHL units in Strata properties
5. restrict the number of adults occupying a STHL Strata unit to 2
6. enforce a stringent Code of Conduct that includes dress and respectful language when using common areas
7. limit the number of days per year that STHL may be conducted in Strata properties
8. oversee by-laws to compensate for adverse affects caused by STHL.
Sadly, my own suffering from the weekend STHL Strata unit on the floor above mine, has affected my health and wellbeing and contributed to my decision to vacate my home unit and to find alternate, more peaceful accommodation until STHL changes happen.

Disturbances that were repeatedly occurring included (but were not limited to):

- running and footsteps heard from the STHL unit floor above mine
- the invasion of privacy by STHL strangers and their visitors coming and going in the building
- the breaching of building security with keys and garage remote issued to a huge overturn of strangers
- late evening parties, BBQs, drinking and noisy games
- wear and tear on the building - locks, doors, garage rollerdoor, etc.
- my increased costs of shared water usage, outdoor sensored electrical lights
- abuse of parking in common areas
- disrespectful language and attire on common areas
- large numbers of occupants staying in any given night

I would appreciate acknowledgement of the serious concerns I have attempted to outline in this letter.

I sincerely hope that major and prompt changes to STHL in Strata properties will be brought about by the Ministers and Director.

Yours in anticipation,
Robyn Norberry

4842
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.

JEREMY NORRIS

4843
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, and my wife, make frequent trips to Sydney, we often travel to see a show, stay for 3 or 4 days, eating out and shopping. If Airbnb became more expensive, or prohibitive, we would more likely choose to visit Melbourne instead of Sydney.

I wish to support the following options:

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Trevor Norris
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Todd Nosti

4845
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?

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Daphne Nott

4846
Geoff & Catherine Noyes

We write to make a submission to the New South Wales Governments Short Term Holiday Letting Options Paper. We 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. We urge you to treat holiday homes differently to other short term rental and listen to the voices and concerns of homeowners. Our holiday house is eminently suitable for family holidays and restrictions on such homes would prevent families from gaining essential respite from work & city life.

We have good rapport with our neighbours who have our phone numbers to contact us, if they ever feel our guests are impacting on them in any way. In over ten years of holiday letting we have only ever had one call from our neighbours - a minor problem which was solved immediately. We employ local cleaners, gardeners, electricians, plumbers, painters, launderers & ironers, upholsterers, window furnishings locksmiths and pest control. In addition our guests support the local tourist economy. Should we need to sell this home we would be an added burden on the community as we will qualify for the aged pension.

4847
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?

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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.

Serdar Nurmammedov

4848
City of Sydney

As of September 2017, there are approximately 5,675 short term lets available in City of Sydney ranging from whole houses (61%) to private rooms and even shared rooms with multiple beds available through online booking platforms such as airbnb and stayz.

18% are available FT as commercial operations with 33% run by professional hosts with multiple listings. The average nightly rate is $161 or $2089 month. This data is provided by Inside Airbnb and Airdna.

Class 1b Bed and Breakfasts

Currently bed and breakfasts up to 3 bedrooms are permitted in class 1a free-standing residential dwellings with development consent under City of Sydney’s LEP 2012. This involves a change of use under the Building Code of Australia to a class 1b building.

City of Sydney 2012 LEP’s definition of a bed and breakfast is as follows:

“bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where: (a) meals are provided for guests only, and (b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and (c) dormitory-style accommodation is not provided. Note. See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary”

City of Sydney’s LEP defines Tourist and Visitor accommodation as follows:

“tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following: (a) backpackers’ accommodation, (b) bed and breakfast accommodation, (c) farm stay accommodation, (d) hotel or motel accommodation, (e) serviced apartments, but does not include: (f) camping grounds, or (g) caravan parks, or (h) eco-tourist facilities”

Bed and breakfasts are bound by City of Sydney’s Visitor and Tourist Accommodation Development Control Plan 2006.

