

From: John Lin <australia886@gmail.com>
Sent: Friday, 6 September 2019 10:39 AM
To: DPE PS STHL Mailbox
Subject: holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you for reading my submission.

Mrs A. Williams

From: Aaron Dewhurst <dewhurst@hotmail.con>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Aaron Dewhurst
22 Clarence St
Woolgoolga, Nsw 2456

From: Aaron Hook <riverhouse92@bigpond.con>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
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Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because it's an efficient forum to let out my investment property on a short term basis.

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Thank you for reading my submission.

Regards,
Aaron Hook
92 Kings Creek Rd
Lawrence, Nsw 2460

From: Abe Mcgrath <abemcgrath@live.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Thank you for reading my submission.

Regards,
Abe Mcgrath
8 MacGregor St
Suffolk Park, Nsw 2481

From: Aberfoyle Berry <aberfoyleberry1914@outlook.com>
Sent: Friday, 6 September 2019 2:45 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 4:07 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 16:06

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Adam

Last name

Barnes

Name withheld

No

Info

Email

afbarnes@me.com

Suburb/Town & Postcode

Surry Hills

Submission

Dear Planning Dept and other representatives,

I wholely object to the land/unit/home grab being endorsed by AirBnB and others. There is a reason for having managed hotels and serviced apartments in our community. Unqualified business persons who simply want to make a quick dollar off those of us who must bear the cost of poorly managed short term rentals, is totally unacceptable.

Please limit un-hosted STRA to 60 days per year.

Please ensure all STRA comply to local development requirements.

Please ensure an enforceable host register for STRA framework is created.

Please ensure residential schemes have the authority to collect levy charges against STRA hosts.

Thank you,

Adam Barnes

I agree to the above statement

Yes

From: Adrian Blake <adrian.blake@ieee.org>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Adrian Blake
101 Mulach St
Cooma, Nsw 2630

From: Adrian Gallo <adrian.gallo@aol.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Adrian Gallo
38 Francis St
Marrickville, Nsw 2204

From: Adrian Howe <howea1313@gmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Adrian Howe
74 Hutton Rd
The Entrance North, Nsw 2261

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 7:25 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 19:24

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Adrian

Last name

Woodhouse

Name withheld

No

Info

Email

adyatsea@gmail.com

Suburb/Town & Postcode

Byron Bay 2481

Submission

Short term holiday let should ONLY be allowed where the host lives on site. The original concept of renting out a spare room in your house has been corrupted to allow whole houses to be let to noisy rude inconsiderate groups who destroy the amenity of the neighbourhood

I agree to the above statement

Yes

From: Adrienne Johnson <ada@johnsonbros.com.au>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Regards,
Adrienne Johnson
20 Rednal St
Mona Vale, Nsw 2103

From: Aimy Chen <aimy_since1989@yahoo.com>
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To: DPE PS STHL Mailbox
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Categories: emailed to DCS, Dom submission, Air BNB run

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Regards,
Aimy Chen
12-14 Benedict Ct
Holroyd, Nsw 2142

From: Akiko Kawasaki <akiko1k@hotmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
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Categories: Tom Submission, Air BNB run

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Akiko Kawasaki
27-29 George St
North Strathfield, Nsw 2137

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 5:50 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 17:50

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alan & Colleen

Last name

Dowley

Name withheld

No

Info

Email

acdowley25@gmail.com

Suburb/Town & Postcode

Tweed Heads West 2485

Submission

The Government needs to prohibit Short Term Letting in Strata Complexes. Main reasons are that the security of the complex is compromised with people coming and going especially when gate codes need to be used. The wear and tear on residents pool and amenities which we all pay for through our fees are used like a resort full of strangers. Noise levels are increased with children and these holiday renters do not adhere to our complex parking, driving recklessly and also it does not work fundamentally with a complex full of over 60 year olds. We have a Bi-law in place prohibiting Short Term Rental but this is being ignored. Our council zoning is also R2 which is residential only and no business is allowed to be carried out. In our complex of 34 townhouses only 1 is being used as AirBnB, these owners are ignoring the council rules and our Bi-law. Something like this needs to be prohibited through the Government passing a law.

I agree to the above statement

Yes

From: Alan Pursch <alan.pursch@gmail.com>
Sent: Thursday, 5 September 2019 11:14 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister

When our two boys grew up and left home, my wife and I began welcoming holiday makers and travellers for short term holiday lets in the self contained ground floor of our two story home.

That was almost 20 years ago, well before Airbnb and HomeAway and other big players entered the market. We now list on those two platforms, as well as welcoming many returning guests. Some come back regularly - the record is 15 visits!

After hundreds of hostings, we have had no complaints from neighbours, who are very supportive of our little enterprise. Many of them have used us at various times to accommodate friends and relatives.

We offer a niche service that does not compete with hotels, motels or resorts.

We contribute to the local economy and have always paid all due taxes and charges, complying with local authority regulations - eg dogs, fire regulations etc.

We understand that short term holiday rentals have caused and continue to cause problems in some areas, with some guests causing noise issues and possibly reducing long term rental availability for local residents and workers. In those areas, we fully support restrictions and regulations, best implemented locally.

Generally (state wide or even eventually nationally) we support "registration and regulation light". Any scheme should put a minimal cost and burden on owners, or they will simply leave the industry, leaving a big hole in local economies and choices for travellers and holidaymakers.

In our case, we are self funded retirees. We live on our superannuation, rent from another rental property, and our short term holiday let income. We do not draw a pension or any other government benefits. If any more than minimal regulations and additional costs were imposed by government, we would simply stop renting out part of our home and apply for an age pension.

Thank you for your attention to this submission.

Kind regards

Alan and Helen Pursch
2 Red Head Road, Hallidays Point, NSW 2430
0413482505
alan.pursch@gmail.com

From: Alan Barnes <barlea01@bigpond.net.au>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Alan Barnes
5 Goodwin Rd
Newport, Nsw 2106

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 8:23 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 20:22

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alan

Last name

Doble

Name withheld

No

Info

Email

adob1974@bigpond.net.au

Suburb/Town & Postcode

Ocean Shores, NSW, 2483

Submission

Introducing restrictions on short term holiday letting makes no sense to me.

A property owner is entitled to let their property to long term tenants for 365 days of the year, if they wish. A property owner who wishes to use their property themselves for part of the year is not able to do so. Instead, they may attempt to offer the property for short term holiday accommodation. If they do so, it is most likely they will find there are lengthy periods of the year, outside main holiday periods, when their property will remain empty. In other words, it would only be the luckiest of property owners who would approach 365 days STHR lettings in a year. I contend, these owners are providing a better economic service to their region than are long term leasers. They are encouraging more visitors to the region, and are making it possible for those visitors to sample the facilities of the holiday region at affordable cost.

Hence, short term holiday rentals should be actively encouraged by the Councils in noted holiday regions, such as the Byron Shire. If the Councillors were to restrict short term letting, then as far as I can see, they would be acting against the interests of the region they have been elected to represent!

I agree to the above statement

Yes

From: Alan Hainsworth <hainsy10@hotmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

We need to see the immediate stop of complete tenancies on air bnb as it is pricing out local families. However we need to fully support homeowners ability to rent out a spare or room sharing their home with others.

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Alan Hainsworth
2 Kumbellin Glen
Ocean Shores, Nsw 2483

From: alan linklater <alanlinklater@hotmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...I am able to share my home with travelers least able to afford expensive hotels.

I get to meet people from all over the world and am able to share experiences, knowledge and friendship (many have returned at least once) and the suitability and cleanliness of my house is recorded in the multitude of favourable reviews my home and I have received.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays to Australians as well as tourists from overseas across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW

Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
alan linklater
160 Chandos St
Crows Nest, Nsw 2065

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Wednesday, 4 September 2019 2:38 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Wed, 04/09/2019 - 14:37

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alan

Last name

McCormick

Name withheld

No

Info

Email

alan@mccormickfs.com

Suburb/Town & Postcode

Double Bay

Submission

For the Greater Sydney Region , I think THE 180 days per annum Cap of Unhosted STHR is a reasonable number , and should remain , for all properties that are the principal residence of an owner , or one or more of the owners where there are joint owners.

THIS SHOULD NOT BE CHANGED , and any efforts to put the Cap at 60days as I have seen recently , are unnecessary , and going way too far the other way.

I also feel that the recent proposal to not count individual stays of greater than 21 days against the above Cap makes sense , as those types pf stays are not where the really short term problems are .

We have been renting out within the 180 days Cap for many years , through an Agency, and have had NOT A SINGLE COMPLAINT FROM OUR OC , OR OTHER OWNERS, IN THAT WHOLE TIME.

I agree to the above statement

Yes

Alan Morrell
4/35 Milray Ave
Wollstonecraft NSW 2065

10 September, 2019

Submission re Short Term Rental Accommodation Reforms

My wife and I are local Airbnb hosts in the Blue Mountains area so I wanted to provide my feedback on the Government's proposed regulations.

We host on Airbnb because we enjoy sharing our home with visitors from Sydney, regional NSW, interstate and overseas. We have had many positive experiences and find introducing our beautiful area to visitors personally rewarding and motivating.

Hosting on Airbnb also helps us remain financially independent by providing some modest supplementary income. I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

I understand the need for better regulation but I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short-term rental accommodation (STRA) regulation that supports the sharing economy".

Generally, I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

- STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

- Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

- I also question the blanket-ban under 'Division 2 STRA – complying development', which states:

1. Development for the purpose of non-hosted short-term rental accommodation is complying development for the purposes of this Policy if—

(e) on any lot no part of the lot on which the dwelling is situated is bush fire attack level-40 (BAL-40) or in the flame zone (BAL-FZ)

This would make more sense if it applied only during bushfire season. In the Blue Mountains the winters are both cold and prone to occasional snowfalls. The risk from bushfire during this period is negligible. I ask that you consider amending this paragraph to apply during a nominated seasonality only.

- STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

- Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards

A handwritten signature in black ink, appearing to read 'Alan Morrell', is positioned to the left of a vertical line.

Alan Morrell

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 4:44 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Dom submission, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 16:43

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alan

Last name

Morrell

Name withheld

No

Info

Email

alan@alanmorrell.net

Suburb/Town & Postcode

2065

Submission file

[submission-on-stra-reforms-nsw-100919.pdf](#)

Submission

Thank you for the opportunity to comment. Please find my submission per the attached.

Regards, Alan Morrell

I agree to the above statement

Yes

From: alan morris <alan.morris@8hotels.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Specifically, I want to comment on the following:

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I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
alan morris
221 Darlinghurst Rd
Darlinghurst, Nsw 2010

From: Alan Pursch <alan.pursch@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

I am a local Airbnb host, and I would like to provide my feedback on the Government's proposed regulations.

My wife and I host on Airbnb because we like to provide a boutique accommodation experience for visitors to our special area. We rent out half our home because we no longer need that space as our children have grown up and have their own families. We have attracted many people to the area, who often would not have come without the specific experience we provide. This helps the local economy, and means, as self funded retirees of limited means, we do not need to ask the government for a pension or any other handouts.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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- Mandate smoke alarms – either battery operated or hard-wired
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Thank you for reading my submission.

Regards,
Alan Pursch
2 Red Head Rd
Red Head, Nsw 2430

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 8:41 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 08:40

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alan

Last name

Stewart

Name withheld

No

Info

Email

bomberal@hotmail.com

Suburb/Town & Postcode

Ocean Shores 2483

Submission

B& B must remain true to its original purpose and require an owner to remain living on the premises during the rental period.

Full house short term letting in residential areas is unacceptable due to the inconvenience it places upon permanent residents in regard to noise, traffic movements, parking, rubbish, and abuse from these tenants when complaints are made about their behaviour.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 6:43 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 18:42

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Alan

Last name

Stokes

Name withheld

No

Info

Email

alan@coastalcouncils.org.au

Suburb/Town & Postcode

Williamstown 3016

Submission

Feedback on a New Regulatory Framework
For Short-term Rental Accommodation
Announced by the NSW Government

In September 2018 the Australian Coastal Councils Association Inc. released the final report of a study into planning responses to the impact of online short-term holiday rental (STHR) platforms on coastal communities. The study was conducted by a team of researchers headed by Professor Nicole Gurran, Professor of Urban Planning at The University of Sydney.

The study was commissioned by the Association in response to growing concern about the impact that rapid growth in listings on STHR platforms is having on local communities. It found that although the growth of STHR platforms is raising important opportunities for communities it is also presenting new risks and challenges, in particular in relation to planning controls. The draft study report identified these opportunities and risks and proposed a number of planning responses, tools and strategies that can be adopted by councils.

Key points identified in the research project include the following:

- Properties listed on STHR platforms often circumvent traditional urban planning controls because of unclear regulations or enforcement difficulties;
- There is a need for a regulatory approach which clearly establishes criteria for defining when the primary use of a property is for residential use or visitor accommodation;
- Councils report an increase in resident complaints about noise or other disruptions associated with properties used for STHR accommodation.
- Internationally, planning and management responses have emerged to address the impacts of online STHR listings on permanent communities.

AN IDEAL REGULATORY APPROACH

The research report proposed what it identified as an ideal State government regulatory approach to managing the risks associated with online holiday rentals in residential neighbourhoods and homes. This ideal regulatory approach, led by State governments, would:

- 1) Clarify the definition of short term rental accommodation, as a residential or tourism use, and the threshold criteria between categories (i.e. the duration of time in a calendar year, and/or the number of guests able to be accommodated in a property before the primary use of the dwelling is considered to be tourist or visitor accommodation)
- 2) Set baseline standards for short term rentals in residential areas, including: building code compliance and safety standards, including fire/bushfire safety and evacuation information; signage displaying a 24 hour local contact point; controls to manage potential neighbourhood amenity impacts including noise, parking, and traffic movements; and registration requirements for monitoring compliance.
- 3) Enable local planning responses via a suite of model opt in/out provisions
- 4) Require online platforms to share data with local Councils and comply with local regulatory requirements
- 5) Establish a basis for local communities to share in rental income revenue where appropriate and

consistent with charging regimes for other tourism accommodation providers, through special levies, fees, or rates.

FEEDBACK ON THE NEW REGULATORY FRAMEWORK

The proposed regulatory framework for the short-term rental accommodation sector in NSW addresses a number of the major concerns expressed by coastal councils in relation to the sector.

The new framework recognises the benefits of the sector in terms of job creation, community economic benefits and income generation for property owners. At the same time, it introduces a mandatory code of conduct with accompanying exclusion provisions with the aim of protecting communities from anti-social behaviour, such as increased noise disturbance.

The mechanisms establishing baseline standards for building code compliance, fire safety standards and evacuation information for STRA properties will provide much-needed protection for guests renting accommodation in STRA properties.

The proposed regulatory framework does not appear to establish a basis for local communities to share in rental income revenue where appropriate and consistent with the current charging regimes for other tourism accommodation providers through special levies, fees or rates.

Our feedback on specific matters concerning the state-wide planning framework and mandatory Code of Conduct for short-term-rental accommodation (STRA) is provided as follows:

Definition of short-term rental accommodation – This is adequately addressed at Clause 4 of the State Environmental Planning Policy (Short-term Rental Accommodation) 2019.

Duration of time (day limits) on STRA activity – This is addressed at Clauses 9, 11 and 12, of the State Environmental Planning Policy (Short-term Rental Accommodation) 2019, which set out general requirements and proposed day limits for STRA activity. Clauses 12 and 13 of the policy would enable regional councils to apply to nominate reductions in un-hosted STRA permissibility to no lower than 180 days.

Set baseline standards for short-term rental accommodation in residential areas - Baseline standards including building code compliance, fire safety standards and evacuation information requirements, are addressed in the proposed Short-term Accommodation Fire Safety Standard and the proposed Environmental Planning and Assessment Amendment (Short-term Rental Accommodation) Regulation 2019.

Manage potential neighbourhood amenity impacts – This is addressed in the Draft Code of Conduct for the Short-term Rental Accommodation Industry and the draft Fair Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019.

Require online platforms to share data with local councils – This is addressed through the proposed industry-led STRA property register, which consolidates data in relation to all STRA properties, including their compliance with local council regulations and exclusion register status. The proposed property register, to be administered by STRA industry participants, will assist in administering the proposed Code of Conduct, thereby enabling neighbourhood amenity impacts to be adequately addressed.

The final report of the study into planning responses to the impact of online short-term holiday rental (STHR) platforms is available at - <http://bit.ly/2HaroYG>

I agree to the above statement

Yes

From: Alan Wolf <aswolf000@hotmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Alan Wolf
112 Warners Ave
Bondi Beach, Nsw 2026

From: Alba Boer-Cueva <albaboercueva@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it helps me to pay my mortgage and my bills (including rising electricity prices and health bills). As a casual academic teacher and PhD candidate, I very much depend on the income I make on AirBnB.

I'm not alone. 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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it impossible due to red tape and costs for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

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Thank you for reading my submission.

Regards,
Alba Boer-Cueva
119 Lord St
Newtown, Nsw 2042

From: Alejandro Pelaez <chiquipelayo@yahoo.es>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Thank you for reading my submission.

Regards,
Alejandro Pelaez
136 Campbell Parade
Bondi Beach, Nsw 2026

From: Alessandro Leveratto <traxxas@hotmail.it>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Alessandro Leveratto
6 Lachlan St
Waterloo, Nsw 2017

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:36 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run, council submission

Submitted on Wed, 11/09/2019 - 16:34

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Alex

Last name

Adkins

Name withheld

No

Info

Email

alexanda.adkins@snowymonaro.nsw.gov.au

Suburb/Town & Postcode

Cooma 2630

Submission file

[stra-submission---signed.pdf](#)

Submission

Please see submission attached on behalf of Snowy Monaro Regional Council. We look forward hearing from you in due course.

I agree to the above statement

Yes

From: Alex elfes <byblos65@hotmail.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Alex elfes
327 S Dowling St
Darlinghurst, Nsw 2010

From: Ministerial Services
<MinisterialServices@customerservice.nsw.gov.au>
Sent: Thursday, 12 September 2019 10:26 AM
To: DPE PS STHL Mailbox
Subject: FW: Short term letting
Attachments: STR-Discussion-Paper-Draft-Reg-SUB-190909-tnl2.pdf

Categories: Tessa Submissions, non Air BNB run

From: digital@dpc.nsw.gov.au <digital@dpc.nsw.gov.au>
Sent: Wednesday, 11 September 2019 5:59 PM
To: Webform Anderson <webform@anderson.minister.nsw.gov.au>
Subject: Short term letting



| | |
|------------------------|---|
| Title | Mr |
| First Name | Alex |
| Last Name | Greenwich |
| Phone | |
| Email | sydney@parliament.nsw.gov.au |
| Street Address | |
| Suburb | |
| State | nsw |
| Postcode | |
| Subject | Short term letting |
| Type of Enquiry | comment |
| Message | Please find attached a copy of Alex's letter to the planning minister on the government's planning framework for short term letting |
| Attachments | STR-Discussion-Paper-Draft-Reg-SUB-190909-tnl2.pdf - Download |

[File](#)

I would like a response

Yes

**I would like to receive
regular updates from the
NSW Government**

No

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The views or opinions presented in this email are solely those of the author and do not necessarily represent those of the DCS. DCS accepts no liability for any loss or damage arising from the use of this email and the recipient should check this email and any attached files for the presence of viruses.

11 September 2019

The Hon. Rob Stokes MP
Minister for Planning and Public Spaces
GPO Box 5341
Sydney NSW 2001

Dear Minister

Short-Term-Rental Accommodation Reforms

Short term letting has an important place in the economy but without the appropriate regulatory framework, residents across New South Wales risk being priced out of neighbourhoods and replaced by transient holiday makers, with the remaining community suffering from amenity impacts, loss of strategic planning and increased owners' corporation costs.

As drafted, the proposed instruments and regulations are grossly inadequate: they provide little regulation, oversight or enforcement. Strategic planning will essentially become impossible at a time when Sydney must plan for significant population growth. The proposal is a weak self-regulatory approach that will require significant effort to fix in the future as the industry grows and impacts become more widespread.

Caps

The proposed 180-day limit that would enable short term letting in residentially zoned premises in Sydney for 180 days a year without any planning approval or independent oversight ignores the international experience – and the government's own acknowledgement of serious impacts in Byron Bay – that large caps facilitate mass conversion of homes into short term stays in areas of high tourist demand.

In popular tourist destinations like the inner city, letting a home for half the year on a short term basis can be more profitable than signing a lease with a long term tenant. Six-month leases could become the norm with tenants evicted during peak tourist periods.

The new proposal to enable stays of 21 days or more not to count towards the cap is of serious concern, essentially providing a loophole to permit year round short term letting in premises that are zoned residential.

Last year the government promised that the 180-day cap in Sydney would not just ensure neighbours could get relief from ongoing changing visitors, but would also ensure that homes would not be wholly converted into commercial holiday accommodation. The 21-day rule is a gross betrayal of this promise that will result in commercial ventures replacing



residential communities in tourist areas. It suggests the government is only paying lip service when it claims its reforms are aimed at supporting the “sharing economy”.

Alarming, constituents informed me that they were told at an AirBnB course for hosts earlier this year that year-round commercial short term letting would be permitted in the inner city and that they could “get around” the 180-day rule by listing their homes on another platform. The 21-day rule was not public at that time, suggesting that the short term letting industry had prior knowledge to this new government policy likely to deliver it windfall profits.

Other cities like London, San Francisco, New Orleans and Reykjavik – and soon Byron Bay – use 90 day caps, and are all still grappling with unlawful short term lets changing neighbourhoods. With the 21-day rule, the cap will be impossible to monitor. I support the Tenants Union whose research suggests that 60 days is appropriate as a cap.