This defines bed and breakfasts as follows:

Bed and Breakfast Accommodation in this DCP has the following meaning:

• (For area subject to Sydney LEP 2005) Bed and Breakfast Accommodation is a form of visitor and tourist accommodation and means a dwelling house which: (a) Provides no more than 6 persons; and (b) Offers at least breakfast; and (c) Does not contain facilities in rooms for the preparation of meals by guests, and (d) Is operated and managed by the person who normally resides in the dwelling.

• (For area subject to South Sydney LEP 1998) Bed and breakfast means a dwelling house which provides short-term accommodation for not more than 6 persons, and incorporates common facilities for the provision of meals, but does not include a backpackers’ hostel, boarding house, serviced apartment, private hotel, hotel or motel.

• (For area subject to Leichhardt LEP 2000) Bed and breakfast accommodation means a dwelling which: (a) provides temporary overnight accommodation for the short-term traveller, and (b) offers at least breakfast, and
(c) provides no more than two double rooms for let, and (d) does not contain facilities in rooms for the preparation of meals by guests, and (e) is operated and managed by the person who normally resides in the dwelling.

City of Sydney’s DCP also defines tourist accommodation as follows:

Tourist accommodation means a building or part of a building that provides temporary or short term accommodation for travellers and tourists who generally have their principal place of residence elsewhere.

Tourist and Visitor Accommodation includes serviced apartments, backpacker accommodation, hotels, guest houses, bed and breakfast accommodation, motels and the like.

The following controls apply to an approved bed and breakfast in City of Sydney:

1) Permanently occupied and staffed by resident or residents.
2) Site manager contactable at all times
3) Accommodation Register
4) 2 persons per guestroom
5) maximum 3 month stay
6) No bars on bedroom windows
7) Separate bathrooms and toilets for guests and permanent residents
8) Fire retardant floor coverings.
9) Fire extinguisher and fire blanket in kitchen
10) Noise Management Plan (Noise and Nuisance Register)
11) Disability access requirements contained within the City of Sydney Access Development Control Plan 2004.
13) Public liability insurance
14) Mechanical ventilation
15) sign must be displayed adjacent to entry to premises indicating the maximum length of stay of guests on the premises

Where there is shared accommodation, an occupancy schedule showing the number of each bedroom and dormitory and the number of persons permitted to be accommodated in each bedroom/dormitory must be conspicuously displayed at the reception area of the premises and the room number and maximum residential capacity of the room must be displayed on each
16) Copy of the annual fire safety statement and current fire safety schedule must be prominently displayed in the reception area. A fire safety evacuation floor plan must be provided behind every door to each bedroom or public/common areas.

17) Smoke detection system is to be installed.

**Class 3 Boarding House**

My bed and breakfast is also approved as a class 3 boarding house.

**City of Sydney’s LEP defines boarding house as follows:**

A building that:

(a) is wholly or partly let in lodgings, and

(b) provides lodgers with a principal place of residence for 3 months or more, and

(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and

(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note. Boarding houses are a type of residential accommodation—see the definition of that term in this Dictionary.

**City of Sydney’s LEP defines residential accommodation as follows:**

"a building or place used predominantly as a place of residence, and includes any of the following:

(a) attached dwellings,

(b) boarding houses,

(c) dual occupancies,

(d) dwelling houses,"
(e) group homes,

(f) hostels,

(g) multi dwelling housing,

(h) residential flat buildings,

(i) rural workers’ dwellings,

(j) secondary dwellings,

(k) semi-detached dwellings,

(l) seniors housing,

(m) shop top housing,

*but does not include tourist and visitor accommodation or caravan parks.*

Further controls for boarding houses are provided in City of Sydney’s Boarding House Development Control Plan 2004.

**General Boarding Houses are also required to be registered with Fair Trading under the Boarding Houses Act 2012.**

The Act defines General Boarding Houses as follows:

General boarding houses accommodate five or more paying residents, excluding the proprietor, the manager and members of their families.

General boarding houses do not include hotels, motels, backpackers’ hostels, aged care homes or other types of premises excluded by the Act.

Bed and Breakfast accommodation providers are excluded from registration.

**Enforcement**

If short term lets are to be legalised in all class 1a free standing dwellings up to 3 bedrooms maximum 5 occupants (as City of Sydney Council suggests), then the same development control plans which apply to class 1b bed and breakfasts must be enforced.

If City of Sydney does not have the means to police and enforce this, as it alleges, then a register should be held by the Department of Fair Trading as it does for general boarding houses.

This by no means creates a level playing field for approved bed and breakfasts, but at least identifies which residential premises are approved for short term holiday letting.

The level playing field would also require at a state level land tax enforcement (similar to bed and breakfast land tax rulings), and at a federal level, GST registration and ABN requirements.
Until this occurs, every single bed and breakfast and small hotel in City of Sydney will disappear, unable to compete with cheaper class 1a residential dwellings.

Julienne Nurse

Verona Guest House

4849
Dear NSW Government,

I currently only use air bnb during 3 peak periods throughout the year. A total of 12 - 14 days per year.

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.

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

I wish to support the following options:
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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.

To maximise participation in the sharing economy, any regulations should be clear and easy to understand and comply with, and also cost effective for hosts.

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

as a property owner (in a strata tower block in ... NSW) and resident of NSW I wish to express my views.

I do NOT support short-term holiday letting, as per Air BnB et al, becoming more common in NSW. I strongly believe that it should be banned altogether - certainly as a minimum each building/Strata group should be allowed to decide about this.

I, like others, purchased a property on the understanding that, as per the Sydney City Council DA approval for my building, short-term letting would NOT be allowed in any form. I expect this to remain the case. The loss of amenity, safety (knowing one's neighbours), respect for Common Property, cost of running a Strata Scheme - all these problems are exacerbated by short-term letting in residential properties.

Look around the world and see how many major cities are waking up to the blight caused by this activity - not least being the loss or properties for normal rental tenants to occupy - with all the protections of a standard (longer) lease. Our housing crisis is bad enough without Air BnB et al adding to it! - and all the while these multi-national companies are paying how much tax in NSW or Australia to pay for schools, hospitals, defence and so on ???

Finally, reading the newspaper online today I stumbled across a link from Air BnB to encourage the reader to lodge a submission to you in support of their case. For ordinary people, such as myself, it is much harder to find the way of lodging a submission. Air BnB appears to be a very powerful, well funded body.

Listen to us, the “little people” who live in these Strata buildings, whose homes are being severely impacted by short-term letting. We are the ones who pay local tax, we are the ones who contribute to communities, we (as “normal” landlords) provide stable long-term rental accommodation for the ever-growing body of citizens who need to rent, live and work in NSW.

Please do NOT allow more short-term holiday letting in residential buildings in NSW - and allow the owners/residents of each building, at least, to decide this matter.

having found and read your online document “Short-term Holiday Letting in NSW Options Paper July 2017, I would now like to make my submission as per the Questions listed on pages 26 and 27 of that document:

Introduction:

1. No.
2. No.
3. No.
4. Yes.
5. No.

Impacts Associated with STHL:

6. Noise - absolutely
Waste - where left on Common Property, including animal waste (dog urine etc)
Party Houses - disastrous in a Strata apartment building for noise, security and safety
Parking - yes, but would need monitoring closely
Hazards and Evacuation - absolutely: I live in 27th floor. Large numbers of excess people, who will probably not be aware of the local fire exits and so on - a disaster in waiting.
How to manage these risks: ban or severely limit STHL in Strata properties. The absolute maximum allowed should be an appropriate number of guests staying in an apartment with the owner present - NOT letting out the whole property with the owner absent. The owner is then present to take responsibility and ensure safety of guests and all other residents. Any significant breaches to result in that owner being disallowed from any further letting of that property and paying for any damages personally.

Self-Regulation:

7. Self-regulation of this industry is not appropriate - too open to abuse and non-compliance. All STHL properties should apply for a Development Application (DA) Consent from Local Council setting out rules and conditions, and the Local Council to ensure compliance. Any costs involved in this to be paid by the STHL property owner in full.

8. Barriers to effectiveness of self-regulation - Yes, the enormous power of multi-nationals such as Air BnB, who in my opinion have thus far shown no real desire to comply with existing regulations. Also way in which less tech-savvy residents (such as the elderly, infirm and mentally-impaired people) will not have adequate representation and have their situations and rights safe-guarded.