- ***The 180-day limit for short term rentals must be significantly reduced.***
- ***The 21-day loophole must be removed.***

Planning Regime

Exempt development is meant to be reserved for very minor developments that clearly do not impact on adjacent communities. Examples include awnings around windows and pergolas, where there is unlikely to be any concern and council oversight and expert assessment are not necessary. This process – or lack of – is completely inappropriate for short term letting which can result in different service and infrastructure needs and community impacts. Planning authorities must retain control of this activity.

With the proposed 21-day loophole, properties in Sydney will essentially be able to convert completely from residential to holiday accommodation without any planning authority oversight or merit assessment process.

Under this model, there will be no way for councils to plan for housing or the services and infrastructure needed for residents and visitors. They will be limited to reacting to emerging and constantly changing trends in the tourism market. In approving development proposals, it will be impossible for councils to impose consent conditions appropriate to the specific site or neighbourhood because consent authorities will not know how buildings will be used.

Similarly councils will be hamstrung from ensuring affordable housing in key precincts, with serious impacts on affordability. This will undermine key government policies to encourage the market to provide more affordable housing.

- ***Zoning for short term letting should be determined through an open planning process by experts, with assessment and approval by a consent authority.***
- ***Where the host is not present, short term letting must never be classed as exempt development.***

The lack of oversight proposed for fire safety compliance with the standards set out in the Short-term Rental Accommodation Fire Safety Standard creates significant risk.

It is well known that short term letting increases fire risks, which is why additional standards have been set. Fire safety is too important to be left to self-regulation. Oversight of fire safety compliance is essential.

The planning regime does not recognise any proportion of short term lets in a residential apartment building that would trigger a change in zoning. If every lot in an inner city residential tower was let out on a short term basis all year round (using the 21 day loophole), it would be completely inappropriate to retain its residential zoning. There must be some point where planning laws recognise that an apartment building is no longer considered residential, both in terms of strategic planning and transparency for potential owners and tenants considering buying or living in the building.

- ***The planning framework must set a trigger for the proportion of short term letting in residential apartment buildings that would require a change of use.***

It is unclear how express conditions of consent that ban short term letting in apartment buildings in mixed use zones will operate under the new planning regime. This must be clarified with existing conditions honoured in recognition that some owners purposely purchased homes in buildings with specific short term letting conditions.

- ***Existing conditions of consent that ban short term letting in a building in mixed use zones must not be overridden.***

Register

Short term letting is currently unlawful in most residential homes in Sydney yet it is widespread, including in my electorate. The government must acknowledge that new enforcement tools are needed.

The registration system should form part of a new enforcement framework aimed at ensuring compliance with planning laws, the code of conduct and relevant apartment by-laws.

A mandatory short term letting registration system is the only way to ensure compliance with any planned regime because it is the only way to identify and oversee activities. It provides an opportunity to build compliance into systems and ensure enforcement bodies have access to the information they need to investigate complaints.

All hosts, premises and platforms must be registered, with all dates that premises are offered for, and actually occupied as short term letting listed. Information about the relevant planning laws and strata by-laws must be linked to each property listed, along with hosts' principal place of residence.

Councils, government departments including the Department of Planning, Industry and Environment, NSW Fire and Rescue and the Australian Tax Office (ATO) must have access to the register to ensure compliance and to facilitate strategic planning.

Owners' corporations should be able to have access to relevant information on the register to enable them to ensure compliance with by-laws.

- ***Platforms must not permit a host to list their property unless their relevant details are on the register.***
- ***A mandatory registration system must facilitate access to information by enforcement bodies to ensure compliance.***
- ***The registration system must be in place before the new planning instruments commence operations.***

Details around the registration system under consideration have not been developed, however it is stated to be industry run. There is a conflict of interest in allowing industry, which can profit from non-compliance and lax rules to manage the register. It would be preferable if it were managed by government or an independent body, with the system funded through a registration fee.

Experience with self-regulation in the building industry has shown it is vital to ensure independent oversight and prevent conflict of interest in order to protect consumers.

Code of Conduct

The proposed Code of Conduct is weak and will provide little benefit other than to create an additional and toothless process for hosts and guests to resolve complaints about each other. There is nothing to protect neighbourhood amenity or to ensure compliance with the planning regime.

The draft code doesn't even require booking platforms to ensure premises listed on their sites comply with planning laws or by-laws. The registration system will provide all platforms the ability to identify whether premises offered for rent on their sites have complied with the 180-day and 21-day rules, or are in buildings with by-laws that have banned commercial letting.

- ***The Code of Conduct must include an obligation on platforms not to list premises that have reached the annual cap or breach by-laws.***

The code must also include an obligation on platforms to share information with enforcement authorities including councils, departments, NSW Fire and Rescue and the ATO as well as assist owners' corporations attempting to enforce by-laws.

- ***The Code of Conduct must include new obligations on letting platforms to appropriately share information with law enforcement bodies.***

The Code of Conduct was touted as a tool that would enable government to "crack down" on "party houses" yet the code fails to include any mechanism that would allow a strike against a premise for repeatedly hosting parties. The proposed code does not appear to provide for a premise be able to be placed on the exclusion list due to frequent parties or amenity problems.

Obligations in the code to prevent noise and antisocial behaviour are limited exclusively to guests; hosts bear no responsibility towards their neighbours outside of informing them of the change in use. If premises regularly allow loud disruptive parties, the only action

neighbours can take under the code is against guests – most of whom will have left the city by the time any investigation or complaint outcome is possible.

Even if action is successful, the only outcome is for a guest to receive a strike, potentially leading to their exclusion from renting through short term platforms again, but the problem premise could continue to be used for parties by other future guests. Most neighbours will see this process as futile.

The only way for the Code of Conduct to protect neighbours from constant parties would be to allow a strike against a premise through the host, and measures to allow this should be included.

- ***The Code of Conduct must include obligations on the host to ensure their premises are not used for parties with strikes against their relevant premise for repeated breaches.***

I am concerned that obligations on guests associated with protecting amenity and preventing antisocial behaviour are limited to residents of the “immediately adjoining” premises. In the densely populated inner city, which has rows of closely adjoining terraces on narrow streets, neighbours beyond the direct boundary of a property can be significantly impacted by, for example, loud parties or poor rubbish disposal. There is no reason to introduce this constraint when the commission could use a reasonable test in terms of neighbours who would be reasonably expected to be impacted by an activity.

Furthermore, it is unclear how references to “immediately adjoining premises” will apply in apartment buildings. Obligations to protect amenity and prevent antisocial behaviour should cover all residents in a building, in recognition of the common property, shared services like waste disposal and facilities like swimming pools and gyms, and potential impacts through balconies. Strata and tenancy law and court decisions both recognise this wider obligation.

- ***Obligations on guests in the Code of Conduct must be towards neighbours beyond those immediately adjoining the premise including all lots within the same apartment building.***

In apartment buildings, short term letting can increase operational costs such as leading to a fire order, increased work for the building manager, greater maintenance costs for example with lifts and higher insurance costs. Of note, the draft code only requires hosts to take out public liability insurance for the death or injury of a guest or visitor or damage to their property “on or at the premises”.

In apartments, this does not include common property, potentially resulting in additional public liability insurance costs for owners’ corporations. It is unfair to require other owners to subsidise the commercial activities of some owners.

- ***The Code of Conduct must include an obligation on hosts in apartment buildings to cover increased costs on the owners’ corporation caused by use of their lot for short term letting, including insurance for common property.***

There is evidence of people applying to rent homes for the sole purpose of hosting short term letting at a profit, and some businesses already provide advice and information to

people wishing to operate short term letting in multiple homes they lease. This should not be done without the property owner's permission.

- ***The Code of Conduct must place an obligation on hosts to inform the owner of the premise that the property is being offered for lease on a short term basis.***

While short term letting may not have impacts in some areas and help benefit regional economies and communities, in the densely populated inner city with high levels of apartment living and tourism putting pressure on costs and amenity, there is potential for serious impacts. A one size fits all model is not appropriate for such a diverse state.

The proposed regulatory framework is completely inadequate and ignores vast international evidence in areas of high tourist demand like Venice, Florence, Paris and Barcelona that show significant community impacts without appropriate regulation. The proposed regime lacks useful regulation, oversight or enforcement.

The proposal is also unfair, particularly on strata communities who will be forced to subsidise the commercial activities of some owners.

I ask that you undertake further work, including a review of international experience and effective models to create a robust world-class scheme that allows short term letting to prosper while protecting housing affordability, community and amenity in areas popular with tourists.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'AG', with a long horizontal stroke extending to the right.

Alex Greenwich

Member for Sydney

Copy: Minister for Better Regulation and Innovation
Department of Planning, Industry and Environment

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 5:54 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 17:52

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alex

Last name

Greenwich

Name withheld

No

Info

Email

sydney@parliament.nsw.gov.au

Suburb/Town & Postcode

2010

Submission file

[str-discussion-paper-draft-reg-sub-190909-tnl.pdf](#)

Submission

Please find attached a copy of my submission to the minister about the proposed short term letting regulatory framework.

I agree to the above statement

Yes

From: Alex Sheralie <jamie19920506@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Alex Seralie
2-4 Cunningham St
Haymarket, Nsw 2000

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 9:23 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 09:22

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alexander

Last name

Bosin

Name withheld

No

Info

Email

alexbosin@hotmail.com

Suburb/Town & Postcode

Suffolk Park / 2481

Submission

As a family man and business owner in tourism I can see the negative impact of AirBnB in our community. I totally agree on a short term restriction of 90 days. Everything else destroys a healthy

sustainable community. Most of us live from the tourism but I can see as well that more and more jobs in the tourism are done by backpackers which come to town live in a shared house stay here for a few months and move on instead of locals. Most locals can't afford anymore to live here. The house prices got too expensive due to an undersupply. It was really complicated for my family to find a house to rent (we pay \$750 for 3 bed rooms) in the area and unfortunately we need to move out next year again. There are no houses in this price range available to rent. My kids go here to school and day care. I don't want to take them out the community and move to a new area. I can see how more and more houses are getting bought by investors and converted to luxury holiday rental properties. These investors don't care about neighbours or a safe community. There are more foreign number plates on the road with holiday homes which don't respect locals. Unfortunately the town is losing a healthy community. Please make sure to reduce the max number to 90 days for an AirBNB to keep a town alive.

I agree to the above statement

Yes

From: Alexander Lotersztain <alex@derlot.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Alexander Lotersztain
887 Stony Chute Rd
Stony Chute, Nsw 2480

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Wednesday, 4 September 2019 5:33 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Wed, 04/09/2019 - 17:32

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alexandra

Last name

Thomas

Name withheld

No

Info

Email

alexandra.thomas@uon.edu.au

Suburb/Town & Postcode

2303

Submission

I purchased my first home this year in a brand new block of units. The unit block has 20 apartments and is in a busy location near Newcastle.

Since the properties settled in February, 5 of the 20 apartments are now leased to a short term accommodation company, Astra Apartments. This company now subleases the apartments to the general public and the minimum is one night staying.

We raised concerns through our strata manager and sought legal advice. We also contacted local council as this type of business operations are not permitted under the buildings DA. We have had no course of redress identified.

In the meantime, we now have a rotating door of people coming and going in our property with full access to common areas and the underground parking. This includes renters and also cleaning staff who block our driveway and have no identification. We asked Astra to comply with our by-laws by providing 21 days notice of the changing of tenants however they have refused. We now have a situation where we do not know who is accessing our building and Astra are flouting the same by-laws that all other owners are complying with.

I am concerned that Astra will continue to lease more apartments in the building and that it will effectively become a hotel. I am also concerned about the security threat that this poses.

I agree to the above statement

Yes

From: Alexandra Blackman <alexandra@digitalrehab.com.au>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host we wanted to provide our feedback on the Government's proposed regulations.

My husband and I host on Airbnb because we need the income. Being on the aged pension we must supplement our income to pay the bills. We do not regard this as a business but a necessary additional income in order to live. If the Government chooses to regulate and force us to make changes to our home, we will stop hosting as we have no financial resources to either pay a registration fee or undertake further changes to our home.

Our hosting on Airbnb is irregular with the total income being well under \$5,000 p.a..

Ours is a small home and we offer clean and comfortable accommodation for two people within our home. We offer a continental breakfast in our dining room only. There are no separate cooking facilities available to guests. We live on the premises. This is our primary residence.

We see ourselves as providing a service as well as earning a little from our efforts. We live in a desirable rural environment where there is a dearth of accommodation from hotels, motels and the like whilst being a major wedding region.

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

We are deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will remove any economic benefit for us to share our home.

We understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally we support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, we want to comment on the following:

STRA State Environmental Planning Policy

We oppose the requirement for costly compliance development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down

the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

We oppose the unprecedented requirements to introduce red tape to make costly alterations to our home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling. For the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if our home is approved to be safe for us and our family and friends to live in, it's safe for our guests. We support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of our home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

We oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated and ultimately rejected. In South Australia there are no fees and no registration or licensing systems, 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 – and a data sharing framework.

Code of Conduct

We support the Code of Conduct which overall is reasonable and representative of the home sharing community and provides strong protections for hosts and guests from vexatious or frivolous complaints. We ask that the Government amend the Code to allow hosts such as ourselves to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading our submission.

Regards,
Alexandra Blackman
20 Wilsons Ln
Exeter, Nsw 2579

From: Alexandra Russell <shmormal@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

We are Airbnb hosts and we wanted to provide some feedback on the Government's proposed regulations.

We host on Airbnb for a few reasons - it means someone is able to make use of our home while we're away, they can keep an eye on things, keep the garden alive in summer, and most significantly, help us make a little extra income to help out with the mortgage and bills. Our guests can find an affordable, comfortable, family-friendly place to stay when they visit Sydney - and judging by their reviews, they love it. If we weren't able to share our home in this way, it would be sitting there vacant.

We also recommend favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

We are very concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for us to share our home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Alexandra Russell
26 Gower St
Summer Hill, Nsw 2130

From: Alexis Garnaut-Miller <alexisgmiller@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it gives an opportunity for students, teachers and friends to access low-cost, safe, friendly, supportive accommodation in our local area. It also gives my family an opportunity to meet new people from all walks of life and places on the planet.

As free people, we should be fairly free to choose whom we invite into our living space and in turn receive an exchange of culture, kindness and nominal financial contribution for sharing spaces. This is the true meaning of a global community these days.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

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Thank you for reading my submission.

Regards,
Alexis Garnaut-Miller
18 Kenny St
Wollongong, Nsw 2500

From: Alfonso Unda <alfonso.unda@hotmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Alfonso Unda
14 MacIntosh St
Mascot, Nsw 2020

From: ElectorateOffice BaulkhamHills
<ElectorateOffice.BaulkhamHills@parliament.nsw.gov.au>
Sent: Friday, 13 September 2019 2:31 PM
To: 'ali.javam@hotmail.com'
Subject: RE: Submission to Short Term Rental Accommodation Discussion Paper

Dear Mr Javam,

Thank you for your email regarding the Short Term Rental Accommodation (STRA) draft Code, draft amendment regulations and STRA property register.

The proposed regulatory framework intends to ensure local communities enjoy the economic benefits of STRA, while managing potential adverse impacts.

Submissions closed on Wednesday, 11 September, and the NSW Government is now in the process of reviewing submissions.

Kind regards

Office of The Hon David Elliott MP

Member for Baulkham Hills
Suite 1, 25-33 Old Northern Road
Baulkham Hills NSW 2153
Phone: (02) 9686 3110 | Fax: (02) 9686 3212
<http://www.davidelliott.com.au>

From: Ali Javam
Sent: Wednesday, 11 September 2019 1:49 PM
To: ElectorateOffice BaulkhamHills
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear MP Elliott,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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I understand that the Government has made commitments to support “fair short term rental accommodation (STRA) regulation that supports the sharing economy”.

Generally I support the Government’s approach, however parts of the current proposals are unfair and fall short of the Government’s commitments.

Specifically, I want to comment on the following:

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I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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- Respect the ancillary use of my home for home sharing
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I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

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Regards,
Ali Javam
28 Springfield Cres
Bella Vista, Nsw 2153

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Regards,
Ali Javam
28 Springfield Cres
Bella Vista, Nsw 2153

From: Alice WILLIAMS <alice.willy@hotmail.co.uk>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Regards,
Alice WILLIAMS
16 Carraboi St
Wooli, Nsw 2462

From: Alicia Warren <leashraptor@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Alicia Warren
64-68 Gladesville Rd
Hunters Hill, Nsw 2110

From: Alison Foreman <foreman.alison@yahoo.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
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Categories: emailed to DCS, David submissions, Air BNB run

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Alison Foreman
181 Boorowa St
Young, Nsw 2594

STRA Code of Conduct & Registration Feedback

| Topic | Question |
|----------------------|---|
| Planning instruments | <p>1. What is your view on the form of and provisions in the STRA SEPP, Regulation and Safety Standard?</p> <p>All dwellings –</p> <ul style="list-style-type: none"> • Agree no more than 2 persons per bedroom / 12 persons per property. • Agree to smoke alarms • Don't agree with lighting of hallway unless it is part of the smoke alarm itself – overkill <p>Multi unit –</p> <ul style="list-style-type: none"> • Agree but believe that all external doors for ALL properties should be openable without a key internally • Agree but believe that fire extinguishers & fire blanket in kitchen for ALL properties • Agree with evacuation signage <p>Standalone dwellings</p> <ul style="list-style-type: none"> • Agree with heat detector when garage is not accessible by guest and underneath the property |
| | <p>2. Are there any elements of the draft instrument that are open to misinterpretation or require further clarification?</p> <p>No</p> |
| | <p>3. What are your views on new policy elements relating to days, flood control lots and bushfire prone land?</p> <p>Byron Shire Council (BSC) are proposing to reduce STRA to 90 days or less shire wide. BSC is required to prepare “a planning proposal to identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out in parts of its local government area”, as per Ministerial Direction 3.7. They are putting forward via this submission process a request to reduce all holiday letting in Byron Shire to 180 days until such time as they prepare the planning proposal referenced above. They have not made any contact with any relevant parties in determining the impact that this will definitely have on the economy of the towns of the Shire. They are only focused on issues that are experienced in the town of Byron Bay, and not on the detrimental tourism & economic impacts on the other towns eg. Brunswick Heads, New Brighton, South Golden Beach, Bangalow, etc..</p> <p>We agree with the restriction not being imposed in the Byron Shire, except if deemed necessary in Byron Bay itself, which leaves the number of lettable days at 365 days per year.</p> <p>Due to council's negative view on STRA as a whole, we have concerns around council's involvement when determining a properties complying development eligibility.</p> <p>We agree in principal with the flood & fire safety requirements but need to determine the extent of the impact for our local area as we are surrounded by bush & the majority of the Northern Rivers is flood susceptible.</p> |

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| Code: Industry participants' obligations | <p>4. Are the general obligations for industry participants adequate? If not, what other general obligations should be considered? Why?</p> <p>Yes</p> <p>5. What types of STRA information will be useful for the Secretary to collect to inform the further improvement of the Code and the STRA regulatory framework? Why?</p> <p>The Secretary could ask for a copy of participants complaint registers to determine the type & extent of complaints experienced to date.</p> <p>Ours, for example, will show how little of a problem the North Byron Shire is experiencing.</p> <p>6. Are the specific obligations on booking platforms, letting agents, hosts, guests and facilitators in the Code adequate? If not, what other obligations should be considered for each of these industry participants? Why?</p> <p>Yes in relation to guests, booking platforms & letting agents.</p> <p>We do not agree with Hosts having to have insurance that covers the Guests & their visitors belongings. How can a host be liable if a guest leaves the front door open and something is stolen, for example? This surely falls under travel insurance</p> |
| Code: Complaints | <p>7. Is the complaints process detailed in part 6 of the Code sufficient? If not, what other matters should be considered or set out in the process? Why?</p> <p>No</p> <p>All complaints must go to the host / letting agent first in order to be given the opportunity to rectify any concerns within a reasonable amount of time. If the issue continues to be a problem, this is when the Commissioner should become involved.</p> |
| Code: Compliance and Enforcement | <p>8. Are the grounds for recording a strike fair and reasonable? What other matters (if any) should the Commissioner consider when deciding whether to record a strike? Why?</p> <p>Yes, in theory. However, we have concerns around what determines whether the complaint is legitimate. And how whether the expectations of a guest is realistic when viewing a property online, for example, as opposed to actually viewing the house in person. It is understood that a property can not be misrepresented but still at times a persons perception may differ from what is reality</p> <p>Another concern we have is if person A is on the exclusion register so they get person B to make the booking. When taking bookings we only enter 1 persons details, not all the parties that will be holidaying in the property.</p> <p>9. What are potential ways to facilitate industry participants' access to the exclusion register while limiting potential privacy impacts? What factors should be considered?</p> <p>All participants hold a registration number. These numbers are checkable on the register. This number will advise whether the participant is excluded without providing any personal information.</p> <p>10. Is the review process clear and sufficient? What other matters (if any) should be considered? Why?</p> <p>Yes</p> |

| | |
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| Code: Penalty notice offences and civil penalties | <p>11. Are the proposed penalty notice offence and civil penalty provisions appropriate? What provisions should or should not be identified as penalty notice offence and/or civil penalty provisions? Why?</p> <p>We find the penalties rather excessive. This is a holiday letting industry – it does not involve serious infractions like Trust Account fraud.</p> |
| Amendment Regulation: Prescribed classes of STRA industry participant | <p>12. Does clause 22B(1) appropriately capture end to end property management services that specifically service STRA properties? Why or why not?</p> <p>Yes</p> <p>13. What other organisations or persons should be prescribed classes of STRA industry participants (if any)? Why?</p> <p>None</p> |
| Amendment Regulation: STRA industry participants excluded from Code of Conduct | <p>14. Is it appropriate to exclude the STRA industry participants set out in clause 22C? Why or why not?</p> <p>Yes</p> <p>15. What other STRA operators (if any) should be excluded from being covered by the Code? Why?</p> <p>None</p> |
| Amendment Regulation: Appeals against listing on exclusion register | <p>16. Is the appeals process clear and sufficient? What other matters (if any) should be considered? Why?</p> <p>Yes</p> |
| Amendment Regulation: Fees and cost recovery | <p>17. Which industry participants should contribute to the cost of administering and enforcing the Code? Why?</p> <p>The Guest</p> <p>18. How should costs be apportioned across different STRA industry participants? Why?</p> <p>Registration Fee – for Guest to register</p> <p>Registration Fee – for property to register</p> <p>Administration Fee – per booking, per property paid for by Guest</p> |
| Amendment Regulation: Penalties | <p>19. Is the proposed penalty notice offence amount appropriate? Why or why not?</p> <p>Excessive for a first offense. Maybe it would be more appropriate to determine the penalty amount around a certain % of the booking amount that it relates to</p> |
| Proposed industry-led property register | <p>20. How can industry be organised to develop and manage the registration system?</p> <p>Through a STRA committee of relevant parties eg. Those listed on Appendix 2</p> <p>Those that should not be part of the STRA committee include local council members.</p> <p>21. What would be the costs to industry in establishing and maintaining the register? How would industry propose to meet these costs?</p> <p>Registration Fee – for Guest to register</p> |

| |
|--|
| <p>Registration Fee – for property to register</p> <p>Administration Fee – per booking, per property paid for by Guest</p> |
| <p>22. What role should the Government play in developing or overseeing the register, if any?</p> <p>They should have a State Govt representative in the STRA committee mentioned in question 20 above</p> |
| <p>23. Are there other outcomes a register should deliver?</p> <p>No</p> |
| <p>24. How can the approach ensure registration applies to all STRA operators, regardless of how the property is advertised for rent?</p> <p>Determined by the STRA Committee</p> |
| <p>25. What audit and verification processes would be needed to ensure accuracy of data?</p> <p>Determined by the STRA Committee</p> |

| |
|---|
| <p>26. Should there be separate or additional penalties for failure to register? If so, which industry participants should they be imposed on?</p> <p>No, covered in penalties above</p> |
| <p>27. What information should the register collect? Why?</p> <p>Agree – name & contact details of host</p> <p>Agree – address of property</p> <p>Do not agree – it should be number of days the property is actually stayed in – bookings can be cancelled.</p> <p>Do not agree – that should already have been determined regarding strata compliance, by laws & STRA</p> <p>Agree – but breach information should not be viewable by general public; only whether they are excluded or not</p> <p>Also on the register should be Guest name & contact details</p> |
| <p>28. What role should different industry participants (e.g. hosts and booking platforms) play in the registration process?</p> <p>None – only once place / site to register</p> |
| <p>29. What role should Government play in the registration process or providing information for the register?</p> <p>None</p> |
| <p>30. Should any information on the register be made publicly available? If so, what information could be made available and why?</p> <p>Only whether a participant is excluded or not</p> |
| <p>31. Should industry be required to report registration information, including number of stays (days), to Government and/or local councils? If so, how frequently? Why?</p> <p>Not directly. They can refer to the register</p> |

| | |
|---|---|
| | <p>32. Should any information on the register be made publicly available? Why?</p> <p>Same question as 30</p> |
| Commencement of regulatory framework | <p>33. How much lead time would industry need to develop and establish the proposed STRA property register? Please provide reasons.</p> <p>Councils should have to apply for any request to limit number of days a holiday property is lettable prior to the establishment of the STRA register & the regulatory framework.</p> <p>Holiday home owners will need to determine the viability of continuing to holiday let with the reduction in income & costs associated with the compliance of the Code if the number of days a property can be let are reduced from 365.</p> <p>34. When should the STRA regulatory framework start? Please provide reasons.</p> <p>Refer question 33</p> |
| 12-month review of regulatory framework | <p>35. Do you support the proposed scope of the review? What additional considerations might be necessary?</p> <p>Yes</p> <p>36. What data sources could the NSW Government use to inform the review? How can industry and councils assist with data collection for the review?</p> <p>Voluntary submissions from participants & / or surveys issued to registered participants.</p> |

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 1:06 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 13:02

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Alison

Last name

Stawell

Name withheld

No

Info

Email

astawell@bigpond.com

Suburb/Town & Postcode

Hawthorn

Submission file

[stra-code-of-conduct-and-registration-feedback-\(2\).pdf](#)

Submission

I believe there are some very different areas of Byron shire which perhaps require different treatment. New Brighton has always been a "holiday" village with still many holiday rental properties and few permanent residents.

I agree to the above statement

Yes

From: Allissa Ward <allissa@sydneyexecutiverentals.com.au>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Allissa Ward
56-58 Harbour St
Mosman, Nsw 2088

From: Alla Darwish <alladarwish@inbox.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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Thank you for reading my submission.

Regards,
Alla Darwish
23 Shelley St
Sydney, Nsw 2000

From: Allan Jackson <jackjoall@gmail.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host, I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it allows me to live with and support my 95-year-old mother in her own home. Plus it allowed me to continue to pay my mortgage when made redundant until I found another job.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however, parts of the current proposals are unfair and fall short of the Government's commitments.

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As the NSW Government considers how best to regulate home-sharing, the message of hosts across NSW remains the same - we want to work with you and have a say in developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home-sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Allan Jackson
1 Goodsell St
St Peters, Nsw 2044

From: Allan McKinnon <allanmckinnon@telstra.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I provide essential accommodation for family and patients visiting the RPA Hospital and others.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Allan McKinnon
217 Wilson St
Newtown, Nsw 2042

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 8:10 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 08:10

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Allison

Last name

Knox

Name withheld

No

Info

Email

a-knox@hotmail.com

Suburb/Town & Postcode

2064

Submission

One problem we have with very short term residents in an apartment in the building where I live is often they cause excessive noise about which we cannot take effective action against the Owner of the

apartment through the Strata Legislation nor Municipal Council processes because each particular noise-maker has left before the noise complaint can be acted on. That is, by the time a Notice To Comply has been sent to the Owner of the Lot any particular noise-maker has vacated. Also, if the noise-maker does not open the door on which-ever later date when a Municipal Council inspector knocks then there is no evidence to Council that there is any person resident and thus Council cannot take action against the Lot Owner.

I agree to the above statement

Yes

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

10th September 2019

Dear Sir/Madam

Re: Short-Term Rental Accommodation

alloggio specialises in various forms of accommodation – Hotels, Motels across NSW, particular in the Hunter Region as well as operating and managing under the real estate corporate licence 500+ Short term rental properties (Holiday Rental Homes) in Port Stephens.

We welcome the establishment of new Short-term holiday letting regulations by the NSW Government as we believe they will bring structure and further integrity to our industry, where the vast majority of people do the right thing.

As a regulated letting agent and participant in the Short-Term Rental Accommodation (STRA) Industry we hereby provide our feedback on the Government's proposed regulations.

We are deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for homeowners to share their home and support their and our local community. We understand that the Government has made commitments to support "fair short-term rental accommodation (STRA) regulation" and that the review of the Industry is in responses to the negative impact on community's amenity, namely party houses.

Short-Term Rental Accommodation is an important Australian holiday tradition embedded into the fabric of the Australian culture and is at risk because of the abuse of a few who negatively impact neighbourhood and community amenity such as Guests holding anti-social events like 'Party Houses'.

The STRA Industry is a significant contributor to the NSW economy and helps home-owners to pay their mortgage and bills, to share their spaces with guests so that they can enjoy and participate with other communities and importantly is a recognised financial driver of regional areas where Tourism dollars are spread throughout the local community such as the local butcher, local café, local tourist attractions etc.



Over-regulation, mis-appropriating responsibility and limiting consequences on Guests and Platforms puts this economic driver at risk. The draft Code and STRA Regulation unfairly places considerable burden on the letting manager and property owner.

As previously stated, generally we support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, we make the following comments:

1) STRA Planning Policy Instruments

- a) We strongly oppose the exemption of properties where a host is present.
 - (i) there is no way to monitor and manage this process and confirm that there is a host present;
 - (ii) by expressly exempting these properties the Government is not addressing the scope that the STRA Review sought to review and address namely concerns about the housing affordability, availability and the impact on amenity. If there is to be credibility and fairness then all elements with potential to impact the housing affordability, availability and the impact on amenity by the STRA Industry needs to be included.
- b) We oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. This is a significant barrier to home sharers who share their home for a few months (cumulative) a year and will make hosting uneconomical which will end up making holidays across NSW more expensive and will rob villages and towns of the much needed dollars that enable jobs, sustainability and wellbeing amongst the communities that reside in these regional and rural areas. Not to mention the affordability that home sharers provide visitors for stays that may be otherwise outside their budget.
- c) The proposed permit signals that all residential rental property, (example - tenanted properties on 6- or 12-month leases) in time will face similar regulations. Is this the intention of Government, and if so, what is the proposed timing? If not – it does appear that Government is placing a lower value on a person life that is an owner occupier or a long-term tenant.
- d) We are opposed to the potential of day limits in regional areas as determined by local councils. Day caps for holiday rentals not only put the economic uplift associated with the tourism sector at risk, but also fails to address the most consistently cited concern about the industry, namely the impact on amenity and sustainability of communities.



- e) We do not support limiting the number of guests allowed in a bedroom or total number to be in a house, in its current form. This proposal is particularly problematic for people with close supervision needs, for example babies who sleep in cots, very young children who still sleep with their parents and people with special needs.

We argue that the current short-term rental code, which has worked well for eight years, is a practical and good basis to build upon. The current rules allow for two adults per bedroom, plus two for the household, i.e a two-bedroom property is allowed six people thus families and friends of families are catered for and not discriminated against.

- f) Options need to be provided to the Host/Letting agent to enforce code and/or terminate the occupation of a guest where a code violation is occurring.

An example is where community amenity is being negatively impacted such as a party event is occurring. The Letting agent needs authority to protect the amenity and terminate violation in the form of a legal and immediate eviction where the financial loss is borne by the Guest in the form of loss of occupation and associated rent paid and the cost of carrying out such a termination.

- g) We support a regulatory approach that provides the best balance for consumer safety, community amenity and the contribution of the sector to the economy. For the NSW approach to work properly, it must treat all properties equally - whether hosted or un-hosted, primary or secondary.
- h) We believe that 'Terms of Use' and associated agreements used by all participant, including but not limited to; Terms and Conditions, License to occupy, STRA Agreement etc should specifically discourage party houses including the use for bucks, hens' events. The strict prohibition of the use of the premise by a Guest for the purpose of holding a party, hens or bucks' events should be codified.

It is our recommendation that platforms (as primary booking agent) should be mandated to ensure this is communicated to each guest and that each guest is required to agree and accept this prior to making a booking and when creating an account.

When a guest is found to have contravened this a strike is recorded against them.

- (i) Concerning Jurisdiction. Consumer complaints are currently dealt with under the NSW Civil and Administrative Tribunal (NCAT) along with any residential tenancy issues.



The establishment of the STRA complaint process sits outside existing established processes meaning that a complaint (matter) could potentially be lodged both with NCAT and the STRA Commissioner regarding the same matter and although within the purview of the same responsible office (Commissioner of Fair Trading) different processes and approaches can be applied.

It is our recommendation that 'double jeopardy' could easily occur. This can be avoided where the STRA Complaints process is recognised as sole avenue.

2) Environmental Planning and Assessment (STRA) Regulation 2019

We oppose the unprecedented requirements to introduce red tape to make costly alterations to a home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if a house is approved to be safe for me and my family to live in, then it's safe for my guests.

However, we recognise the importance of consumer safety and we support the NSW Government streamlining safety regulations which:

- (i) Respect the ancillary use of my home for home sharing
- (ii) Mandate smoke alarms – either battery operated or hard-wired

3) STRA Property Register

Registration of all holiday rentals – We are supportive of compulsory and simple registration for all properties listed on a short-term rental accommodation platform. When implemented correctly in other parts of the world, the registration of holiday rentals has proven to be a low-cost and effective way of informing the future establishment of sensible rules for our growing sector.

In South Australia there are no fees and no registration or licensing system, allowing the home sharing economy to thrive. We would support a no cost or a nominal cost registration and licensing system.

Code of Conduct – the core elements that the regulations and code is seeking to address are; housing affordability, availability and the impact on amenity. With specific regards to impact on amenity it is the abuse of the STRA Industry by guests who hold parties, hens and bucks events that negatively impact on communities.



It is our view that booking platforms need to provide the true contact details of guests, presently the platforms remove these important details from the host and Industry participant as the booking is completed within the booking Platform and the Host/letting agent/industry participant has no recourse to qualify or vet the guest as all Guest details and communication with Guest is controlled by the Booking platform in a 'Closed Loop Communication' process.

These actions are in-fact mandated by Platforms, and Letting Agents are penalised by the Platform if they:

- a) do not accept this booking type, and
- b) do not accept this type of booking by negatively weighted listing results.

By providing the true identify and contact details of the guest upon booking then the regulated letting agent can reinforce the particular nuances of that particular home and how it is supposed to be used.

Industry participants Obligations - We support the Code of Conduct which overall is reasonable and representative of the home sharing community and provides strong protections for hosts and guests from vexatious or frivolous complaints.

We ask that the Government amend the Code to require all letting activities to be conducted only by Licensed Real estate agents and that the use of independently audited Trust Accounts be mandatory to ensure protections for guests, hosts and landlords is preserved.

This provides consumer protections that are already well-established and accepted and extends safeguards such as financial management through the use of Trust Accounts, professional insurance such as Professional Indemnity for Real Estate and a well-established and robust regulatory framework.

Code Definition – The Government via the STRA Code of Conduct and Regulation seeks to address the community and neighbourhood amenity however definitions of community and neighbourhood amenity need to be established. What is considered and defined as reduced community amenity, is it a Party, hence a buck's event?

We strongly believe that an event such as a buck's party, need to be defined as inappropriate and included as prohibited events within the Code and that all parties that participate, arrange, hold and or market such events should be held accountable

Complaint registration – We believe that the cost of lodging a complaint by all parties to be set at monetary value. This financial hurdle is to discourage frivolous and vexatious complaints.



Strikes – The proposed ‘two strikes within two years’ for both Guest and host/letting agent/industry participant is unfair and burdensome and clearly weighted in the favour of the Guest. A guest typically books short term holiday accommodation only once per annum however a host/letting agent/industry participant facilitates a multiplier of 700X.

That is, a typical host/letting agent/industry participant facilitates approx. 700 – 1100 guest bookings per annum and therefore the applied percentage exposure to one (1) strike pa is greater than that of a Guest.

Therefore, it our recommendation that the limit should be:

- Guest – two strikes within two years;
- Host/letting agent/industry participant – a set amount of strikes (relative to the number of properties they manage);
- Booking Platform – a set amount of strikes (subject to size)

Strikes, nature of complaint – The proposal for a complaint to be valid because of ‘misrepresentation of the state of the STRA premise’ is vague and open to abuse. Within the current Real Estate Regulations there exist definitions and examples of how this is treated for residential properties and we believe these should be adopted as they are already industry-wide accepted within an established regulatory framework.

Additionally, we believe that a complaint should be found valid and a strike recorded when the published, communicated and accepted Terms and Conditions of the letting have been accepted by a Guest and not complied with.

With special attention to where and when instances of parties, hens’ and bucks’ events have been expressly banned by the host/letting agent/industry participant but are found to occur as the host has contravened the accepted Terms and Conditions.

Complaints – The current proposal of registering a complaint is open to abuse by serial complainants as there is no recourse of consequence for a person who acts vexatiously or mischievous intent to frustrate the normal operations of a small business.

We propose that when two complaints within a two-year period are found not to be upheld by the commissioner then the complainant should be treated and recorded as vexatious and not to be relied upon.

Supporting Evidence – to avoid vexatious and unsubstantiated complaints it is our submission that each complaint must be accompanied by supporting evidence. The Burden of Proof needs to be on the complainant



Exclusion Register – The burden of being registered on the exclusion registry exempts Platforms from consequence and unfairly lays responsibility directly at the feet of those with lack of resources to argument their case. Currently there exists no provision for Platforms to be subject to complaint, review and added to the Exclusion Register. There needs to be provision for this to occur.

There must be consequences for Platforms, and we propose that if complaints are upheld and are to be found to have occurred via the use of a certain platform then that platform needs to be held accountable.

We suggest that in the instance of where ten (10) complaints are valid and upheld by the commissioner within a one-year period then the Platform shall be equally listed on the registry and equally not permitted to participate within the STRA industry for five years.

Exclusion Register – Fees and cost recovery should be recovered by all participants including guests and should be self-funded by way of penalties and fines incurred by Industry participants. This avoids any revenue raised via penalties not being rolled up into general consolidated revenue by Government but go directly to the area of industry (Tourism) that needs support.

Additionally, the mechanisms for costs recovery by appropriation according to; number of premises, number of days, STRA revenue and upheld complaints does not apply a provision for Platforms.

Platforms generate hundreds of \$M's each year within NSW STRA Industry and should a) pay proportionately and b) face consequences and penalties proportionate to their revenue and market dominance.

Penalties - When guests are found to be in violation of Code and penalties are applied, the penalties need to be applied to all parties who were present during the occupation. The current proposed amount should apply to each Guest equally. Penalties need to be applied to all guests who stayed at the property during the instance of violation and not solely borne by the guest who made the booking.

This financial deterrent will assist in meeting the aims of the Regulation and Code namely reducing the negative community impact on neighbour amenity.

Register Data Collection and Management - How will data be recoded and stored? What type of data will be captured and used to identify participants?

STRA Regulatory and Code Commencement – The changes proposed are significant and costly, they represent complex adjustment just as the national economy is poised for a recession.



Typically, the height of business activity for the STRA Industry commences from the October long weekend through mid-March and accordingly we recommend that any commencement begin after that period. The ideal period is after the Financial year has concluded.

Both the Government and STRA industry need considerable time to design and implement education and awareness initiatives with several audiences:

- General Publish – Guests
- Letting Agents
- Hosts
- Property Owners
- Industry participants, and
- Platforms

Practical application of any changes.

Those carrying the burden of the proposed changes, ie Property Owners and Letting Agents, need time to finance and organise the complex compliance.

Furthermore, micro and small businesses, the backbone to the NSW economy that act as Letting Agents need to finance and support the training of staff, update websites, legal agreements, systems and processes need to be reviewed and updated to reflect the changes and new obligations of parties.

This is not insignificant and for micro and small businesses represents a significant financial hardship.

Given these factors, including that we are faced with the very real prospect of a recession, we believe in a staged approach that provides time for necessary changes to occur and for the phasing in of different components of the regulation.

This phasing-in approach is needed for reasons stated previously but also neatly addresses how to apply changes to future accommodation that is booked prior to commencement.

Typically, large portions of accommodation are booked up to 18 months in advance and these historical habits go back to the tradition of the industry where families booked the same home year after year. There cannot be two systems/two processes and or two different legal treatment applied to bookings based on commencement date. A timely, staged approach ensures that there is the right approach taken for all booking situations.

Scope and Administration of Review- how will the social and environment impact be measured? Will the economic benefits/impact be equally measured to quantitate disruption to the NSW economy and regional and rural economies?



As the NSW Government considers how people travel and use their homes today, we respectfully submit that we don't need severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Our communities and their habits are changing and as we all appreciate and realise, times of change can cause great emotion and conflict, and is rarely easy for all parts of our very diverse communities.

Today we are seeing change across multiple industries be it retail or the transport sharing economy of cars/bikes/scooters and how they are used or shared. What is important is that Government have an eye on the future and its opportunities that will lead to improved amenity, combine with focused eyes on safety and a fair and balanced approach to all people who wish to use homes regardless of the length of time they may wish to occupy the home.

Thank you for considering my submission and we look forward to forward to working with the NSW government to providing a fair and balanced approach to Short Term Letting.

Best regards,



Will Creedon
Managing Director



From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 10:44 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 10:33

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Will

Last name

Creedon

Name withheld

No

Info

Email

will@alloggio.com.au

Suburb/Town & Postcode

2300

Submission file

[short-term-letting-nsw-government-submission-sept-2019.pdf](#)

Submission

To whom it may concern,

Please find attached my submission to the Short Term Rental Accommodation.

Please let me know if you need any further information.

Kind Regards,

Will Creedon

MD - alloggio

I agree to the above statement

Yes

From: Amanda Barnett <amandajanebarnett888@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because, my home frequently has space available and is in a desirable part of the world to visit.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired

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I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Amanda Barnett
37 Belongil Cres
Byron Bay, Nsw 2481

From: Amanda Davey <amandadavey090@gmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

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Thank you for reading my submission.

Regards,
Amanda Davey
13 Dudley St
Bondi, Nsw 2026

From: Amanda Ferretti <mandy.ferretti@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Amanda Ferretti
Singles Ridge Rd
Sydney, Nsw 2777

From: Amanda Ferretti <mandy.ferretti@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Regards,
Amanda Ferretti
Singles Ridge Rd
Sydney, Nsw 2777

From: Amba Bottrell <white_amber120@hotmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Amba Bottrell
3 Illawarra Cl
North Boambee Valley, Nsw 2450

From: Ambrose Nnakwu <bookings@eulara.com.au>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Ambrose Nnakwu
12 The Links Rd
Leura, Nsw 2780

From: Amelia Craig <ameliamatthews22@hotmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it provides extra income.