STHL in Strata Properties:

9. Owners’ Corporations ability to ban STHL - Yes, absolutely, in whatever circumstances it deems necessary to ensure safety, security, cost-effectiveness of building management and amenity of building occupants who pay the Strata Fees.

10. Yes, again under whatever circumstances the Strata Body deems necessary as above.

11. No, see answer 8. above.

Regulation through the Planning System:

12. Anyone wishing to do STHL in their property should be required to lodge a DA thought their Local Council and have this assessed and approved (if appropriate) - and be made fully aware of their responsibilities. Council to deal with complaints and if necessary promptly revoke permission for STHL in the property.

13. All listed items should be specified. The host must ALWAYS be present (NOT away) to deal immediately with problems and ensure safety and compliance with rules allowing that STHL to occur. In Strata, each building should have the ability to decide and enforce aspects such as number of days per year, number of consecutive days, number of bedrooms and occupants and length of stay.

Registration or Licensing:

15. This could work, but would need to be done by Local Council or some other (State) Government authority with the power to enforce rules and ability to act quickly - full cost to be paid by owner of STHL property.
Summary of Options:

Top three (3):

1. Strata Regulation By-laws to prohibit STHL - absolutely, all Strata bodies must have this ability.
2. Development Approval - development consent to be necessary in all cases.
3. Regulate by whether the host is present when STHL takes place - host MUST be present in all cases.

Thank you.

Dr Stephen O’Callaghan

4851
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.

4. I am a supporter of STHL, I am an user and recently become a host. We are increasingly living in a share economy, like technology, history has spoken itself, the initial opposition of automation such as ATM now becomes a norm. Whether they/we like it or not Share Economy will continue to become a big part of our life. And I welcome we as a community to work together to embrace this social change. Yes! I am in support of STHL.

4852
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 me from visiting my family as the costs would be prohibitive. 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.
Deborah O’Neill

4853
Dear NSW Government,

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

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

Why do I travel to NSW using Airbnb?

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

I wish to support the following options:

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

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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.
David Oakley

4854
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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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.

Mukteshwar Oberoi
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.

Bernard O’Bree

4856
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?
We want the experience of getting to know local hosts who share with us the Australian way of life and culture. We would not get this in isolation. We do get this from host families who encourage tourism.

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.

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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.

Debbie O'Brien

4857
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.

Mary O’Brien

4858
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.

Richard O'Brien
Dear NSW Government,

We currently have a situation where local councils are struggling to effectively regulate holiday houses and home sharing. It is my firm belief that this is something that needs to happen at the state level.

I strongly believe in the right of people to holiday let or share their houses and apartments across New South Wales in a responsible and respectful way, without extreme regulations like caps and costly registration processes.

In Coffs Harbour where I'm from our tourism economy has seen multiple closures of large resorts restricting the number of available rooms. If it wasn't for holiday homes and house sharing our local tourism industry would be in serious trouble. These have managed to fill the gap left by the closures of these large resorts.

When you compare a permanent rental property to a holiday let property it contributes substantially more to the local economy. You have cleaning and linen as well as a higher level of maintenance supporting local trades. Guests support local attractions and restaurants far more than permanent tenants do.

I often here on concerns about the behavior of holiday tenants, however I have had both holiday guests and permanent tenants and I have always found it much easier to deal with or evict a problem holiday guest, where as if you have a behavioral problem with a permanent tenant it can take weeks or months to evict or deal with the tenant.

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

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.

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.

Shannon OConnell

4860
Dear NSW Government,

I strongly believe in the rights of people to rent their properties for Holiday Rental in Regional New South Wales in a responsible and respectful way, without extreme regulations like caps and costly registration processes. If the NSW government enforces caps or charges costly registrations to regional holiday rentals then local towns that rely on tourism from these holiday rental properties to survive, will suffer and many businesses will be made redundant, which would leave many regional towns facing high unemployment and financial devastation. Please accept this as a formal submission to the Options Paper.

Why do I host with Airbnb, Stayz, Aura, Aabode.com, Destination NSW, Trip Advisor etc...

The Online Booking companies host communities depends on hosting as an economic lifeline to help us pay the mortgage and the bills. I support local cafes, restaurants and shops as well as small businesses by suppling a detailed booklet (which I wrote) on sites and attractions as well as speciality shops and places to visit. I also provide up to date menus, brochures, maps and information about community festivals/activities, which helps boost the 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 from home/holiday rental. I would also support rules to deal with bad actions and isolated incidents of unruly behaviour.

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 Holiday Rental economy, any regulations should be clear, easy to understand, easy to comply with and also cost effective for hosts.

The online booking agencies take a large percentage of our income for advertising without actually taking any of the risks and without providing hosts any safety net or guarantee that the travellers/guests are of reputable character. Our costs have sky rocketed due to the increasing costs of the Online Booking Companies commissions, utilities, rates, land tax, insurance, laundry facilities, cleaning, garbage removal, repairs, up keep of facilities such as pools etc. the list goes on. However the problems that have occurred are due to the Online Booking Companies not vetting the travellers and putting the blame on the hosts. No host wants to have unruly or badly behaved guests as not
only are the neighbours and environment adversely affected, so are the host’s properties. The cost of repairs from badly behaved guests is astronomical and hosts not only have to bare these costs but these types of badly behaved guests also aid in the devaluation of the hosts properties.

I strongly believe that the NSW Government should enforce all Online Booking Companies to be regulated by being made accountable to properly vet the proposed guests/travellers and capping their outrageous commissions they charge. These outrageous charges are evidently passed on to the consumer, which encourages guests to exceed the maximum amount of people staying at properties so they can afford the stay. This generally results in bad behaviour or at the very least excess noise for the neighbours, extra wear and tear, extra cost in amenities, as well as repairs and devaluation of the properties for the hosts.

The majority of hosts in Regional NSW do not need regulation as we are in small towns and need repeat business to survive. We have a limited number and specific type of consumer that is attracted to Regional NSW towns and we do not have the same reach internationally and nationally as the major NSW tourist attractions such as Sydney. Therefore we do not encounter nor attract the same problems that Sydney appears to be having.

If the NSW Government feels obliged to regulate the home sharing economy in Sydney because of their ongoing problems then please do not extend this to the Holiday Rental of entire properties across the all of NSW as regional areas will be adversely affected.

I encourage the NSW Government to follow the lead of some Australian States, as well as other cities around the world, which have embraced holiday rental and are reaping the rewards.

Cathy O’Connor

4861
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. My apartment is in Manly which suffers an undersupply of short term accommodation. My apartment’s availability provides much needed accommodation for tourists and boosts the local economy in its own small way.

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.

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.
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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.

Michael ODonnell

4862
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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To maximise participation in the sharing economy, any regulations should be clear and easy to understand and comply with, and also cost effective for hosts.

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

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Susan Officer
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Robert Oglethorpe
Name: Peter O’Leary

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.

4. I am a supporter of STHL, I am an user and recently become a host. We are increasingly living in a share economy, like technology, history has spoken itself, the initial opposition of automation such as ATM now becomes a norm. Whether they/we like it or not Share Economy will continue to become a big part of our life. And I welcome we as a community to work together to embrace this social change. Yes! I am in support of STHL.
Hi

I recently completed the online survey on Short Term Holiday Rental and would like the following information included as a submission.

Submission

Short term rental of spare room(s) is not such a problem where the owner is present in a traditional free standing house.

However, in strata unit blocks it is completely inappropriate. In our residential building we have one Owner doing short rentals and although we have a bylaw allowing short term rentals the owner completely ignores the conditions of the bylaw.

Strata blocks have several unique areas of concern:

1 security

2 noise

3 parking which is limited

4 by-laws that are applicable to all owners and tenants.

5 insurance considerations.

Many short term rental operations are advertising not just a spare room but the whole unit which implies the owner is not in attendance so has no control over the situation and has ignored their responsibility for maintaining discipline and conduct of those using the unit.

Many By-laws involve the common area of the strata and residents must be aware of the requirements.

As many Councils regard short term rental of strata properties as an illegal operation this has the possibility that Insurance Companies may decline a claim caused by a short term rental which leaves the other owners as members of the body corporate totally exposed to possibly crippling costs for repairs or third party liability claims.