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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Thank you for reading my submission.

Regards,
Amelia Craig
48 Gemini Way
Narrawallee, Nsw 2539

From: Amy Leiper <mymleiper@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because... we have a self contained unit under our deck. The money we make from hosting helps our family make ends meet. We claim all income from the apartment and pay tax on this. We keep tabs on everyone who stays with us and ensure they are not an annoyance to our community. Since starting hosting four years ago, we have found those who stay to be respectful of our house rules and our neighbourhood.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Amy Leiper
128 Queenscliff Rd
Queenscliff, Nsw 2096

From: Amy Wilson <amy.wilson@trinityac.nsw.edu.au>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it is an enjoyable small business venture that i can do alongside my career.

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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Thank you for reading my submission.

Regards,
Amy Wilson
386 Percy St
East Albury, Nsw 2640

From: ANA ALEXANDRATOS <ana@focuseyecentre.com.au>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because i am unable to work any longer because of illness and need this small occasional income .

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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Thank you for reading my submission.

Regards,
ANA ALEXANDRATOS
24 Fischer St
Kingsford, Nsw 2032

From: Ana de Veaux <elanadeva@mac.comp>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

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I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Further I suggest that there is a clear distinction between those who live in their own home and have guests within their own home, and business operators who illegally use a residential property as a purely business operation, leasing via websites at great profit without them living onsite.

If this distinction is clarified in the legal regulations this would solve a lot of the current problems,

Thank you for reading my submission.

Regards,
Ana de Veaux
3 Belongil Cres
Byron Bay, Nsw 2481

From: Ana Zambrano <anakogarah@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Ana Zambrano
14 Barton St
Kogarah, Nsw 2217

From: Anatoli Romano <analysts@fitbits.com.au>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because I would like to contribute to the community through facilitating travel, promoting cultural exchange and helping our local economy.

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Thank you for reading my submission.

Regards,
Anatoli Romano
11 Galvin St
Maroubra, Nsw 2035

From: Andrea Moffatt <amoffatt41@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Andrea Moffatt
2324 Bells Line of Rd
Bilpin, Nsw 2758

From: Andrew Beniac <ajbeniac@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Andrew Beniac
57 McDougall St
Kirribilli, Nsw 2061

From: Andrew Collins <andrewdcollins@hotmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Regards,
Andrew Collins
1398 Middle Arm Rd
Middle Arm, Nsw 2580

From: Andrew dang <dangandrew@hotmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Andrew dang
5 Cope St
Redfern, Nsw 2016

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Regards,
Andrew Edmonds
26 Huntley Dr
Blacktown, Nsw 2148

From: andrew@tirian.com
Sent: Thursday, 5 September 2019 11:05 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW - get the balance right for all
Attachments: Air BNB By Law options 180508AG.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: recorded and not sent to DCS, Purple category

Dear Minister and Stayz

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct but with restrictions. Here is why.

I believe that if both Stayz and Airbnb dig in too hard, it will polarise the situation becoming a lose lose for everyone. There is a workable middle ground. *(see attached detailed research and summary below)*

As an owner / Stays Airbnb host & guest (for over 20 years), the chairman of a 16 luxury unit complex at a popular Sydney beach, (and design thinking expert), listening to all sides of the argument to resolve this we first need to craft the **right question to which I believe is the following:**

"how do we allow and respect people's private homes (Principle Place of Residence- PPR) stemming from the initial idea of a 'shared home idea' and yet stop the abuse of by those that try to over commercialise it, (buying renting units for the sole purpose of renting it short term with no regard to the other owners. (who do not want to live in an unmanaged 'hotel' transient block of strangers 52 weeks of the year?)

- "This is about getting the balance right to ensure that neighbours have certain rights and protections as well as providing for those people that choose to rent out their accommodation for a short period of time, ie whilst they are away on holidays"
- "People have right to 'respectfully' share own homes PPR." (OSR website states 200 days to count as PP)
- "Short-term letting of empty places (ie. which would otherwise be vacant) should be subject to "impact thresholds"
- "Airbnb hosts who temporarily let out their home during a holiday should be exempt from any ban
- "As a principal place of residence, the owner will likely be in residence for a majority of the time. While such a let would not be hosted, we believe that it will be of low impact. This is because the dwelling is a private home rather than an investment property. Therefore an owner in this scenario to a degree the problems will be self managed, and evaporate, as they will do all they can to look after it, ensuring the right holiday people stay there and they manage the whole process as its their home (as it is) so there is no conflict of interest with "profits&parties" V "responsible people "
- Units should not be allowed to be rented 'commercially', through models exercising short term holiday rental, (using Air BNB and the likes). 'Commercial' means the place's primary use is holiday short term rental, and or the place is managed by a third party / agent, and or the use of 'instant booking. Primary place means more than 45 days in a calendar year. Units cannot be sub rented from tenants to other tenants).

- Units however should be allowed to be used under the shared economy model (AirBNB, Stayz HouseSwaps, Home Exchange etc) for temporary, limited and private use, on a non commercial basis. This is defined as being: only directly through the owner in their own unit, which is their primary place of residency, and for no longer than a total of 90 days in a calendar year, All parties to be personally screened by the owner. The owners are the primary occupants of the unit for most of the year (9 months). The owners will arrange and have direct contact and responsibility of all visitors in their unit and strict enforceable rules and behaviours set out. All standard noise bylaws will still apply and if these are not adhered to the owner will be asked to cease. This needs to be approved by the OC based on track record of respecting the property to date.

Regards

Andrew Grant

Executive Director Tirian: Author, Facilitator, Speaker

andrew@tirian.com

Gaia Grant (PhD)

Executive Director Tirian, Author, Doctoral Researcher & Lecturer

Strategy, Innovation and Entrepreneurship | University of Sydney Business School

gaia@tirian.com



Tirian International (INC)

+61 2 8003 3410

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www.whokilledcreativity.com

RESEARCH AND SENSIBLE OPTIONS ABOUT AIR BNB / STAYZ in NSW

(Sept 2019) by Andrew Grant agrant@tirian.com

There are a lot of legal issues & history that needs discussing. I've been researching this for some time due to issues in my brothers unit block and as a 20 year user of the shared economy. Before crafting a decision we need to define, clarify, assess and then discuss it, looking at and counsel rulings (that are changing daily as they try to keep up) and 'private' v 'commercial' aspects. We need to ask the right questions to get the right answers. What ever we come up with will need to be clear, measurable, fair, enforceable and in line with the counsel. Unfortunately its not as clean cut as asking for "AirBnb" "yes" or 'no' vote.

I believe that if both Stayz and Airbnb dig in too hard, it will polarise the situation becoming a lose lose for everyone. There is a workable middle ground.

As an owner / Stays Airbnb host and guest (for over 25 years), the chairman of a 16 luxury unit complex at a popular Sydney beach, (and design thinking expert), listening to all sides of the argument to resolve this we first need to craft the **right question to which I believe is the following:**

"how do we allow and respect people's private homes (Principle Place of Residence- PPR) stemming from the initial idea of a 'shared home idea' and yet stop the abuse of by those that try to over commercialise it, (buying renting units for the sole purpose of renting it short term with no regard to the other owners. (who do not want to live in an unmanaged 'hotel' transient block of strangers 52 weeks of the year?)

The purpose of this document is to request that we carefully base our decision on facts, experience, the law, precedents and what will work and be fair for everyone. We need to come up with a smart policy solution that works for all people.

Summary report handed down from the NSW state government NCAT July 2017:

- "This is about getting the balance right to ensure that neighbours have certain rights and protections as well as providing for those people that choose to rent out their accommodation for a short period of time,"
- "People have right to 'respectfully' share own homes."
- "Short-term letting of empty places (ie. which would otherwise be vacant) should be subject to "impact thresholds"
- "Airbnb hosts who temporarily let out their home during a holiday should be exempt from any ban
- "As a principal place of residence, the owner will likely be in residence for a majority of the time. While such a let would not be hosted, we believe that it will be of low impact. This is because the dwelling is a private home rather than an investment property." Therefore an owner in this scenario to a degree the problems will be self managed, and evaporate, as they will do all they can to look after it, ensuring the right holiday people stay there and they manage the whole process as its their home (as it is) so there is no conflict of interest with "profits&parties" v "responsible people "
- "AirBNB restricted lettings (option 2 below) has no greater impact than boarding, lodging or other shared accommodation,"
- *In April the government said it will permit homeowners to rent out private rooms and primary residences on a short-term basis. It will also allow short-term rental of empty properties, such as investment properties, unless it exceeds certain "impact thresholds" (OSR website states 200 days to count as PP)*

Options for the By law to read (based on research and discussion with owners / emails to date)

OPTION 1:

- A ban on commercial Airbnb and the likes. With the expectation of owners who live in the property as full time residents, who wish to temporarily share, swap, allow guests and or let out their home during their personal holidays. (with approval from the OC)

OPTION 2 more detailed and clarified with measurable definitions:

- Units cannot be rented 'commercially', through models exercising short term holiday rental, (using Air BNB and the likes). 'Commercial' means the place's primary use is holiday short term rental, and or the place is managed by a third party / agent, and or the use of 'instant booking. Primary place means more than 45 days in a calendar year. Units cannot be sub rented from tenants to other tenants).
- Units however can be used under the shared economy model (AirBNB, Stayz HouseSwaps, Home Exchange etc) for temporary, limited and private use, on a non commercial basis. This is defined as being: only directly through the owner in their own unit, which is their primary place of residency, and for no longer than a total of 45 days in a calendar year, All parties to be personally screened by the owner. The owners are the primary occupants of the unit for most of the year (9 months). The owners will arrange and have direct contact and responsibility of all visitors in their unit and strict enforceable rules and behaviours set out. All standard noise bylaws will still apply and if these are not adhered to the owner will be asked to cease. This needs to be approved by the OC based on track record of respecting the property to date.

Keeping the door open for home sharing in NSW

Hosts on Airbnb in NSW can continue welcoming guests, supported by fair and balanced rules that protect the right to responsibly home share and support healthy tourism. The NSW Government passed the Fair Trading Amendment (Short-term Rental Accommodation) Bill 2018 in Parliament in August.

Separately to the new laws, the NSW Government will also introduce new planning rules that will come into effect next year.

After three years of extensive community consultation, the new rules strike the right balance and help keep the doors open for home sharing in NSW. Here is what the rules will mean for hosts and guests:

- Creation of a new mandatory Code of Conduct for all industry participants, which will include a “two-strikes and you’re out for 5 years” policy
- Allowing short-term holiday letting as exempt development 365 days per year when the host is present
- When the host is not present, a limit for hosts to share properties via short-term holiday letting of 180 days in Greater Sydney, with 365 days allowed in all other areas of New South Wales (local councils will be able to reduce this down to 180 days if they choose)
- Protecting the rights of people living in strata buildings to share their own homes responsibly
- Giving owners corporations the power to adopt a by-law in strata buildings, by special resolution – 75 percent vote – to prohibit short-term accommodation for people sharing non-primary places of residence

After the new laws passed, Airbnb’s Australia Country Manager Sam McDonagh said: “The NSW Government has recognised the way people travel and use their homes has changed and the rules needed to change as well. The NSW Government’s fair and balanced laws will protect people’s rights and support healthy tourism. We are committed to working collaboratively to implement these new laws.”

For Superhosts Lauren and Greg Newell, the new laws mean they can continue to share their farm cottage in Wingham with guests from all around the world whilst earning a little extra income to supplement their business, Linga Longa Farm. Lauren says. “We get such a wide variety of people coming through, whether people are coming up for a wedding, a family gathering, or for work. For us it’s become more than just a bit of extra income, it’s more about interacting with our guests and teaching them about the farm and where their food comes from. We have made friends from all over the world and we’ve had a few guests come back two or three times now. Find out more about Lauren and Greg’s story.

Learn how you can become an Airbnb host.FAQs Clarifications and suggestions

Should we allow AIR BNB in our unit block? Simple answer is “this depends”.

Follow on core question: What are we wanting to achieve, stop, improve on &/or continue? Will a new bylaw address these and to what degree and effectiveness ensuring fair rights and responsibilities?

Value proposition: residence should be able to enjoy their place and home where they can live and interact with the neighbours in a secure & safe setting, without impact of disturbing, noise or inconvenience and constant strangers.

HISTORY:

Zoning: Owners bought residential units to live in and enjoy. Before AirBNB Manly had designated several buildings for short term rental, as the council was concerned that ‘tourists’ can be rowdy and not compatible with owners tenants, which can change the whole chemistry of the block. This proved to be true and the price of these units dropped dramatically as they got known as ‘party’ blocks. There was no screening process no ability to manage who came. (Cleaning staff would roam the halls with trolleys like in a hotel, no one was onsite to manage it, noise and parties people coming and going all night, things left out and no community was the result of some units.)

Air BNB and other website in the like (STAYZ etc) and in the 1990s “House Swaps” were originally designed for owners who were travelling on holiday to allow other guests to use their place whilst they were away. It was small and personable with a built in controlling mechanism- that one would not rent out their property unless they were sure the guests would respect it. This was a great model, as its self selecting with no conflict of interest, it made perfect sense, and has worked successfully for over 20 years – starting with the original idea of a home exchange & house swaps.

CURRENT

Air BNB has many options to carefully screen guests including: requesting for only families (no toddlers), min and max stay (to avoid party one nighters), only validated guest through their strict review star and feedback processes & references etc , + even phone numbers so an owner can personally call. (+ facebook and linked in). There is also a strict code of conduct set out all users are expected to follow. AirBNB technically does not sell anything. It is a platform that introduces people to each other using the ‘shared economy’ model.

Airbnb provides protection insurance that protects against third party claims of property damage or injury up to \$1 million. This host protection coverage covers landlords and homeowners associations.

As of May 2018 with many councils it has become difficult to legally enforce a ban as the legislation is too slow to keep up to date with the rulings. AirBNB is now working with councils and cities to look at the workable options. It therefore might be best to find an agreeable fair way to allow owners to not be disrupted, but not with such drastic measures it will be challenged. See appendix *The legal situation and suggestions*

FUTURE:

Air BNB is a disruptive innovation that is changing the way of travel and holidays. Government are struggling with what this new model brings in terms of benefits and risk.

WORTH NOTING:

- Important Question: Is it the AirBNB model or the abuse of the model that is most at risk to cause issues? If it's the model then we need to look at banning this, if it's the mis use of the model (and the exception) then we need to create ways to avoid this misuse and minimise and or eliminate the possibility of misuse.
- The 2017 NSW report findings stated that "AirBNB restricted lettings (option 2 below) has no greater impact than boarding, lodging or other shared accommodation," Parties and noise still happen with current residents, so the question needs to be addressed will the suggested bylaws increase, decrease or remain the same - pertaining to this situation. OR how do we make bylaws that ensure the current situation is not made worse.
- Airbnb having been working with counsels globally and together suggesting that they now propose limiting hosts from making more than one listing, limited days, & thorough screening. This is all for an effort to weed out property owners who opt to abuse the model, by listing multiple properties, to drive profit at the that increases the risk of 'party people' and disruptions.

3 OPTIONS SPELT OUT. *Unpacking the "yes" or "no" options*

Unfortunately its not as clean cut as asking for "AirBnb" "yes" or "no" vote. Between YES 'allowing it' and NO 'banning it', there is a third option based on what most counsels and cities globally are now recommending from their extensive research, called a "restricted" option. This needs to be seriously considered as the best options as it covers all fears but does not strangle personal privacy.

OPTION 1: Complete ban:

This poses challenges and is hard to both define, measure and police. Residents who disagree with this have opposed this on the grounds that it breaches privacy, and is technically illegal and cannot be enforced by council. It is also hard to clarify as where is the line drawn? Bedroom, mates, shared accommodation, friends, house swaps, exchanges, B&B, barter, crypto currencies. The likes of Airbnb do not sell anything. They introduce a person wanting to sell / exchange with a person wanting to buy /swap or use. The parties then conduct the transaction between themselves. Therefore it makes it hard to create an enforceable bylaw like this. It will force many good people underground.

This option does not address any real problems of parties, and noise which can happen with any unruly residents. If the bylaw is too strict it will encourage people to twist stretch and buck the system making the following 2 more sensible distinguishable options harder to police. A total ban is hard to define, shows little respect for understanding the real situation, evidence to date and is like throwing the baby out with the bathwater as it does not really address the real issues.

OPTION 2:- 'Private' 'non commercial' 'temporary' 'restricted' & 'limited'. (or a "ban" with exceptions)

This private arrangement whereby an owner has direct non commercial and private dealing allowing selected people (that can include friends, relatives, house swaps, and Air BNB model) for a very short portion the year, mainly whilst they are away themselves on a short holiday. This option falls in line with the Current Air BNB regulations & recommendations from NSW report Oct 2017 Airbnb hosts who temporarily let out their home during a holiday should be exempt from any bans"

Why this is preferable & workable and should not increase any issues in the building:

- Because its in the owners best interest to responsibly and personally manage the situation ensuring the use of their place will not disrupt or effect any other owners.
- Private versions where it's the owners house will be self selecting to quality above revenue, as no owner will allow in anyone without ridged screening, when its their primary place of residents, with their own furniture and personal items. There is no conflict of interest. Owners will put their properties & personal belongings above a quick dollar.
- It is for owners only, tenants cannot sublet as this is not accepted in their lease

- Banning or restricting private use will be very difficult to enforce or draw a line. People renting bedrooms, guests staying over, house sitting, swaps, barter (extending to air bnb) for a few weeks when the owners are on holidays, will be very difficult to enforce (or fair). It infringes on people's rights in their own home. For this reason is why council is having a hard time banning it and has recommended this option as the best.
- This can be measured and policed, as owners must have everything in their name and be listed as the residents. (More and more AirBnB where cities have instigated this as a law, they are placing 'threshold' restrictions on their website cutting off the supply after 90 days per year letting)

OPTION 3: Commercial:

This version is where AIR BNB crosses the line into commercial territory.. Meaning - a unit is dedicated to renting on AIR BNB (or similar sites) and often through a third party management company that does this commercially. Every week during the year new guests arrive and depart.

Banning Commercial use is easier to do and measure, plus it's most likely to remove the real issues and fears people have with Air BnB. This can be enforced as it is not in line with the original idea of the original shared economy ideals (Air BnB). Plus council regulations before AirBNB originally divided up areas into "commercial / tourism" and "residential, where by residents bought into that area expecting to be entitled to live in a community where everyone has a vested interest to contribute to peaceful living.

Why option 3 is dangerous and risky:

- The guests and management company / owners, in this situation are less likely to have no real investment in the block other than to enjoy a weeks holiday and the owners make money. As a result there is little control over who comes, how many come, and very little anyone can do to manage any immediate onsite problems, stop disruption, deal with security, parties and noise and the cycle is repeated weekly and in multiple units.
- Commercial – opens up the chance for any guests to book a place with little ability to police or choose who comes.
- It's a faceless process managed by someone who is not present at any time in the process whose prime objective is to make commercial money. (Air BNB now has an option of "instant booking" and if used, this means no way to screen guests)
- Units are cleaned whereby some neighbours have complained that they feel like living in hotel (with cleaning trolleys in the lobbies).
- Anyone who has switched to this model in zoned areas that did originally permit it, will give a strong warning that either the whole block / strata uses this model or they don't.
- Research shows in many countries who have studied this that long term residents who use their place as a home, and short term commercial holiday makers 'tourists' do not co exist well together, as they have different motives, interests and reasons for being there. Long termers want to live (peacefully), short termers want a holiday with little accountability for noise and other distractions.
- This can change the entire culture of the building and the type of people that use it.
- One way to measure and enforce this is for owners' corporations to fine landlords who don't register tenants using a "widely ignored" law and carries a fine of \$550. <http://www.news.com.au/finance/real-estate/renting/airbnb-hosts-can-be-fined-550-for-failing-to-notify-strata-of-new-guests-under-nsw-law/news-story/da29e660c3843b2ba151ee684d9c3166>

Conclusion

The key principle that owners will need to agree on is what degree of risk and return do they want for living? If there is little risk in having Air BNB model (version 2: that is a privately arranged) there should be no sufficient reasons to ban it. However turning the block effectively into a hotel (option 3) where there is no onsite management, no accountability or reason to "keep the peace", can result in major issues.

An owner who respects (and has always shown respect) for the property one should not be punished or penalised from owners who do not respect the properties regardless if they are an owner tenant or other. This goes for all residents as the main issue invoking a "no" vote seems to be based on anticipated inconvenience damage and excessive noise. However it is important to point out that this is not the sole domain of AirBnb and hence should not be used as a political scapegoat to address a real issue.

In making an educated decision it might be worth referencing the history of these types of issues in the 10+ years I've owned this unit: -looking back at the incidents such as: the 2017 Christmas party where there were signs stuck everywhere, nude photos in the elevator, Units XXX playing loud music, karaoke in the bedrooms day / night, screaming off the balconies at 3AM, the smell of illegal drugs wafting in from others balconies, and the previous tenants of unit 16- live band gigs and wild all night parties, none of which resulted from AirBnB. As there is no precedent set of bad experiences to date

with AirBnB (with a current use of the 'restricted private model- option2), a blanket NO ban (Option1) will be hard to enforce (as residents and with counsel)

For the record my family and i have been successfully using this shared economy style travel for over 20 years the way it was meant to be used, and have never had an issue both as a host and guest. I'd like to request that we base our decision on facts, experience, the law, precedents and what will work and be fair for everyone.