Most owners of residential strata schemes do not want short term rentals in their buildings as it also interferes with their enjoyment of the amenity of their
home. As an owner we purchased into a residential strata scheme for this reason. Our Strata Building was approved under the local Council’s Environment Plan as a RESIDENTIAL DEVELOPMENT, which specifically DOES NOT INCLUDE “tourist and visitor accommodation”.

Short term rentals increases the comings and goings of extra people and accelerates wear and tear in a building unfairly resulting in higher strata fees to cover maintenance and repair bills.

It has been stated many times before, but just to reiterate; the effects that short-term holiday rentals has on our apartment block are:-

Short-term visitors are usually in “holiday-mode” – as opposed to the quiet, peaceful attitude of long-term residents,

Short-term visitors have little if any regard to Strata By-laws including noise, cleanliness, smoking, garbage disposal and general respect of public space,

The result of short-term letting is the inconvenience of constant arrivals and departures of holiday makers, including the noise from commercial cleaners following every visit.

We have one owner advertising a four bedroom penthouse Unit as dual occupancy with up to Five short term tenants in a one bedroom area and three other bedrooms rented for short term through flatmate.com.au. This Unit was never envisaged by Council for this unfair and discriminatory purpose.

Parking is always an issue with our Strata Plan and short term rentals just stress facilities which were never designed to handle additional vehicles,

Personal security of basement garaging and our lift is totally compromised by a continually changing and unknown population of casual “visitors”. Lift breakdowns have increased dramatically as the lift was installed for residential purpose.

Our strata scheme by laws by are ignored , advertisements on website include pet friendly where our bylaws require prior approval under for safety and insurance purpose obviously this does not happen. This discriminates against owners and tenants abiding with the by laws.

In residential strata buildings Details of Residential Tenancies are required to be advised to the owners corporation and to be recorded. The nature of Short
Term Letting is that it is impossible to provide information on tenancies in a timely fashion.

Where subletting is taking place, then the tenancy shown (if any) may be that of a letting organisation without any identity of the occupiers. Management of a strata building and the maintenance of community values within a scheme requires that the owners corporations and its key providers, like strata managers and build are able to effectively identify occupants.

The absence of this information means that compliance regimes cannot be upheld and matters such as parking, noise and the custody of pets and fire security.

When there is a change in occupancy of lots every day, every week or indeed every couple of weeks, the use of common area facilities is increased. The increase in move ins and move outs associated with Short Term Lettings heightens the risk of damage to common property. Paintwork can be scratched and high cost items like lift doors & interiors damaged.

This will lead to increased insurance premiums or result in costs of repairing damage for which no one can be identified as responsible unfairly resulting in increased levies for other Owners not conducting short term rentals.

One of the fundamental principles underlying strata living is that the costs of administering and maintaining the shared “common property” are shared equitably by apartment owners in proportion to- their unit entitlements. – This equitable basis of sharing costs is upset when certain apartments or lots make a significantly greater call on the common property services provided.

The duty of care required of an owners corporation may be higher in a scheme where Short Term Letting is known to be taking place. Failure to observe the required higher level of care may expose the owners corporation to legal challenge which is discriminatory on the majority of Owners not conducting short term rentals.

Submission by Tony O’Leary FIPA

4867
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.

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Fabiana Oliveira

4868
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Henrique Oliveira
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Nelson Oliveira

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

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Kailey O’Loughlan
Dear NSW Government,

AirBnB has really saved us because my parents got divorced and mum can rent the house out on weekends and this helps the mortgage. The people who come are always nice and quite and park on our car part. When they are there we go away - sully camping or stay with my Auntie. So there is no extra noise, parking, rubbish etc they people who come just replace us. Plus the people who came say they wouldn’t have gone on a holiday to a hotel - a group of 5 old friends want to be in a house and chat together about old times. Sit on the balcony and cook dinner together. Air BnB lets thats happen in a way you can’t in a hotel. Its not that hotels are getting less people Air BnB is different. Please just leave it as it is or if you cap the nights make it 200 days. I know we do about 1 weekend a month and want to do a couple of weeks over xmas holidays.