(long before Air BnB existed) as both a guest and a host, during this 20 years have never ever had an issue.

BEST PRACTICES and RESEARCH

1. Air BNBS [Responsible Hosting page](#) AND <https://www.airbnb.com.au/help/article/1377/responsible-hosting-in-australia>
2. BERLINE imposes some pretty firm conditions on vacation rentals and makes the penalties for ignoring them far more stringent. All landlords seeking to rent out their home will only be allowed to do so if they get a general permit from their borough, even if they intend only to rent their property out for occasional short stays.
<https://www.citylab.com/life/2018/03/berlin-airbnb-vacation-rental-regulation-law/556397/>
3. LONDON Starting from early 2017, Airbnb's systems are automatically limiting entire home listings in Greater London to 90 nights per calendar year. This announcement follows an unprecedented six month project with partners across London to investigate how we can deliver the commitments that our platform is promoting responsible home sharing and remove unwelcome commercial operators.
<https://www.investopedia.com/articles/investing/083115/top-cities-where-airbnb-legal-or-illegal.asp>
4. NEW YORK: it is illegal to advertise an entire unoccupied apartment for more than 30 days. We are requesting specific, useful data on those bad actors that are abusing the model to operate de-facto illegal hotels with multiple units and multiple bookings on the site, thereby breaking the law." work with our community to prevent short-term rentals from impacting the availability of long-term rental housing by ensuring hosts agree to a policy of listing only permanent homes on a short-term basis Airbnb said that to identify bad actors it considers the number of listings controlled by a host, the quality of the listing, and the number of nights a listing is shared. Lehane pointed out that Airbnb supports legislation that would allow New Yorkers to share only their permanent home and is "eager" to work with the city and state to remit taxes from hosts. "We agree that those who are engaging in unwelcome commercial activity are not operating in the best interest of New York City," he wrote.
<http://www.fastcompany.com/3057600/heres-what-nyc-wants-to-know-about-airbnb-hosts>
Claiming that it targets "people or companies with multiple listings. There are so many units held by commercial operators, not individual tenants. They are bad actors who horde multiple units, driving up the cost of housing around them and across the city."
<http://www.theverge.com/2016/6/19/11973078/nys-senate-passes-bill-banning-airbnb-entire-apartment-listings>
5. SAN FRANCISCO has adopted a similar policy as New York's: Airbnb rentals are allowed only if hosts are full-time residents, rentals are capped at 90 days and all hosts must register with the city.
6. PARIS government crackdowns on secondary apartments
7. AUSTRALIA & The legal situation
 - a. A court decision in Tasmania permitted hosts to rent properties for up to six weeks without a permit. Why Your Airbnb May Be ILLEGAL <https://youtu.be/oGLE0Wqfbyk>
Lack of clarity around Sydney's Airbnb rules causes anger, legal threats "The recent landmark NCAT decision came when Sydney teacher Peta Etsens took action against her apartment building when she was told its bylaws didn't allow her to rent out her unit on Airbnb during her school holidays."
<https://www.domain.com.au/news/lack-of-clarity-around-sydneys-airbnb-rules-causes-anger-legal-threats-20171024-qz6d94/>
 - b. NSW April 2017: The government said it will permit homeowners to rent out private rooms and primary residences on a short-term basis. It will also allow short-term rental of empty properties, such as investment properties, unless it exceeds certain "impact thresholds"
 - c. VIC Landlords can rent their own apartments, Tenants cannot.
<http://theconversation.com/australian-governments-are-treading-lightly-around-airbnb-76389>
<http://www.afr.com/real-estate/residential/nsw-government-gives-green-light-on-airbnb-rentals-20170410-qvhi73>
8. How to protect your home from bad renters: https://www.domain.com.au/living/how-to-damageproof-your-home-from-airbnb-guests-20180701-h11v9x-442346/?utm_campaign=strap-masthead&utm_source=smh&utm_medium=link&ref=pos1

From: Andrew Lloyd <andyllloyd120@hotmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host short term letting (not just specifically Airbnb) because I'm struggling to make ends meet. I only do so for a maximum of three nights per week (in reality it's more like one stay every fortnight), mainly because I'm letting out my home, my place of residence. When guests are here I'm couch-surfing at friends houses...btw I'm 57 years old, so not a real good look, but I'll do whatever it takes to ensure I have enough money to pay for food, mortgage & bills. I am not doing this to make lots of money, I'm doing it to increase standard of living. I work full-time in the city of Sydney as a Computer Developer, so not a bad job, but am trying to make ends meet after a devastating divorce. Please don't make it harder for me to host.

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'm more than happy to supply you with a copy of the "Guest handbook" I've written recommending local places to go, see & spend money on).

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home

before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Andrew Lloyd
310 Wattle St
Ultimo, Nsw 2007

From: Andrew Mashman <amashman@liberatedvision.com.au>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

Our property via Airbnb is meeting a specific need for family and travelling groups that is not well serviced by other venues and this has a very positive impact for Bathurst and the region.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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- Mandate smoke alarms – either battery operated or hard-wired
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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Andrew Mashman
3151 Sofala Rd
Wiagdon, Nsw 2795

From: Andrew Moss <andrwmoss@gmail.com>
Sent: Thursday, 5 September 2019 9:20 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Andrew Moss. 0408 77 22 78. Sent from my iPhone (please excuse typos / mis-spellings).

From: Andrew Moss <andrwmos@gmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Andrew Moss
78 Goodhope St
Paddington, Nsw 2021

From: Andrew o <okanea72@hotmail.com>
Sent: Friday, 6 September 2019 10:14 AM
To: DPE PS STHL Mailbox
Subject: Submission on Holiday Rental Regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: recorded and not sent to DCS, Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct.

However, I strongly oppose regulations which will significantly impact a very successful property we have had listed for over 3 years with 50+ five star reviews

It resides in a regional area and support a destination people go to often seeking large group accommodation...banning properties with more than 12 Beds ??? What about a 7 bedroom, 4 bathroom very large property ?

Maximum of 2 adults per bedroom ?? What about children.. and especially bunk beds which allow families to combine share a great experience and save money..

Restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on, remove unique high quality accommodation and lead to the visitors paying more, cost local employment and more.

Thank you reading my submission.
Andrew O'Kane

From: andrew unsworth <drewunsworth@me.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

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I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
andrew unsworth
19 Plunkett Rd
Mosman, Nsw 2088

From: amurray888@gmail.com
Sent: Monday, 9 September 2019 9:30 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: recorded and not sent to DCS, recorded in DPIE subs register, Purple category

Dear Minister,

Please read my submission and take it seriously

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

I look forward to your response and I thank you for your time

Your faithfully

Andrew W Murray

P O Box 372, Mona Vale NSW 1660

Residential: 5/56 Golf Avenue Mona Vale

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 1:54 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Sylvia submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 13:54

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Arndria

Last name

Seymour

Name withheld

No

Info

Email

arndria.seymour@bigpond.com

Suburb/Town & Postcode

Sydney 2000

Submission

I am an owner of a beautiful top floor 361 Kent Street Sydney residential building and the Treasurer of the Owners Corporation (OC) for the past 5 years. Over the past 2 years our building has been constantly

overrun with short term leasing, despite being contra to our Building's DA. We are constantly dealing with over crowding, party central behaviour, excessive wear and tear including damage to our common property. The owners in our building are funding the repair work , whilst the people looking after the short term leasing are raking in the money.

This is not the lifestyle that I signed up for. I appreciate the framework and code of conduct is required, however this does not stop the overcrowding issue, which is a fire safety matter to me. The Code is not strong enough to deal with the bad behaviour of many short term letters that are invading our peaceful homes. As a member of the OC we have to deal with the aftermath, along with Building and Security management. We have no idea who is coming and going into our building.

Please reconsider how this impacts on the owners and long term residents as this is our home!

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Wednesday, 28 August 2019 5:07 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Wed, 28/08/2019 - 17:06

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Andy

Last name

Chong

Name withheld

No

Info

Email

andycfchong@outlook.com

Suburb/Town & Postcode

2009

Submission

I own an apartment unit within the One Darling Harbour building which was historically a short term stay serviced apartment and had been used as such since the 90s. Purchasing this unit was a decision predicate on the nature of this building to be able to generate income for me if I were to not live there.

As the land on which this building sits is state-owned and this is essentially lease-hold property, measures made to curtail the viability of the building as a short term rental unit would grossly impact the capital value of this property.

I feel that the nature of the building should be taken into account before making sweeping generalizations. I do understand that perhaps newer developments not built with the commercial intent in mind should be controlled.

On that note, I feel that allowances be made in regards to certain older buildings that may have been built with specific short term purposes in mind.

I agree to the above statement

Yes

From: Andy Gao <andygao3000@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

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Code of Conduct

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Andy Gao
5 Johore Pl
East Lindfield, Nsw 2070

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 2:36 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission, non Air BNB run

Submitted on Wed, 11/09/2019 - 14:35

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Angela

Last name

Dunlop

Name withheld

No

Info

Email

sgbca@bigpond.com

Suburb/Town & Postcode

south golden beach 2483

Submission

11th September 2019

Submission on Draft STRA SEPP

South Golden Beach Community Association (SGBCA) is greatly concerned about the proliferation of Short Term Rental Accommodation (STRA) in Byron Shire.

The NSW Government continues to push Byron Shire as a desirable tourist destination. The exponential increase in domestic and international tourists of more than 2.1 million annually has impacted heavily upon our Shire. Some of the detrimental effects include negative traffic and parking impacts, dangerous pot-holed roads, poorly maintained infrastructure such as public toilets and parks and gardens which Byron Council is unable to maintain due to lack of funds. There is no means of obtaining funds from tourists to assist in the up-keep of the shire given that NSW Govt. is resistant to the introduction of a bed tax. Many cities across the world rely heavily on a bed-tax to assist in reducing the impact associated with tourism.

As a result in the increase of tourists, investors and property speculators are cashing in on profits to be made by STRA at the expense of the amenity of our neighbourhoods.

Consequently, Byron Shire has been swamped by STRAs, particularly in residential precincts. These STHAs are not registered as commercial businesses and do not pay Council to operate their businesses. The reduction in permanent housing supply caused by property developers renting whole houses for short periods has increased property values across the shire. The inability to find affordable housing is forcing residents to move outside the Shire away from their friends and family or to find sub-standard housing in unapproved illegal accommodation such as garages, sheds and caravans. The sense of community has diminished as many neighbourhoods largely exist of short-term renters. Many of these tourists have little respect for the amenity of the permanent residents or, indeed, the natural environment. Currently Council is unable to effectively manage the adverse impacts of these non-hosted properties.

Permanent residents who have bought or rent a property in an urban area have a right to expect a degree of peace and quiet instead of being negatively impacted by party houses operating on a continual basis next door.

Byron Shire has a relatively small rate base and the concentration of non-hosted STHAs is totally out of proportion to permanent dwellings. SGBCA feels that a 90 day threshold for STRA is an equitable and workable compromise. This would be a deterrent to property investors who wish to rent out their properties year-round and would free up housing stock for permanent residents. We are seriously concerned about the potential loophole wherein a booking for 21 or more consecutive days will not count towards the limit when a host is not present. A host will then be able to book out as many 21 day periods as they wish and these days will not be included in the annual limit. This means the true extent of short-term letting can never be monitored or measured.

We do not have faith in a self-regulated system to protect our villages and towns. This takes the power away from local councils to monitor non-compliance for their residents. Council needs to have powers to police host, online platforms and letting agents instead of NSW Fair Trading.

Yours Sincerely
Angela Dunlop
Secretary, SGBCA

I agree to the above statement

Yes

From: Angela Emslie <angnz27@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it gives me an added income as a single parent (who does not and have never claimed any form of benefit) which means I don't have to work so much in a full time job and allows me to spend more time with my son.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing

- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Angela Emslie
48 Banks St
Monterey, Nsw 2217

From: Angela Kesby <angelakesby@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Angela Kesby
1A Clement Pl
Rushcutters Bay, Nsw 2011

From: angela lei <angie.angiela@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Specifically, I want to comment on the following:

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Thank you for reading my submission.

Regards,
angela lei
93 Auburn Rd
Auburn, Nsw 2144

From: Angela wang <angwan94@hotmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it is more flexible than longterm rent

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Angela wang
211 Pacific Hwy
North Sydney, Nsw 2060

From: Angelina Chen <chenle66665@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Angelina Chen
11 Hassall St
Parramatta, Nsw 2150

From: Angelique Kelly <angelique.kelly70@yahoo.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Angelique Kelly
23 Rawlinson Ave
Wollongong, Nsw 2500

From: Ania @gmail <gloverfamily04@gmail.com>
Sent: Saturday, 17 August 2019 1:14 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.
Ania Glover

From: no-reply@planning.nsw.gov.au on behalf of Department of Planning,
Industry and Environment <no-reply@planning.nsw.gov.au>
Sent: Wednesday, 14 August 2019 3:45 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Cc: DPE PS ePlanning Mailbox
Subject: Have your say on Short Term Rental Accommodation

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Wed, 14/08/2019 - 15:45

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anika

Last name

Stokes

Name withheld

No

Info

Email

stokesanika@hotmail.com

Suburb/Town & Postcode

Bangalow 2479

Submission

Hi. I agree there needs to be a consistent message. In the Byron area we keep getting told different things and how do we hosts plan for the year ahead. The council gives no information and it's about time there was consistency

I agree with the standards re the fire alarms etc as there are too many dodgy StL

Thanks

Anika

I agree to the above statement

Yes

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: Anita Fletcher <signatureimage@live.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Anita Fletcher
728 Darling St
Rozelle, Nsw 2039

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 22 August 2019 8:27 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 22/08/2019 - 20:26

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anita

Last name

Lee

Name withheld

No

Info

Email

littlemoss@msmoss@gmail.com

Suburb/Town & Postcode

Maroubra

Submission

Having stayed in two short stay accommodations since arriving in Australia last month, I'd say there are a few big issues to clean up:

1. Right to privacy. The guy who owned the block we were in (4 apartments used solely for short lets), decided he wanted to sell and gave us less than 24 hours to tidy up so an agent could take photos. He then had a real estate agent send us a viewings schedule for twice per week during our three week stay. That just isn't reasonable.
2. Right to security. The code for the front door is set to the address of the flat. 352, as we're at flat 3, 52 xxx Street. Guess what the code is for the other four flats... Not only that, but the 'front door' is actually an inner glass panelled door, ie not secure and certainly not a fire door.
3. Unreasonable check in requirements. Both accommodations demanded we email them a copy of our passport and credit card and wouldn't give us the access code without it. You just don't send that kind of data over email, it isn't secure. But you don't know they're going to ask for that until you've booked and paid, non-refundable. The card particularly grated as they'd already taken payment via booking.com. Neither company has a privacy policy so who knows what they're doing with my stuff, probably selling it to www.stealyouridentity.ru!
4. A clear definition of 'serviced apartment'. I've seen some pretty thin 'service.'
5. Someone to contact on the ground, including out of hours. Not a voicemail in Queensland or an office who don't answer after 5pm if there's an urgent problem!

Both of these accommodations were in the Eastern Suburbs and well over \$200 per night.

I agree to the above statement

Yes

From: Anitra Thomas <thomasanitra06@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because... As a retired, and often lonely person in my own home, living alone I find the process of airbnb adds to my quality of life. its like having a part time job run from home. It gives me interesting people to talk to. it gives me a little extra income. Many guests are backpackers into the local area looking to find a share house and pick blueberries. So I consider I am contributing to the local economy, and providing cheaper accommodation for those with limited means. It helps me to pay for my most expensive yearly bills. Council rates and car rego.

I understand that many Councils regard sharing ones home as an ancillary use of such.

If my house is approved to be safe for me and my family to live in, it's safe for my guests.

Airbnb has provided me with a very effective carbon monoxide and smoke sensor which I installed. If the Govt decides to create costly barriers in order to share ones living space with others, then it will deprive many of both modest income and cheaper temp accommodation for a variety of guests.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means

there are no requirements to alter a home to be compliant with regulations. Put simply, I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform. Airbnb provides hosting insurance on their platform..

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same -we need to move into the future. There is room for all forms of accommodation from tents to luxury pads. There needs to be fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Anitra Thomas
46 Nightingale St
Woolgoolga, Nsw 2456

From: Ann Camp <anncamp@hotmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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- Mandate smoke alarms – either battery operated or hard-wired
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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Ann Camp
3/605
Dee Why, Nsw 2099

From: Ann McCormack <annmack0406@gmail.com>
Sent: Tuesday, 10 September 2019 7:46 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: recorded and not sent to DCS, recorded in DPIE subs register

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

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Code of Conduct

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems. I enjoy sharing my home with guests it's a choice I wish to keep.

Since I have worked all my life and now in Aged care industry that is so poorly paid I rely on extra income for my rates and now the government has added 2 more years to my retirement age being 67 when I retire.

Thank you for reading my submission.

Regards,
Ann McCormack
90 Old Tathra Rd
Berrambool, Nsw 2548

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 29 August 2019 10:01 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 29/08/2019 - 21:56

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Ann

Last name

McLennan-Simon

Name withheld

No

Info

Email

annsimon1@bigpond.com

Suburb/Town & Postcode

Alstonville

Submission file

[2019-8-29-stra-submission-ann-mclennan-simon.pdf](#)

Submission

Please see attached file- I agree with Code of Conduct and Registration process but disagree with severity of suspension program and the imposition of nightly caps.

I agree to the above statement

Yes

From: Ann Ranson <ransonann@gmail.com>
Sent: Monday, 9 September 2019 7:15 PM
To: DPE PS STHL Mailbox

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, recorded and not sent to DCS, Purple category

Re: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

-
-
-

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Ann Ranson
4/33 Denham Street
Bondi NSW 2010
Mobile: 0415 439604
www.bondibeachbreak.com

From: Ann Ranson <ransonann@gmail.com>
Sent: Friday, 6 September 2019 10:08 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

From: Ann vandenBosch <boschjamo@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Ann vandenBosch
14 Francis Ave
Wollongbar, Nsw 2477

1. What is your view on the form of and provisions in the STRA SEPP, Regulation and Safety Standard?

- Our Council appreciates the opportunity to comment on the draft legislation.
- The draft legislation is seen to address the safety and behavioural concerns raised by the community, however it is not seen to be effective in addressing the social impacts of STRA where it impacts upon residential housing affordability.

2. Are there any elements of the draft instrument that are open to misinterpretation or require further clarification?

- Recommend including the relevant Building Classes into the Fire Safety Standard (perhaps as an appendix) for ease of comprehension to a broad audience.
- The SEPP only requires dwellings to comply with the Fire Safety Standard if Class 1b or 2-9. However, the Fire Safety Standard provides requirements for Class 1a, 2 and 4. This is confusing.

3. What are your views on new policy elements relating to days, flood control lots and bushfire prone land?

- The policy permits Regional councils to nominate reductions in un-hosted STRA permissibility to no lower than 180 days, by writing to DPIE. To have the reduced thresholds apply at policy commencement, DPIE have advised that requests should be included in a submission to this consultation.

Bega Valley Shire Council requests to reduce un-hosted STRA permissibility to 180 days for our Shire.

- We note that the one of the intentions of the SEPP is to manage the social impacts from this land use, however we contend that the SEPP does not achieve this aim.
- In our shire we must balance the needs of a growing tourism sector with those of our residents who need appropriate and affordable long-term housing. We need the right controls to be able to distinguish between these needs and have a nuanced response to the variety of accommodation on offer. Residential housing should be prioritised over tourist accommodation.
- In response to community concerns regarding the loss of residential accommodation to tourism accommodation, the policy permits a maximum 180-day cap (if nominated by Council).

Bega Valley Shire Council supported restriction of the use of residential accommodation for tourism use and resolved during the notification period of the Options Paper that a 60-day limit was appropriate.

The intention behind a 60-day cap was to provide opportunity for home-owners to rent their own private dwellings during holiday periods to benefit financially from the influx of tourists during these times, while providing a disincentive to those who would choose to let a residential property solely for tourist accommodation, rather than to the local residential rental market.

It is considered that the 180-night cap for regional areas does not adequately address the issue, particularly given the significant premium paid for tourist accommodation in coastal areas.

Example 1: Bermagui on AirBNB (sourced 03/09/2019)

- 60 places available to stay
- 56 places that are “entire apartment/cottage/house”
- Average nightly price is \$156
 - Compared to average residential rental property price, of which there were 5 available, and which is \$348 per week (all were units)

Compare:

- 180 nights tourism rental x \$156 per night = \$28,080 per annum, VS
- 52 weeks residential rental x \$348 per week = \$18,096 per annum

- Demonstrating that a Bermagui landlord could potentially earn an additional \$9,984 p.a. by letting their property as a tourist rental instead of a residential rental.

Example 2: Tathra on AirBNB (sourced 03/09/19)

- 60 places available to stay
- 52 places that are “entire apartment/cottage/house”
- Average nightly price is \$224, but ranged from \$55 up to \$414 per night
 - Compared to average rental house price, which is somewhat unknown, as there were none available in Tathra on realestate.com.au on search date 03/09/2019
 - Closest available is one available at Kalaru at \$440 per week (4 bedroom, 1 bathroom dwelling)
 - 11 other properties available in Bega ranging from \$270-\$440 per week

Compare:

- 180 nights tourism rental x \$224 per night = \$40,320 per annum, VS
- 52 weeks residential rental x \$440 per week = \$22,880 per annum
- Demonstrating that a Tathra landlord could potentially earn an additional \$17,440 p.a. by letting their property as a tourist rental instead of a residential rental.