Air BnB brings people together. If there are other issues, noise or parking etc then that can be managed another way. No need to punish everyone - this is a really good thing.

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Maja Olson

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Miffy O’Meara

4874
Dear NSW Government,

As a voting pensioner I feel that meeting new people and gaining a little income from hosting a room is very important. It also allows me to stay in a safe and cheap place when I have to travel to Sydney for health reasons.

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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.
Elvio Onofri

4876
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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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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Natalia onor

4877
Dear NSW Government,

As an informed 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. In fact, I have used Airbnb more than 20 times in the last two years and have never encountered a problem - hosts have been extremely friendly and reliable and the accommodation has always been exactly what has been advertised.

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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Philip O'Prey

4878
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.

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Eleonora ori
Dear NSW Government,

I have been an Airbnb host for five years. In that time I have been very careful with how my property is managed, ensuring that my neighbours are not impacted by it and that my guests are safe and enjoy their experience in my home. I have only had positive experiences with the many good and trustworthy people who have been my guests. I am sure that by staying in my home, they have had a more connected and rewarding visit to Sydney than they would have had in a hotel or any other accommodation. The glowing reviews they have written regarding how much they love my apartment and how it allowed them to enjoy Sydney in a more personal way is testament to that. Airbnb works very well for the vast majority of hosts, guests, neighbours and local businesses.

I also recommend my favourite local businesses and things to do in Sydney and NSW to my guests and promote tourism from a far greater personal perspective than any tourism campaign could ever hope to achieve.

I am a host with Airbnb because I can not live in my home at the moment due to my work commitments elsewhere. This helps me pay my mortgage and allows me to keep my home, which has a large mortgage due to the high real estate prices of Sydney. Hosting on Airbnb has allowed me to go back to university as a mature age student and change careers without having to sell my home.

I have also been an Airbnb guest in other people’s places in New South Wales Victoria and overseas, finding it to be a great experience and my preference for travel now.

To restrict Airbnb would damage its nature and functionality and take New South Wales backwards compared with the rest of the country and the developed world. Tourism has changed and we need to embrace that. As someone with much experience with tourism as it is now, I believe that, if passed section 6, 5 and 7 will seriously damage tourism to New South Wales.

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

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Sincerely,

Lachlan Orr

4880
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.

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Vas osman

4881
I write to make a submission to the New South Wales Government Short Term Holiday Letting Options Paper.

We own a house at the above address that we rent to holidaymakers and weekenders on a regular basis. We have developed a website for our house where we proudly promote the regional and a number of local businesses from restaurants to tourist attractions. See - https://www.no96.com.au

We employ a local cleaner and a local gardener to the tune of approx. $20,000 per year. We also encourage our guests to frequent local businesses.

We have never had any complaints and believe that our guests contribute to the local economy and the local community.

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.

Regards,
Brett Osmond
4882
Dear NSW Government,

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Juan Ostos

4883
Dear NSW Government,

I travel to NSW frequently and I use both the Airbnb platform and hotels. 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. Often when I go to book hotels in Sydney I am facing rates over $400 per night. I turn to Airbnb in these cases and it keeps the hotels honest.

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David OSullivan

4884
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We are now employers of cleaning staff, we contribute to a local washing and ironing business, including goods and services purchases from other businesses that employ people in Mudgee. If we did not rent our property out then the community employment would have a direct loss from us of $45,000 pa plus house improvements, plus the expenditure lost from visitors to the region for food and wine, who would not be able to stay because all contemporary accommodation is booked out.

In truth we only started out renting our to help repay the mortgage a cost for a Cancer operation out of pocket. Now we enjoy the smiles on people's faces coming to visit our home.

Thankyou
Tony & Elizabeth
O’Toole Anthony O’Toole

4885
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Mark Ottignon

4886
Maxwell Condon & Annette Owen

Date of Submission: 24/10/2017

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
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? NO
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

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 partners 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.
Name: Lynette Owen

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.

4888
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.
We have operated a complying self contained Accommodation facility in the heart of Central Pokolbin in the Hunter Valley Vineyard area for the last 20 years. We can accommodate up to 50 guests in a range of Suites, 1 Bedroom Villas, 2, 3 & 4 bedroom Cottages. We live on site & thus have control on guest behavior, noise, emergencies & assistance which we believe is important for the safety & well being of our guests.