Therefore, given the significant opportunity cost by providing a dwelling for residential accommodation (being \$17,440 p.a. for Tathra, or \$9,984 p.a. for Bermagui) there is no disincentive provided by a 180-day cap to convert residential accommodation into permanent tourism accommodation.

Further, while offering a property for 60 days over Christmas and Easter holidays (peak periods) may result in the property being rented for a high proportion of those peak-periods, providing a property for 180 days per year may result in only 90 days of stays, with higher vacancies during non-peak periods. This is supported by Bega Valley LGA Tourist Accommodation Profile (2016) as provided by Destination NSW (source: <https://www.destinationnsw.com.au/wp-content/uploads/2017/02/Bega-Valley.pdf>), which indicates that across a yearly period, the average occupancy rate for tourism accommodation was approximately 45%.

Therefore, within the parameters of a 180-day cap, a property could be listed as available 365 days per year for tourist accommodation and only result in 180 days of stays. If the 180-day cap is proposed to reduce the number of properties being made available for tourist use (instead of to the local residential market) then it is considered to be largely ineffective.

4. Are the general obligations for industry participants adequate? If not, what other general obligations should be considered? Why?

5. What types of STRA information will be useful for the Secretary to collect to inform the further improvement of the Code and the STRA regulatory framework? Why?

6. Are the specific obligations on booking platforms, letting agents, hosts, guests and facilitators in the Code adequate? If not, what other obligations should be considered for each of these industry participants? Why?

How will the obligations apply in respect to companies, and are they sufficient to provide adequate compliance and transparency where a property is owned by a company?

7. Is the complaints process detailed in part 6 of the Code sufficient? If not,

8. Are the grounds for recording a strike fair and reasonable? What other matters (if any) should the Commissioner consider when deciding whether to record a strike? Why?

9. What are potential ways to facilitate industry participants' access to the exclusion register while limiting potential privacy impacts? What factors should be considered?

10. Is the review process clear and sufficient? What other matters (if any) should be considered? Why?

11. Are the proposed penalty notice offence and civil penalty provisions appropriate? What provisions should or should not be identified as penalty notice offence and/or civil penalty provisions? Why?

12. Does clause 22B(1) appropriately capture end to end property management services that specifically service STRA properties? Why or why not?

13. What other organisations or persons should be prescribed classes of STRA industry participants (if any)? Why?

14. Is it appropriate to exclude the STRA industry participants set out in clause 22C? Why or why not?

15. What other STRA operators (if any) should be excluded from being covered by the Code? Why?

16. Is the appeals process clear and sufficient? What other matters (if any) should be considered? Why?

17. Which industry participants should contribute to the cost of administering and enforcing the Code? Why?

Agree with the proposal that the responsibility for managing hosts, guests and premises is put back onto the booking platforms and letting agents. It is appropriate that the costs be borne by those who are directly benefitting from STRA (guests, landlords and booking platforms), not upon the rate-payers within the broader community.

Concern is raised with Clauses 6.2.3-6.2.3, which details that complaints in relation to planning law can be declined to be accepted by the Commissioner for Fair Trading, with the responsibility put back onto Councils. We note that the fire safety standards are being applied under the SEPP (STRA) 2019 and EP&A Regulation, and therefore are considered “planning law”. By making it a standard referred to in a SEPP it puts the complaints process back upon Councils.

18. How should costs be apportioned across different STRA industry participants? Why?

19. Is the proposed penalty notice offence amount appropriate? Why or why not?

Given the context of the potential rental gains to landlords and booking platforms, a fine of \$550 appears ineffective if intended to operate as a disincentive.

20. How can industry be organised to develop and manage the registration system?

21. What would be the costs to industry in establishing and maintaining the register? How would industry propose to meet these costs?

22. What role should the Government play in developing or overseeing the register, if any?

Suggest that Fair Trading is best placed to maintain the register, with industry providing data updates as required.

23. Are there other outcomes a register should deliver?

24. How can the approach ensure registration applies to all STRA operators, regardless of how the property is advertised for rent?

25. What audit and verification processes would be needed to ensure accuracy of data?

26. Should there be separate or additional penalties for failure to register? If so, which industry participants should they be imposed on?

27. What information should the register collect? Why?

28. What role should different industry participants (e.g. hosts and booking platforms) play in the registration process?

29. What role should Government play in the registration process or providing information for the register?

30. Should any information on the register be made publicly available? If so, what information could be made available and why?

Yes. The register should provide the property address, approval pathway (i.e. exempt or complying development) and cap (if applicable).

31. Should industry be required to report registration information, including number of stays (days), to Government and/or local councils? If so, how frequently? Why?

Yes. A reporting function to Council would increase transparency for the community and provide useful information to Council to understand the extent of STRA take-up in our Shire.

32. Should any information on the register be made publicly available? Why?

Yes. The register should provide the property address, approval pathway (i.e. exempt or complying development) and cap (if applicable).

33. How much lead time would industry need to develop and establish the proposed STRA property register? Please provide reasons.

34. When should the STRA regulatory framework start? Please provide reasons.

35. Do you support the proposed scope of the review? What additional considerations might be necessary?

36. What data sources could the NSW Government use to inform the review? How can industry and councils assist with data collection for the review?

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 9:33 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 09:20

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Anna

Last name

Bowman

Name withheld

No

Info

Email

abowman@begavalley.nsw.gov.au

Suburb/Town & Postcode

Bega 2550

Submission file

[response-to-dpie-11-september-2019.docx](#)

Submission

Submission is provided on behalf of Bega Valley Shire Council

I agree to the above statement

Yes

From: Anna Joyce <anastasiajoyce@live.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Anna Joyce
44 Mornington Cres
Moore Creek, Nsw 2340

From: Anna Kudric <amkudric@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Anna Kudric
PO Box 2136 Taren Point NSW
Taren Point, Nsw 2229

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:54 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 16:53

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Anna

Last name

Mccall

Name withheld

No

Info

Email

ecssptyltd@icloud.com

Suburb/Town & Postcode

Killcare nsw

Submission

To Whom It May Concern,

As the licensee of Beach Retreats Central Coast I would like to make this submission in behalf of 24 property owners, 15 cleaning staff and other local businesses including boat and yacht charted, cafes and restaurants, retail outlets and community events. The short term holiday letting industry has been in existence on the Central Coast for longer than I can remember so well over 40 years. I as a 12 year old would clean holiday properties for my summer income. It is nothing new and brings not only financial security to small coastal towns but also diversity, vibrancy and new business.

Although some things have changed with the introduction of new booking portals the fundamentals have not changed and it is interesting that after so many years of successful holiday lettings taking place that this is even up for discussion.

I would suggest that there are fewer holiday rental noise complaints than the average residents gatherings. Will we soon be required to lodge a "I am going to have a gathering at my house register"?

I believe with the added transparency of the various booking portals that misbehaviour by guests has actually declined significantly in recent years and continues to do so - probably far more effective than any bad guest register which is very easy to circumnavigate.

The majority of hosts and guests do the right thing. When travelling I believe there should be an element of self responsibility. There are risks involved with travelling - take away all the risks it becomes a bit boring and sterile.

As a guest if I book a small house up amongst the treetops (which is the reason I booked I want to get away from the city and into the trees) I understand there is a risk of fire albeit a small one and I take on this risk. It is unlikely a fire will start in a bedroom it is more likely to start in the kitchen and there is already a smoke alarm in the hallway - covered.

Balance is important

A register fine it will be good for data anyway

A code of conduct fine formalise it - I would suggest the transparency measures already in place are far more effective.

Current smoke alarm requirements are adequate why change

How many short term holiday guests have been caught out in flood or fire? I would suggest many travelers around the world have been caught out in larger numbers as guests we are aware of the risks and we choose to travel anyway.

In short I think a lot of this submission and discussion is not necessary brought about by a few people who make a lot of noise with no real understanding of the positive impact short term holiday letting actually has across NSW. Is it just a waste of tax payers money. The proposed planning changes are too stringent and not required.

Thank you for your time

Yours Sincerely

Anna McCall

I agree to the above statement

Yes

From: Anna mcneill <csassets@aapt.net.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Anna mcneill
290 Anson St
Orange, Nsw 2800

From: Anna Pisaniello <superbaggio65@gmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Anna Pisaniello
Addison Rd
Manly, Nsw 2095

From: Anna Stackpool <astackpool@hotmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Tom Submission, Air BNB run

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Regards,
Anna Stackpool
18 Golf Parade
Manly, Nsw 2095

From: Anne Fraser <amjar@tpg.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: David submissions, Air BNB run

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Anne Fraser
Connors View
Berry, Nsw 2535

From: Anne Last <calast@bigpond.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I am keen to provide affordable accommodation in a rural setting.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

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- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

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Thank you for reading my submission.

Regards,
Anne Last
Rawilla Rd
Muttama, Nsw 2722

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 3:28 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 15:28

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anne

Last name

Lewis

Name withheld

No

Info

Email

anne_j_lewis@yahoo.co.uk

Suburb/Town & Postcode

Balmain East

Submission

Overall the aims of the regulations are excellent however there are a couple of areas I would like to see reviewed and potentially updated:

1) Draft SEPP

Division 1, 11(b) and 12(c) & Division 2, 13 (c):

This strict “2 persons for each bedroom in the dwelling, or 12 persons in total for the dwelling, whichever is the lesser” limitation should be relaxed (at least for complying development) as -

1 - it does not consider large properties which have more than 6 bedrooms (of which I have stayed in a number over the years and are used for big groups),

2 - it would mean families that have babies would have to consider them as adults for the purposes of STRA (so a couple with a 3 month old baby would need a place with 2 beds even though baby would not use a full bed), this is out of sync with all other regulations/customs, i.e. airline seats

3 - many places have large/multiple living areas and rumpus rooms which can comfortably be used as a sleeping space but the proposal prevents this

4 - some places have large bedrooms which have space for multiple beds (particularly kids bunks). The proposal stops this

5 – studio/granny flats have only a general living/sleeping area and no bedroom so could not even host a single person.

Personally I would suggest 2 per bedroom plus 2 with no maximum limit on the number of bedrooms which would then allow all the above scenarios to exist.

Division 1, 11:

Why does hosted not have the same conditions as section 12, notably

“(d) the dwelling is not situated on bush fire prone land, and

(e) the dwelling is not situated on a flood control lot, and”

as whilst the host is staying there it doesn't mean they will be in the property at all times. I would also question whether these should apply even in non-hosted as if it good/safe enough for general residential accommodation then it should be good enough for STRA.

2) Short-term Rental Accommodation Fire Safety Standard

Whilst fire safety is important the requirement for having smoke alarms both inside every bedroom and in every hallway next to a bedroom and the kitchen seems excessive. This means a 2 storey 3 bed inner city house on a 150m block would end up with more than 6 alarms (1 for each bedroom, 1+ for each floor and 1 for the kitchen) even if only rented out for 2 weeks a year. This is significantly greater than the standard code, I would hope that the STRA policy is aligned with the current building code requirements for the different building types so smoke alarms put in following a renovation or new build align with the requirements for STRA as standard prior to issue of an Occupation Certificate.

The additional smoke alarm requirements would also likely prevent anyone renting their home from meeting the STRA requirements as landlords would not be inclined to spend the required additional costs for the many additional alarms.

Additionally, many unit buildings have smoke alarms managed by Strata inside the flats, the proposed additional alarm requirements could “unofficially” give strata a way of preventing all STRA in their block.

Section 4 of the draft standard requires hard wired, interconnected smoke alarms with emergency lights. Hard wired smoke alarms with lights do not appear to be readily available for residential properties in Australia (I haven't been able to find any from the Major Australian suppliers), would an evacuation diagram not cover instead of lights?

I agree to the above statement

Yes

From: Anne Orr <anneorr54@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Anne Orr
4 Langley Cl
Coffs Harbour, Nsw 2450

From: Anne Orr <anneorr54@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Anne Orr
4 Langley Cl
Coffs Harbour, Nsw 2450

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Saturday, 7 September 2019 7:23 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sat, 07/09/2019 - 19:23

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anne

Last name

Wong

Name withheld

No

Info

Email

ch.annewong@gmail.com

Suburb/Town & Postcode

North Sydney

Submission

I object to allowing short term accommodation in strata buildings.

1. It is unsafe. Strata buildings do not have fire escape instructions for short term renters. There is no one help them in case of emergency.
2. It is unsafe to long term occupiers in the building. At the moment, we notice strangers as we basically know most of our neighbours. Our building will become insecure building when our entrance code is given away to short term renters.
3. Short term renters do not know the etiquette expected of in our buildings such as garbage room, common laundry etc.

I hope the State stops messing up our life. There is enough accommodation types available for short term renter. Please leave us alone.

I agree to the above statement

Yes

From: Anne-maree white <annie.express1@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Anne-maree white
17 Ophir St
Bathurst, Nsw 2795

From: Annette Broad <topspotvalla@bigpond.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...it boost tourist numbers in this area.

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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Thank you for reading my submission.

Regards,
Annette Broad
27 Oyster Creek Rd
Valla, Nsw 2448

From: Annette Ellery <annette.ellery@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Annette Ellery
21 Cuthbert St
Boambee East, Nsw 2452

From: Annette Mavin <amavin2@gmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Annette Mavin
55 Korora Basin Rd
Korora, Nsw 2450

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 11:35 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 11:35

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Annie

Last name

Snell

Name withheld

No

Info

Email

anniesnell@snelldesign.com

Suburb/Town & Postcode

Northbridge

Submission

Short term holiday rentals have been around for many years. The only change is the platform in which they are booked which now allows the owner more control over letting to the best fit guest and reduced

fees. Why should there be a change to this. It has been working well for decades.

Given the small percentage of short-term rental properties that provide accom for more than 12 guests it seems arbitrary. If someone is lucky enough to have a large house then they shouldnt be disadvantaged.

Limiting the number of guests per bedroom is ridiculous. Our children always sleep with us in our room when we go away. Australian holidaying has always included multiple bunk beds in a room where kids can have fun together!

I support the concept of smoke detection in each room but definitely not the exit sign requirements. We also live in our property and would hate to see it looking commercial with exit signs. The BCA does not require these measure for residential house so it should not be included.

I agree to the above statement

Yes

From: Anthony Borgese <aborgese@borgese.com.au>
Sent: Thursday, 22 August 2019 3:39 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

Kind regards
Anthony

Anthony Borgese
m +61 400 552 665

From: Anthony Calodolce <tony@cpsgroup.com.au>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Anthony Calodolce
47 Cary St
Leichhardt, Nsw 2040

From: Anthony Camilleri <anthonyc@flatearth.net.au>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Anthony Camilleri
34 Renfrew Rd
Werri Beach, Nsw 2534

From: Anthony Campbell <anthony.campbell.72@outlook.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Environmental Planning and Assessment (STRA) Regulation 2019

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Thank you for reading my submission.

Regards,
Anthony Campbell
361 Pacific Hwy
Belmont North, Nsw 2280

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 9:24 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 09:24

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anthony

Last name

Cordato

Name withheld

No

Info

Email

ajc@businesslawyer.com.au

Suburb/Town & Postcode

Sydney

Submission

Thank you for the opportunity to make a submission.

And all praise to your methodology of issuing an informative discussion paper and draft legislation for

public comment.

My submission takes the form of responses to the 36 questions in the discussion paper.

Q 1 The form works well.

Q 2 In the SEPP, reference short-term rental accommodation arrangement as defined in the Fair Trading Amendment (Short-term Rental Accommodation) Act in the definition of short-term rental accommodation; also, I am intrigued by the use of the word 'existing' as in 'existing dwelling' in the definition - does it mean that the use can only be valid for dwellings in existence at the date the SEPP commences? Could s 8(h) of the Residential Tenancies Act 2010 be amended by substituting 'short-term rental accommodation' for 'a holiday'? In terms of the Safety Standard, where the dwelling is a lot in a strata scheme, a clear indication that the cost of compliance with the fire safety requirements is to be borne by the owner, tenant or permanent resident who carries on the short-term rental accommodation, and not the owners corporation, will resolve many potential disputes.

Q 3 Either 14 to 21 days is an appropriate borderline between holidays and executive rentals. Flood control restrictions should apply only to 1 in 20 or greater chance of flooding because large areas of Sydney and regional NSW have flood control affectations imposed for a reason, but not sufficient to make them ineligible for short-term rentals without a complying development application. The Bushfire Controls are appropriate.

Q 4 Add * register their properties on the register; * comply with fire safety standards.

Q 5 Annual registration renewal forms should be required which contain provision for information such as how many days of use in the past 12 months - all registrations should be 1 January - 31 December.

Q 6 Annual registration renewal forms in which the host certifies compliance with these obligations - just like motor vehicle registration renewals require a mechanical inspection and third party insurance.

Q 7 A complaints form on the Department's website with categories for complaints would help.

Q 8 The definition of 'strike' needs to be clear to reduce disputes.

Q 9 What right to privacy is there for people who have behaved badly and are banned from any industry? Many industry and professional registers display the names of banned people, readily accessible by internet search.

Q 10 The due process outlined is satisfactory.

Q 11 No comment.

Q 12 I think so.

Q 13 The current list is satisfactory.

Q 14 & 15 Serious consideration should be given to harmonising the application of the code to participants excluded in 22C, but only after appropriate consultation with their industry. They are all offering tourist accommodation services.

Q 16 Yes.

Q 17 An annual registration fee per property is needed - payable in the same way as motor vehicle registration / driver's licence renewals, are paid.

Q 18 The participants can decide between themselves who pays. The register should be extended to other operators in the tourist accommodation industry, such as bed & breakfast facilities, eco-lodges, to stop short-term rental participants from re-badging as an operator such as a B&B to avoid registration and other compliances.

Q 19 Yes.

Q 20 The register be maintained by the Office of Fair Trading, not by the industry.

Q 21 & 22 See above.

Q 23 Publicly accessible.

Q 24 Registration is mandatory for use of a dwelling for short-term rentals of more than 30 to 60 days in total - failure to register and maintain registration should be an offence.

Q 25 The register is publicly accessible, annual registration renewals.

Q 26 Yes - imposed on the owner, tenant or permanent resident who carries on the short-term rental accommodation.

Q 27 Ownership and participant details, contact details, address of property, type of property, if hosted or non-hosted, and booking platform used.

Q 28 Their details should appear on the property registration.

Q 29 The administrator of the register.

Q 30 Yes - see Q 27.

Q 31 Yes - but in the annual registration renewal form, details of which should be publicly available.

Q 32 Yes - as much as possible - see Q 27.

Q 33 Until 30 June 2020.

Q 34 Realistically, 1 July 2020.

Q 35 The scope of the review is wide enough.

Q 36 The register, with details described in Q 27.

Feel free to contact me for clarification and further assistance.

I agree to the above statement

Yes

From: Anthony Davis <anthonydavis.4@bigpond.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Anthony Davis
13 Ann St
Coffs Harbour, Nsw 2450

From: Anthony Dorn <tony@dorn.com.au>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because my wife and I want to make enough money to help cover our living costs as it is difficult to find work in our area for people in their late 50s and we would prefer not to have to rely on government assistance.

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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Thank you for reading my submission.

Regards,
Anthony Dorn
66 Phillip Dr
South West Rocks, Nsw 2431

From: Anthony Foster <fosteraa@ozemail.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Anthony Foster
7 Mons Rd
North Balgowlah, Nsw 2093

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 9:29 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Tue, 10/09/2019 - 21:28

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anthony

Last name

Geoghegan

Name withheld

No

Info

Email

apgeoghegan@hotmail.com

Suburb/Town & Postcode

Kenthurst 2156

Submission

You need to explain why the Blue Mountains is suddenly considered as part of Greater Sydney. People travel to the Blue Mountains for a get-away. The local community in the Blue Mountains heavily relies

on tourism unlike the rest of Sydney. It is a very different economy to the likes of Parramatta, Penrith, Balmain, etc.

Introducing this harsh new set of rules will cripple the local communities in the Blue Mountains for the following reasons:

- the vast majority of homes used for Short Stay rental are in Bush Fire rated areas. People want to get away and stay in remote areas with bush views.
- most rentals are older style homes meaning that they will not be able to comply with BAL29+ conditions.
- this results in these houses being removed from the short stay market.
- The hotels in the area are not capable of picking up the difference simply because there isn't a large number of hotels in the area.
- hence the local community suffers as tourism decays.

An example:

We have a short stay rental house in Mount Victoria and there are no hotels in this town. When tourist numbers drop (and under this scheme they have to drop) this will decimate the local economy. Not clever.

If such a scheme is introduced (and I certainly hope it isn't) you need to consider that homes that have met AS3959 (Bushfire code) and have already received an Occupation Certificate, should not have to re-apply to council for a Complying Development certificate. Our rental house was built post 2009 and complies however we fail to see why we should pay for yet another certificate after already meeting all the strict bushfire codes of AS3959 (which cost tens of thousands of dollars!!).

Why is a home in Blue Mountains restricted to 180 days of rental? If the house complies then it shouldn't matter if the house is rented 1 day or 365 days a year. This makes no sense at all.

Hotels are a very expensive option for a family. Short stay rental houses fill this gap very nicely and provide a better family friendly environment.

In summary, you are introducing red tape to system that is not broken - particularly in a tourist spot like the Blue Mountains. Why does this government want to see tourism rates decimated and local communities severely impacted. This is not smart governance!

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Tuesday, 27 August 2019 5:33 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Tue, 27/08/2019 - 17:33

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anthony

Last name

Henderson

Name withheld

No

Info

Email

tony@hendersonshoses.com.au

Suburb/Town & Postcode

Tolland 2650

Submission

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. I wish to point out that Short Term Accommodation is not limited to holiday letting but provides a significantly broader service to other members of the community, particularly in regional NSW.

We operate a Short Term Accommodation Business in Wagga Wagga and have done so for the past fifteen years. Because of our location only a small percentage of our clients are holiday makers. Our clientele includes

Nurses and other health professionals on short term contracts at local hospitals (stays of 4 to 6 weeks)

Emergency housing requirements of FACS and other disability support providers. At present three of our houses are occupied by a disabled client and carer from a couple of days to an extended period of over a year. They are not on a fixed term lease and can depart at any time (e.g. when a foster home can be found for the client)

Patients and/or their families coming to Wagga for medical treatment at either of the hospitals

Defence force personnel and their families relocating to or from the local defence force bases

Researchers and other academic staff plus distance education students attending CSU

Tradesmen coming to Wagga for work projects requiring stays of more than a week.

Our accommodation consists of a home unit, a villa and three and four bedroom homes.

The only alternative to the type of accommodation we provide are motels or hotels. These are architecturally and /or socially unsuited to the type of clients listed above. Disabled people can't get easy access, for example, children awaiting foster care placement need back yards and lawns and more than one room for maybe up to 2 care workers.

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 homes on a short term basis.. If this happens then jobs will be lost and the economy will be starved of much needed 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 agree to the above statement

Yes

From: Anthony Murphy <amur2306@bigpond.net.au>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because my only other income is a NSW Police Pension. The extra income I have received through house sharing has enabled me to support my adult children through recent and ongoing significant health and welfare issues. As a result, my children have not been dependant on Government assistance. I also pay tax on the extra income I receive. If the NSW Government was introduce onerous, unfair and unaffordable regulations on shared accommodation, it would result in myself and my family becoming more reliant on Government assistance.

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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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is

approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Anthony Murphy
8 Tropic Lodge Pl
Korora, Nsw 2450

From: Anthony O'Neill <antsoneill@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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Thank you for reading my submission.

Regards,
Anthony O'Neill
10A Cemetery Rd
Byron Bay, Nsw 2481

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 1:55 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 13:55

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anthony

Last name

Pentecost

Name withheld

No

Info

Email

anthony.pentecost@det.nsw.edu.au

Suburb/Town & Postcode

Brunswick Heads

Submission

I have lived in Brunswick Heads for 20 years and have been renting for all that time. I DO NOT SUPPORT the new proposed State Environmental Planning Policy (Short Term Rental Accommodation) 2019.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 11:22 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Tue, 10/09/2019 - 23:21

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Anthony

Last name

Smith

Name withheld

No

Info

Email

anthonysmithcontact@gmail.com

Suburb/Town & Postcode

Lennox Head 2478

Submission file

[anthony-smith-submission-10:9:2019.docx](#)

Submission

10th September 2019

Anthony Smith
PO Box 1209
Byron Bay 2481

I moved to Byron Shire in 1993 and have lived in the area for 25 years relying on rental properties. During recent years the explosion in holiday letting and Airbnb led to a massive increase in rent in Suffolk Park where I had been living for the past 14 years and then a shortage of rental properties being available on the market. In 2014 the home I was living in Suffolk Park was sold to an investor whose intention was to not renew our lease, but maximise income through Airbnb. At the time the only way to maintain a rental was to negotiate a highly disadvantageous lease where we were able to remain in the home but needed to move out several times a year during holiday periods. We accepted this arrangement due to the scarcity of other rentals. After enduring this arrangement for a number of years the home was sold again, with the result being us entering the rental market again.

The enormous jump in entire homes in Suffolk Park and Byron Shire being listed on Airbnb left us in the situation where rents had risen approximately \$400 a week or more for a comparable property in only a few years. After numerous home inspections and applications where up to 30 couples were attending and handing in application forms, we were unable to secure the lease even though we had 15 years of continuous references and were both employed professionals. We eventually accepted that we have been forced out of the area and accepted a rental in Lennox Head in the neighbouring shire.

During the 14 years that I lived in Suffolk Park, I watched the invasion of holiday lets and short-term rentals on Airbnb and the impact of loss of community and quality of life that came with it. The streets that we lived in had a number of notorious party homes where Airbnb clients created constant noise disturbances and rubbish issues as well as parking issues on the street with each unit or home often having several cars on the lawn or parked in front, jamming the street. We watched a street go from a collection of neighbours to strangers with no regard for the consequences on others. During this period I also watched a large number of friends move their families out of Suffolk Park as they suffered the same fate as us with lack of rentals.

In my mind these residential areas were never designed to be places where commercial hotels or businesses offering accommodation were meant to be. It appears that local council has lost its ability to regulate and to maintain the structures that support community.

I strongly support the moves to legislate the limits on holiday letting and Airbnb now that it is abundantly clear the negative impacts that have come with its unregulated rise in our local area. I genuinely believe these limits are crucial in supporting the people and families living in the area and their rights to live in respectful and positive communities.

Please feel free to contact me about my submission contact.

thanks

Anthony Smith

I agree to the above statement

Yes



ANTHONY SMITH

M: 0402 776 647
P: 02 6685 4317
F: 02 6678 0478
P.O. Box 1209 Byron Bay NSW 2481
anthonymsmithcontact@gmail.com

Anthony Smith
PO Box 1209
Byron Bay 2481

10th September 2019

To whom it may concern,

I moved to Byron Shire in 1993 and have lived in the area for 25 years relying on rental properties. During recent years the explosion in holiday letting and Airbnb led to a massive increase in rent in Suffolk Park where I had been living for the past 14 years and then a shortage of rental properties being available on the market. In 2014 the home I was living in Suffolk Park was sold to an investor whose intention was to not renew our lease, but maximise income through Airbnb. At the time the only way to maintain a rental was to negotiate a highly disadvantageous lease where we were able to remain in the home but needed to move out several times a year during holiday periods. We accepted this arrangement due to the scarcity of other rentals. After enduring this arrangement for a number of years the home was sold again, with the result being us entering the rental market again.

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Mb: 0402776647 Ph: (02) 6685 4317 Fx: (02) 6678 0478 anthonymsmithcontact@gmail.com
Regulation 7 Family Consultant Family Dispute Resolution Provider
Psychologist Masters Counselling BA (Psych) Grad Dip Psych

During the 14 years that I lived in Suffolk Park, I watched the invasion of holiday lets and short-term rentals on Airbnb and the impact of loss of community and quality of life that came with it. The streets that we lived in had a number of notorious party homes where Airbnb clients created constant noise disturbances and rubbish issues as well as parking issues on the street with each unit or home often having several cars on the lawn or parked in front, jamming the street. We watched a street go from a collection of neighbours to strangers with no regard for the consequences on others. During this period I also watched a large number of friends move their families out of Suffolk Park as they suffered the same fate as us with lack of rentals.

In my mind these residential areas were never designed to be places where commercial hotels or businesses offering accommodation were meant to be. It appears that local council has lost its ability to regulate and to maintain the structures that support community.

I strongly support the moves to legislate the limits on holiday letting and Airbnb now that it is abundantly clear the negative impacts that have come with its unregulated rise in our local area. I genuinely believe these limits are crucial in supporting the people and families living in the area and their rights to live in respectful and positive communities.

Please feel free to contact me about my submission contact.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Smith'.

Anthony Smith
Psychologist
Masters Counselling
BA (Psych) Grad Dip Psych

Mb: 0402776647 Ph: (02) 6685 4317 Fx: (02) 6678 0478 anthonymsmithcontact@gmail.com
Regulation 7 Family Consultant Family Dispute Resolution Provider
Psychologist Masters Counselling BA (Psych) Grad Dip Psych

ANTHONY SMITH



M: 0402 776 647

P: 02 6685 4317

F: 02 6678 0478

P.O. Box 1209 Byron Bay NSW 2481

anthonymsmithcontact@gmail.com

**Regulation 7 Family Consultant
Family Dispute Resolution Provider**

**Mb: 0402776647 Ph: (02) 6685 4317 Fx : (02) 6678 0478 anthonymsmithcontact@gmail.com
Regulation 7 Family Consultant Family Dispute Resolution Provider
Psychologist Masters Counselling BA (Psych) Grad Dip Psych**

From: Anthony Soligo <soligoanthony@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Anthony Soligo
13 Pur Pur Ave
Lake Illawarra, Nsw 2528

From: Antonella Biscaro <anto@mygivingcircle.org>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it supplements our family income.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

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Thank you for reading my submission.

Regards,
Antonella Biscaro
464 Main Arm Rd
Main Arm, Nsw 2482

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 29 August 2019 3:07 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 29/08/2019 - 15:04

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

ANTONY

Last name

HUGHES

Name withheld

No

Info

Email

tony2@bigpond.net.au

Suburb/Town & Postcode

Byron Bay 2481

Submission file

[byron-rental-submission.docx](#)

Submission

See Submission File Above.

I agree to the above statement

Yes

From: Ants Jackson <drayla_nz@yahoo.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Ants Jackson
Abbotsford
Abbotsford, Nsw 2046

From: Avner Silberman <avner@avvi.org>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because its a way to help pay flights when we visit our family overseas.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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This is an unreasonable requirement, which works against the sharing economy and for the government coffers.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
Avner Silberman
205 Boyce Rd
Maroubra, Nsw 2035

From: Anya Grichina <anya.grichina@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it helps to pay the mortgage and is an opportunity to meet people from all over the world.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Specifically, I want to comment on the following:

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Thank you for reading my submission.

Regards,
Anya Grichina
42 Roseby St
Marrickville, Nsw 2204

From: April ding <auburnstwowlongong@outlook.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
April ding
55 Auburn St
Wollongong, Nsw 2500

From: Aqua Vista <aquavista.smithslake@gmail.com>
Sent: Thursday, 5 September 2019 9:34 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the smoke alarms requirements - the cost of installing all required smoke alarms and security lightning etc will be unaffordable for many owners and therefore you will deprive many holiday homeowners of income they have come to rely on. Maybe a requirement for normal smoke alarms in all rooms will be much better (to follow the requirements in normal long term rentals).

Kind regards

Homeowners - Aqua Vista, Smiths Lake

Sent from my iPhone

From: aram atkinson <aramva@optusnet.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
aram atkinson
Coward St
Sydney, Nsw 2018

From: Trevor <trevor@rawnsley.com.au>
Sent: Friday, 13 September 2019 3:16 PM
To: DPE PS STHL Mailbox
Subject: RE: ARAMA's submission to the public consultation about the NSW short-term rental accommodation regulatory framework
Attachments: Submission - Final Short Term Rental Accomodation in NSW - September 2019.docx
Categories: Tessa Submissions, non Air BNB run

Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000
Email: sth@planning.nsw.gov.au

Please find ARAMA's submission attached. Please contact the writer if you need any further information.

Kind regards
Trevor



Trevor Rawnsley
CEO and Company Secretary

M 0417 197 687 | trevor@arama.com.au | www.arama.com.au
PO Box 4953, GCMC Bundall, Qld 9726

Australian Resident Accommodation Managers' Association
ARAMA National Ltd ABN 21 618 111 238



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**Australian Resident
Accommodation
Managers' Association**

PO Box 4953

GCMC Bundall

QLD 9726

Tel: 1300 ARAMA Q

Email: national@arama.com.au

www.arama.com.au

Att: Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000

Email: sth1@planning.nsw.gov.au

RE: Public consultation about the NSW short-term rental accommodation regulatory framework

Australian Resident Accommodation Managers Association (ARAMA) is a not for profit peak industry body which represents people who are involved in operating on-site letting management and on-site building management in strata title complexes in Australia. Our members, commonly referred to as resident managers are mostly small business (mum and dad) operators who live and work on site. There are approximately 3,300 strata title schemes which operate using this business model across Australia with about 10% of these situated in NSW and dotted along the eastern NSW seaboard in various holiday hotspots.

Strata is the fastest growing form of residential property ownership in Australia. The growth of this sector raises increasingly important questions over property ownership and governance.

ARAMA members are lot owners in strata title schemes and are therefore voting members of their respective owners corporations. ARAMA members are also owner occupiers and owner investors so they understand the competing priorities of both ownership classes.

ARAMA is pleased to be invited to have input into these reforms and our comments reflect the serious approach that we take towards the responsible and harmonious management and administration of the properties and people impacted by short term rentals in strata title schemes in NSW. We recognise the important need for harmonious relations to exist between those lot owners who are owner occupiers and those lot owners who are owner investors.

We estimate that there are approximately 900,000 lot owners in NSW and that approximately half of these are investor owners. We estimate that almost 100,000 investor owners utilise their lot as a short-term rental in community title schemes in NSW and that this number is increasing due to market led demand from the visitor economy. We acknowledge that short term letting in strata title complexes is an important part of the visitor economy and that income from these short-term rental properties is relied upon as a vital component in the investment holding of a lot owner.

Recommendations:

In the Standard Instrument (Local Government Plans) Order 2006 ("SIO"), "Tourist and Visitor Accommodation" is defined to mean 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.

"Serviced Apartments" are defined in the SIO to mean a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

We recommend that the definition of "Serviced Apartments" be amended to as follows:-

"Serviced Apartments" mean a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents and where the Owners Corporation has an agreement or agreements with a third party providing for the caretaking and management of the common property of the building (or part of a building).

Concerns:

ARAMA is concerned regarding two areas:-

1. The unregulated nature of the short term letting industry; and
2. Super hosts

1. Unregulated Conduct

For the first time in history, legislation has been created which refers to a third party in the property transaction, that being, a platform. This role is due to the digital marketplace becoming a third player in the property sector. Now we have an environment whereby a person can acquire accommodation; a) directly from the owner from the property; b) by contacting an agent; or c) through a digital platform.

The agent is regulated by the Property, Stock and Business Agents Act 2002. The agent is:

- Required to be licensed; and
- Required to maintain money through a regulated trust account.

The purpose of this regulation is to ensure that the persons dealing with other persons property are relevantly qualified and that other person's moneys are maintained in a regulated trust account. The further benefit of the trust account is the Property Services Compensation Fund guarantees consumers money.

The short term letting platforms come in two breeds:-

- The one who takes a booking and refers it to the landlord and agent; and
- Those that act as an online management service.

It is the first category, such as, booking.com ARAMA sees no problem. Booking.com does not manage the letting contract nor do they handle money on behalf of the landlord. It is the second category which is concerning.

The online management service is responsible for the contracting and the holding of money. These platforms, as they have become known, are faceless and often uneducated. At peak times of the year, considerable sums are taken from the consumer in these platforms. This leaves the public open to two major issues: -

- Platform can take the money, but not provide the accommodation; for example, a number of properties could be listed for rental on boxing day of a particular year. The money can be taken and confirmation letters sent out to the consumer. The consumer could arrive at the property only to find that those properties were never available.
- Money can be collected by the platform for rentals and never paid to the landlord. For example, during the Christmas rush, the rental money could be collected by the platform, payable at the end of January. At the end of January, the unlicensed faceless organisation can disappear with the money. The consumer can hold no one accountable nor do they have any recourse to compensation.

This is not merely a possible problem, because it has already occurred. The "andchill" issue has identified the problem. The corporation that undertook the managements did not have a license nor did it have a trust account. If the papers are to be believed, 3.6 million dollars has been lost of consumers money with no recourse to compensation.

Many of the platforms are reputed organisations who would not do either of the above; platforms such as Air BNB and Expedia would be unlikely to hurt the public due to their long term reputation, nonetheless, merely allowing short term letting platforms to rule the airwave can allow any person who is disreputable to set up a website, provide cheap fees, only as a means of getting more listings and not release the money down the track. This is an incredibly dangerous situation.

If the Government is determined to deal with short term letting, platforms should be required to;

- Comply with the Property Stock and Business Agents Act 2002; and
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2. Super Hosts

The person owning a number of properties in one premises could become a super host. Essentially, they could be a motel within their own premises. There is little that can be done for those persons who own property.

Nevertheless, there must be a temptation for those to lease properties within a particular building. There are already organisations within Sydney who rent apartments from people only to re-let them back to persons on a short-term basis.

It is an attractive proposition to rent a property for 3-6 months at the right time of the year, only to rent it back to persons on a short term basis. These people are not regulated nor are they responsible under the code of conduct.

It is a recommendation of ARAMA that hosting is limited to properties owned in fee simple by the host.

In Conclusion:

ARAMA calls on the NSW Government to ensure that all STRA operators are registered with Fair Trading to enable the regulators to identify who the operators are. We propose that a Restricted Letting Agents license, or some such similar instrument be made a requirement for operators who are managing the rental property on behalf of others or owners who are self-managing multiple rental properties. This will help the Government Regulators and Strata Title Schemes to identify who the operators of STRA actually are.

We also call on Government to create a mechanism whereby any lot owner or home owner who offers their lot for rental be required to register the address of this rental premises with the appropriate local Government authority and to advise the Strata Title Scheme that they have the appropriate insurances in place.

ARAMA believes that each individual lot owner should have the right to occupy their lot in whatever way they choose providing the behavior of the occupants does not breach the strata schemes lawful and reasonable by laws.

ARAMA recognises the importance of the existing letting agreement between the on-site letting agent and the owners corporation as a positive mechanism for control of guests behavior, for the purposes of identifying the existence of appropriate insurances and for the purposes of identifying which lots are actually used for rental purposes.

ARAMA does not agree with self-registration by industry for the reasons that are outlined above.

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It is a recommendation of ARAMA that hosting is limited to properties owned in fee simple by the host.

In Conclusion:

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ARAMA does not agree with self-registration by industry for the reasons that are outlined above.

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From: Trevor <trevor@rawnsley.com.au>
Sent: Friday, 13 September 2019 3:16 PM
To: DPE PS STHL Mailbox
Subject: RE: ARAMA's submission to the public consultation about the NSW short-term rental accommodation regulatory framework
Attachments: Submission - Final Short Term Rental Accomodation in NSW - September 2019.docx
Categories: Tessa Submissions, non Air BNB run

Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000
Email: sth@planning.nsw.gov.au

Please find ARAMA's submission attached. Please contact the writer if you need any further information.

Kind regards
Trevor



Trevor Rawnsley
CEO and Company Secretary

M 0417 197 687 | trevor@arama.com.au | www.arama.com.au
PO Box 4953, GCMC Bundall, Qld 9726

Australian Resident Accommodation Managers' Association
ARAMA National Ltd ABN 21 618 111 238



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From: Arlene Eddison <aeddison31@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I was made redundant and being close to retirement I could not find a suitable position. Also I am not entitled to Centrelink so it is my sole source of income to pay the bills & mortgage.

For those facing uncertain times of businesses downsizing, closing down or going overseas, this is a last resort to keep struggling families and singles afloat.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Thank you for reading my submission.

Regards,
Arlene Eddison
20 Station Ln
Penrith, Nsw 2750

As a landlord and participant in the Short-Term Rental Accommodation (STRA) Industry I wanted to provide my feedback on the Government's proposed regulations.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home and support my local community. I understand that the Government has made commitments to support "fair short-term rental accommodation (STRA) regulation" and that the review of the Industry is in responses to the negative impact on community's amenity, namely party houses.

Short-Term Rental Accommodation is an important Australian holiday tradition embedded into the fabric of the Australian culture and is at risk because of the abuse of a few who negatively impact neighbourhood and community amenity such as Guests holding anti-social events like 'Party Houses' and as a result of platforms that promote features like 'Instant Book' which assists bookings for 'Party Houses'.

I ask that the Government be mindful that Platforms have created features like 'Instant Book' with no consequence, Guest's have used 'Instant book' for anti-social behaviour such as hosting a party, hens or buck event suffers no consequence (as they change email address or other identify obfuscation to avoid identify detection) however this burden becomes the property owner and letting agent's responsibility. There must be fair and equitable responsibility and consequences suffered by all parties including Platform and Guest.

The STRA Industry is a significant contributor to the NSW economy and helps home-owners to pay the mortgage and bills, to share their spaces with guests so that they can enjoy and participate with other communities and importantly is a recognised financial driver of regional areas where Tourism dollars are spread throughout the local community such as the local butcher, local café, local tourist attraction and the fishmonger. Over regulation and mis-appropriating responsibility and limiting consequences on Guests and Platforms puts this economic driver at risk. The draft Code and STRA Regulation unfairly places considerable burden on the letting manager and property owner.

Generally, I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

1) STRA Planning Policy Instruments

a) I strongly oppose the exemption of properties where a host is present.

i. Firstly there is no way to monitor and manage this process and confirm that there is a host present which will result in the creation of a loop hole.

ii. By expressly exempting these properties the government is not addressing the scope that the STRA Review sought to review and address namely concerns about the housing affordability, availability and the impact on amenity. If there is to be credibility and fairness then all elements with potential to impact the housing affordability, availability and the impact on amenity by the STRA Industry needs to be included.

b) I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. This is a significant barrier to home sharing who share their home for a few months (cumulative) a year and will make hosting uneconomical which will end up making holidays across NSW more expensive.

c) We are opposed to the potential of day limits in regional areas as determined by local council. Day caps for holiday rentals not only put the economic uplift associated with the tourism sector at risk, but also fails to address the the most consistently cited concern about the industry, namely the impact on amenity.

d) The proposed 21-day cap is limiting and not reflective of the mobile workforce. It is only in rare cases where an employer can afford a consecutive 21 day booking for accommodation to carry out work. Typically, it is Monday to Friday (5 days) and occurring in several blocks. We recommended that accumulative bookings from the same company is the best measure and is managed by Company name and or Guest name.