We have been associated with the accommodation industry for near 50 years & operating our own for over 30 years.

Over the last 6 – 8 years we have been subjected to increasing financial pressure due to, but not limited to, the following:

* Over supply of Accommodation facilities generally & in particular the rapid & continuing growth of the non complying STHL properties entering the market.

* Generally all costs are rising including Wages, Rates, Electricity, Booking commissions, Council & other authorities fees, penalties etc;

* Commercial Booking Engines excessive booking commissions, without evidence of them creating any increase in overall visitation & focusing on requiring us to provide discounted rates.

* Due to the above pressures we have had little opportunity to increase rates & thus making the industry under extreme pressure of sustainability.

We believe all accommodation providers should be under the same requirements of approvals, rules & regulations. Some of the costs & rules we incur that we believe are not imposed on the STHL properties are,

* Council DA approvals, fees & contributions.

* Council Rates for commercial operators, Public Pool water & fence inspections, fees & penalties.

* Waste Water Management Inspections, reporting, fees & penalties. (Most STHL properties have sewer connected & pay residential rates.)
* Fire Safety requirements incl mandatory fire alarms, fire blankets, extinguishers, evacuation plans, emergency assembly area, etc; Yearly inspection by authorized inspectors, reporting to Council & the Fire Brigade with costs & massive penalties if late.

* Tag & Testing of all large & small electrical appliances including associated costs.

* Regular testing of safety switches.

* Compliance with Councils requirements to level of Public Liability Insurance.

One other concern we have, is the opportunity of STHL operators to take advantage of potential cash payments, particularly for return visitors. All STHL operators should thus also be ABN and GST compliant.

We believe that all accommodation facilities in fairness, should have the same requirements for Approvals, Rules & Regulations. In particular we are concerned at the increasing number of non complying STHL properties in the residential areas of Cessnock, Rothbury, Huntley, Cypress Lakes & The Vintage developments, which are changing the traditional amenity of Australian residential areas as we know them.

Regards

Robyn & Ian Packer

4890
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.

The option enables us to take holidays we wouldn't otherwise be able to take.

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

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Neche Page

4891
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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.

Home sharing through Airbnb has also been wonderful education for my children, we have had families stay from all over the state, country and the world. They are learning much about hospitality, community and cultures. This is vital for the children of the future.

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

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Emma Paget-Wilkes

4892
Dear NSW Government,

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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. My mother has a disability, and I’ve had to take time off my full time job in order to care for her - while I stay in her home, I’m not earning the same salary that would have enabled me to keep making payments easily on my mortgage - and being able to have the flexibility of listing my home on airbnb has allowed me to provide care to mum so she doesn’t need to go right into permanent full time care. Leasing my apartment would have required a lot more red tape, and a minimum period of 3 or 6 months.

Further, there are few hotels in Newtown, but there are a number of venues such as the Enmore theatre, and carriageworks, my guests are often in town to attend the venues, and I also recommend my favourite local cafes, restaurants and shops so small businesses get a boost from local tourism.

I go to great lengths to ensure my neighbours are comfortable and not disturbed or inconvenienced by my guests. I have provided my contact information to neighbours, and they have not been in touch on a single occasion to date.

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Melissa Paisley

4893
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.

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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.

I know from my own holiday rental experience how convenient and pleasant this kind of accommodation can be, I know as owner how it is appreciated, and quite often, the only possibility for some to stay close to other family members who live in the area, or simply, enjoy a special event; it is a service offered that is reciprocal to both parties, owners and guests, and in my experience, never abused; it is simply a matter of a careful initial selection process for suitability and purpose, and to take responsibility for this kind of activity of letting others enjoy your home, but, we should have freedom to do this, with no special penalties,

Best Regards,
Giulietta Pellascio

4896
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.

It was also the only affordable option for me. If I could not stay at an airbnb I would not have come to NSW for my holiday.

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GARRY Palmer

4897
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John Pappalardo
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swami parambodhi

4900