There are very few guests who have the means to rent STRA for a period of five days several times a year. Typically this represents a corporate/work booking.

e) We do not support limiting the number of guests allowed in a bedroom in its current form. This proposal is particularly problematic for people with close supervision needs, for example babies who sleep in cots, very young children who still sleep with their parents and people with special needs.

We argue for the current short-term rental code, which has worked well for eight years, to prevail on this matter. The current rules allow for two adults per bedroom, plus two for the household i.e. a two-bedroom property is allowed six people.

For properties that are specifically designed to cater for larger groups than what the above rule would allow, we believe that owners should have the power to apply to their local council for development approval to use their property as a short-term rental and cater a higher number of guests.

f) Options need to be provided to the Host/Letting agent to enforce code and/or terminate the occupation of a guest where a code violation is occurring. An example is where community amenity is being negatively impacted such as a party event is occurring the Letting agent needs authority to protect the amenity and terminate violation in the form of a legal and immediate eviction where the financial loss is borne by the Guest in the form of loss of occupation and associated rent paid and the cost of carrying out such a termination.

g) We support a regulatory approach that provides the best balance for consumer safety, community amenity and the contribution of the sector to the economy. For the NSW approach to work properly, it must treat all properties equally - whether hosted or un-hosted, primary or secondary.

h) We believe that 'Terms of Use' and associated agreements used by all participant, including but not limited to; Terms and Conditions, License to occupy, STRA Agreement etc should specifically discourage party houses including the use for bucks, hens events. The strict prohibition of the use of the premise by a Guest for the purpose of holding a party, hens or bucks events should be codified.

It is our recommendation that platforms (as primary booking agent) should be mandated to ensure this is communicated to each guest and that each guest is required to agree and accept this prior to making a booking and when creating an account.

When a guest is found to have contravened this an automatic strike is recorded.

i) Concerning Jurisdiction. Consumer complaints are currently dealt with under the NSW Civil and Administrative Tribunal (NCAT) along with any residential tenancy issues. The establishment of the STRA complaint process sits outside existing established processes

meaning that a complaint (matter) could potentially be lodged both with NCAT and the STRA Commissioner regarding the same matter and although within the purview of the same responsible office (Commissioner of Fair Trading) different processes and approaches can be applied. It is our recommendation that 'double jeopardy' can occur and can be avoided where the STRA Complaints process is recognised as sole avenue.

j) Whilst there is a definition of Guest given, it needs to include all guests staying at the property despite not being listed as the guest who made the booking and all guests details should be captured during the booking process to avoid violation avoidance.

2) Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests.

However I recognise the importance of consumer safety and I support the NSW Government streamlining safety regulations which:

- i. Respect the ancillary use of my home for home sharing
- ii. Mandate smoke alarms – either battery operated or hard-wired

3) STRA Property Register

Registration of all holiday rentals – We are supportive of compulsory and simple registration for all properties listed on a short-term rental accommodation platform. When implemented correctly in other parts of the world, the registration of holiday rentals has proven to be a low-cost and effective way of informing the development of sensible rules for our growing sector.

In South Australia there are no fees and no registration or licensing system, allowing the home sharing economy to thrive. We would agree to a no cost registration and licensing system.

Code of Conduct – the core elements that the regulations and code is seeking to address is; housing affordability, availability and the impact on amenity. With specific regards to impact

on amenity it is the abuse of the STRA Industry by guests who hold parties, hens and bucks events that negatively impact on communities.

It is our view that booking platforms that provide features such as true 'Instant Book' enables a culture of guest abuse as these features are for the direct financial benefit of the Platform but remove all interaction with the guest from the host and Industry participant as the booking is completed within the booking Platform and the Host/letting agent/industry participant has no recourse to qualify or vet the guest as all Guest details and communication with Guest is controlled by the Booking platform in a 'Closed Loop Communication' process.

These features are in-fact mandated by Platforms and Letting Agents are penalised by the Platform if they a) do not accept this booking type b) do not accept this type of booking by negatively weighted listing results. A host/ Industry participant that offers and accepts true 'Instant Booking' is given a higher favourable weighting listing result by Platforms in how the booking platform algorithmically represents its search engine results.

True Instant booking occurs via both Airbnb and Booking.com, they are the offending platforms. Stayz/Homeaway offer "Instant Booking" which is in-fact an instant reservation where the host/letting agent/industry participant still has full access to Guest information, ability to communicate with guest to vet and qualify and is not penalised (yet) for not offering or accepting "Instant Booking" requests.

On this basis we believe true 'Instant Book' features should not be available within any Platform and should be mandated by the STRA Code and Regulation.

Industry participants Obligations - I support the Code of Conduct which overall is reasonable and representative of the home sharing community and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to require all letting activities to be conducted only by Licensed Real estate agents and that the use of independently audited Trust Accounts be mandatory to ensure protections for guests, host's and landlords is preserved. This provides consumer protections that are already well established and accepted and extends safe guards such as financial management through the use of Trust Accounts, professional insurance such as Professional Indemnity for Real Estate and a well established and robust regulatory framework.

Guest Definition – A guest booking is typically made in one name only, yet a premise may sleep more than one person. The overwhelming majority of STRA premises sleep greater than one person though only one person, the primary Guest details are captured.

It is our belief and recommendation that all persons staying at the property are required to provide adequate identification at time of booking & managed by the Platform to satisfy the Registry to avoid:

- Identity Obfuscation and
- Rorting of the strike/exclusion registry.

When a member of a group booking e.g Primary Guest is found to have violated the Code they can simple either obfuscate their name OR ask another member of the group booking to make a different booking in their name to avoid detection. This way all members of the group booking who participated in the violation are not being held accountable for their actions

Code Definition – The Government via the STRA Code of Conduct and Regulation seeks to address the community and neighbourhood amenity however definitions of community and neighbourhood amenity need to be established. What is considered and defined as reduced community amenity, is it a Party, hence of bucks event?

We strongly believe that a events such as party, hence of bucks need to be defined as inappropriate and included as prohibited events within the Code and that all parties that participate, arrange, hold and or market such events should be held accountable

Complaint registration – We believe that the cost of lodging a complaint by all parties to be set at \$150 or half the maximum actual fee of providing the service as determined by the Commissioner or whatever is the lessor. This financial hurdle is to discourage frivolous and vexatious complaints.

Strikes – The proposed ‘two strikes within two years’ for both Guest and host/letting agent/industry participant is unfair and burdensome and clearly weighted in the favour of the Guest. A guest typically books short term holiday accommodation only once per annum however a host/letting agent/industry participant facilitates a multiplier of 700X. That is, a typical host/letting agent/industry participant facilitates approx. 700 – 1100 guest bookings per annum and therefore the applied percentage exposure to one (1) strike pa is greater than that of a Guest.

Therefore, it our recommendation that the limit should be:

- Guest - two strikes within two years.
- Host/letting agent/industry participant - five strikes within two years.

When a complaint is upheld and the source of the guest booking is found to be a certain platform in five (5) or more occasions within a one year period the platform is penalised by \$100,000 each instance commencing five and more. Up until ten instances within a one year period and then the platform is added to the exclusion register for five year period.

Strikes, nature of complaint – The proposal for a complaint to be valid because of ‘misrepresentation of the state of the STRA premise’ is vague and open to abuse. Within the current Real estate regulation there exist definition and example of how this is treated for residential properties and we believe these should be adopted as they are already industry wide accepted with an established regulatory framework.

Additionally we believe that a complaint should be found valid and a strike recorded when the published, communicated and accepted Terms and Conditions of the letting have been accepted by a Guest and not followed. With special attention to where and when instances of parties, hens and bucks events have been expressly banned by the host/letting agent/industry participant are found to occur as the host has contravened the accepted Terms and Conditions.

Complaints – The current proposal of registering a complaint is open to abuse by serial complainants as there is no recourse of consequence for a person who acts vexatiously or mischievous intent to frustrate the normal operations of a small business.

We propose that when two complaints within a two-year period are found not to be upheld by the commissioner then the complainant should be treated and recorded as vexatious and not to be relied upon.

Supporting Evidence – to avoid vexatious and unsubstantiated complaints it is our submission that each complaint:

a) Must be accompanied by supporting evidence including but not limited to:

- Was the defendant informed of the code violation,
- Was the defendant given opportunity to resolve the matter,
- Documentary evidence, photos, videos, Statutory Declaration, security company report, police and or council ranger report

In the instance where a community amenity is being negatively impacted on such as a party event is occurring (existing draft code unfairly and solely holds letting agent/property owner responsible)

b) The Burden of Proof needs to be on the complainant

Exclusion Register – The burden of being registered on the exclusion registry exempts Platforms from consequence and unfairly lays responsibility directly at the feet of those with lack of resources to argument their case. Currently there exists no provision for Platforms to be subject to complaint, review and added to the Exclusion Register, there needs to be.

There must be consequences for Platforms and we propose that if complaints are upheld and are to be found to have occurred via the use of a certain platform then that platform needs to be held account able.

We suggest that in the instance of ten (10) complaints are valid and upheld by the commissioner within a one year period than the Platform shall be equally listed on the registry and equally not permitted to participate within the STRA industry for five years.

Exclusion Register – Fees and cost recovery should be recovered by all participants including guests and should be self-funded by way of penalties and fines incurred by Industry participants. This avoids any revenue raised via penalties not being rolled up into general consolidated revenue by Government but go directly to the area of industry (Tourism) that needs support.

Additionally, the mechanisms for costs recovery by appropriation according to; number of premises, number of days, STRA revenue and upheld complaints does not apply a provision for Platforms.

Platforms generate hundreds of Millions of dollars each year within NSW STRA Industry and should a) pay proportionately and b) should face consequences and penalties proportionate to their revenue and market dominance.

Penalties - When guests are found to be in violation of Code and penalties are applied they need to be applied to all parties who were present during the occupation. The current proposed amount should apply to each Guest equally. Penalties need to be applied to all guests who stayed at the property during the instance of violation and not solely borne by the guest who made the booking.

This financial deterrent will assist in meeting the aims of the Regulation and Code namely reducing the negative community impact on neighbour amenity.

Register Data Collection and Management - How will data be recoded and stored? What type of data will be captured and used to identify participants?

Classes of Industry Participant –

Please include ChaMello Pty Ltd operating as Emerald + Aqua (ABN: 47602 114 643). Emerald + Aqua operates similarly to organisations listed in the code such as MadeComfy, Hey Tom and AirSorted.

Property & Complaint Register

It is our view that Platforms need to automatically check each guest before taking a booking against the register.

To avoid guest identity obfuscation a minimum:

- Full name
- Driver license details
- Full address
- Email address
- Mobile phone number and
- Date of Birth

is provided as mandatory.

The reason for all of these details is it is very easy to change an email address, insert a middle name or initial to avoid identity matching. Additionally, this will also removed the risk of incorrectly identifying the wrong Sarah Jane or Robert Smith.

STRA Regulatory and Code Commencement – The changes proposed are significant and costly, they represent complex adjustment just as the national economy is poised for a recession.

Typically the height of business activity for the STRA Industry commences from the October long weekend through mid-March we recommend that any commencement begin after that

period. The ideal period is after the Financial year has concluded so therefore beginning of September.

Both the Government and STRA industry need considerable time to design and implement education and awareness initiatives with several audiences:

- General Publish – Guests
- Letting Agents
- Hosts
- Property Owners
- Industry participants, and
- Platforms

Regarding the changes. Furthermore, those carrying the burden of the proposed changes, the Property Owners and Letting Agents need time to finance and organise the complex compliance.

Furthermore micro and small businesses, the backbone to the NSW economy that act as Letting Agents need to finance and support the training of staff, update websites, legal agreements, systems and processes need to be reviewed and updated to reflect the changes and new obligations of parties. This is not insignificant and for micro and small businesses represents a significant financial hardship.

Given these factors we believe a staged approach that provides time for necessary changes to occur and for the phasing in of different components being:

- 1) Stage 1 September 2021 Register Commences
- 2) Stage 2 September 2022 Code of Conduct Commences
- 3) Stage 3 September 2023 Review of Regulation and Code commences
- 4) Stage 4 May 2024 Review of Regulation and Code complete
- 5) Stage 5 July 2024 Review of Regulation and Code findings released
- 6) Stage 6 September 2024 Review of Regulation and Code findings adopted

This phased in approach also neatly address how to apply changes to future accommodation that is booked prior to commencement. Typically accommodation is booked up to 18 months in advance, there can not be two systems/two processes and or two different legal treatment applied to bookings based on Commencement date. A timely staged approach ensures that there is the right approach for all boeing situations.

Scope and Administration of Review- how will the social and environment impact be measured? Will the economic benefits/impact be equally measured to quantitate disruption to the NSW economy and regional economies?

Who, where and how will the review take place? How will public comment be sought and how long will the review process take place? How will the success be measured?

As the NSW Government considers how people travel and use their homes today we respectfully submit that we don't need severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

It is the technology that the Platforms provides like 'Instant Book' that is abused by guest's to avoid vetting and qualification by letting agents and it is the Guests wilful anti-social behaviour that goes with limited scope of consequence. These two behaviours by the Platform and Guest is unfairly carried by the letting agent and property owner. We submit that it is these two participants (Platforms and Guests) where greater scrutiny and control should be applied.

Our communities rarely had these issues before Airbnb and Booking.com came to our shores.

Thank you for considering my submission.

Kind Regards,

From: Pateena Donnelly <pateena@aioa.com.au>
Sent: Friday, 6 September 2019 7:55 PM
To: DPE PS STHL Mailbox
Subject: Short term accommodation
Attachments: STRA Code of Conduct Submission.pdf

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens and that all parties, specifically Platforms and Guests should be held to account for their actions and that the burden should not just be overwhelmingly borne by Letting agents and property owners as is the current proposal.

Please find attached my Submission,

Kind regards,

Arthur Gorissen & Pateena Donnelly
7 Station Street
Stanwell Park

Sent from my iPhone

From: Ash Grey <halekulani11@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Ash Grey
68 Market St
Sydney, Nsw 2000

From: ASHLEIGH TINKLER <brenttinkler83@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because of the streamline process of hosting and easy to use systems in place. AirBnb is also cost effective for both the host and traveller!

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Thank you for reading my submission.

Regards,
ASHLEIGH TINKLER
160 Elizabeth Dr
Vincentia, Nsw 2540

From: ASHLEIGH TINKLER <brenttinkler83@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
ASHLEIGH TINKLER
160 Elizabeth Dr
Vincentia, Nsw 2540

From: ASSAAD KAZZI <ackazzi@hotmail.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

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Thank you for reading my submission.

Regards,
ASSAAD KAZZI
210 Longueville Rd
Lane Cove, Nsw 2066

COMMERCIAL IN CONFIDENCE

ASTRA APARTMENTS SUBMISSION

UNINTENDED CONSEQUENCES OF SHORT-TERM RENTAL REFORM

Executive Summary

- Astra Apartments provides flexible housing to clients who require a convenient, temporary residential solution for an extended stay.
- This sector includes –
 - Corporates requiring staff to work away from their office for an extended period; typically, on relocation, secondment or a specific project. (eg Westconnex engineers)
 - Hospital and treatment patients and their families needing to reside near specific medical services for an extended period (eg pain clinics, cancer clinics)
 - Government departments (eg doctors on rotation, defence)
 - Emergency accommodation solutions for children and families removed from undesirable home situations (eg children of drug addict parents, domestic violence)
 - Insurance events requiring temporary accommodation (eg Opal Tower or storm damage)
- Our clients require an economical residential solution that is not provided by current short term providers, that is hotels and serviced apartments.
- Whilst our clients' requirements are residential in nature, a residential lease is unsuitable as duration of stay is usually unknown and clients do not have the authority, time or facility to sign long form leases, connect utilities and furnish the residence.
- The Sector does not service holiday/tourist accommodation or used for stays of less than 7 days.
- Astra Apartments and the "Temporary or Corporate Housing" category (**TCH**) – an emerging model in Australia - will be casualties of the unintended consequence of proposed STRA reforms.
- That's because the proposed STRA reforms will group TCH business with very short term operators, stays booked through booking platforms and often serviced by inexperienced and unprofessional operators targeting the tourism and holiday markets. The resulting sanctions levied by Owners Corporations and the Code of Conduct will enmesh TCHs' business even though it is unrelated and not responsible for complaints.

- TCH is a professionally managed business with 24/7 on-call management to address any issues surrounding clients and residences.
- We welcome the introduction of 21 day plus stays not contributing to the 180 day cap.
- Headquartered in NSW and operating in the Corporate Housing category since 2002, Astra Apartments has apartments and houses throughout Australia and has recently expanded to New Zealand. Plans are underway to export this NSW success story.

What is Temporary / Corporate Housing?

TCH is an established global industry which enables an important segment, the mobile workforce to live in a quiet, spacious, private residential environment when travelling for work. It's a business-to-business and business-to-government model, providing furnished accommodation to corporate and government clients.

The TCH industry is designed to accommodate long-stay clients, typically, on relocation, secondment or a specific project. It does not serve people on short stay business trips or people in the holiday/tourist market.

By providing consistent, high quality, temporary and corporate housing, Astra Apartments is helping to make NSW become more competitive on the global mobility world stage.

Who needs a flexible housing solution?

Astra Apartments' clients come from long held, hard won relationships with international and national relocation companies, corporate travel companies and direct with mobility teams at various organisations moving people to NSW for work, health or emergency social housing. The business operates a professional relationship management program and have good knowledge of each client, company and tenant.

Clients include:

- Corporates: Australian companies and global multinationals investing and/or providing expertise to NSW. This includes (but is not limited to):
 - Major professional services firms
 - Global technology companies
 - Engineering companies working on critical infrastructure
 - Large financial/insurance sector companies
 - National and global transport
 - Manufacturing and energy companies
 - Federal and state government
- Government, defence and health
- Social housing for displaced families
- Insurance housing following events requiring a house move.

Importantly, Astra Apartments does not provide holiday/tourist accommodation.

How does the STRA Framework affect the TCH sector?

The matrix below illustrates how the sector has a completely different relationship with tenants and stratas to that of STRA. It is clear from this matrix that TCH must be categorised differently to short term stays

| Category | STRA | Temporary / Corporate Housing |
|---|---|--|
| Booking Source | Booking platforms | Corp / Govt travel arrangers Corp / Govt mobility experts Companies direct |
| Occupancy Period | 1-4 days | Av 6.5 weeks but up to 1 year |
| Typical Guest | Tourist Visitor Groups Share economy | Corporate individual Corporate family Government employee |
| Responsibility for guest, apartment, neighbourhood | Mix of : Booking platform Letting agents 'Airbnb management companies' | Housing provider (eg Astra) |
| Compliance | Unregulated | Professional Management team Insured and trained cleaning teams Work health and safety Data security Risk management Emergency, crisis management and duty of care procedures in place. |

Key to STRA framework development is the need to curtail party house and anti-social activity. This is not an issue with TCH business, yet the proposed legislation and powers to be afforded Owners Corporations will mean TCH organisations are punished for the behaviour of true STRA businesses. Owners Corporations that evoke the bylaw to ban STRA businesses will mean people with real needs for a residential solution will be unfairly impacted.

The STRA Framework's definition of short-term rentals does not allow for the Temporary Housing business model which allows people to occupy a fully furnished but unserviced residence for terms much longer than STRA businesses' target and provide.

This business model must be exempted from the proposed sanctions aimed at STRA operations by Owners Corporations.

Fire Codes

Working with this sector of tenant and accommodating them in buildings complying with BCA of buildings built in the last 10 years means no further upgrade of fire standards should be necessary.

Fire Doors

Particular concern is noted for the requirement of smoke seals to the entry door of apartments. This will be problematic because:

1. Retrofitting seals will mean that entrance doors in corridors do not match.
2. The fire doors are one of the essential fire requirements and it is the ultimate liability of the Owners Corporation
3. Retrofitting may compromise a fire doors integrity

Please delete fire door requirements for internal doors, we believe this inclusion to be a mistake.

Smoke Alarms

If apartment buildings are constructed to current BCA requirements they should provide for the satisfactory level of safety as has been approved for tenants. Any further upgrades should be unnecessary.

Code of Conduct

Astra Apartments agree a Code of Conduct is an important part of the Framework and as such, request the following amendments:

- The register of properties is a part of our intellectual property and must be kept confidential and only accessed by the administrators of the code and the regulator.
- The costs to administer the code should be born by the operators who have complaints and reviews levied against them.
- Compulsory Insurance must be limited to death or injury of a tenant. Insuring a tenants' property must be excluded. What tenants decide to bring into the residence is variable. As in other types of accommodation, tenants are responsible for protection their own belongings.

Astra Apartments' recommendations

Astra Apartments supports the implementation of a mandatory code of conduct for the STRA industry.

We recommend the creation of a category Temporary and Corporate Residential Housing, different to Airbnb, hotels or serviced apartments. It should be excluded from the STRA Framework and not recognised as a *short-term rental accommodation arrangement*.

We recommend the creation of a TCH Residential Tenancy Agreement which protects the rights of:

- Owners Corporations to quiet residential enjoyment
- Temporary Tenants who have a right to a private residential experience
- Corporates and Governments to access a flexible and economic housing solution

The Agreement would be short in form to meet the needs of the client but protect the above stakeholders' amenity

To be recognised as Temporary / Corporate Housing, the provider must exhibit the following characteristics:

- Residential in intent.
- Parties protected by a short form flexible lease that allows for uncertainty of dates and related issues.
- 24/7 local management to attend to any residence of client issues. Effectively an on-call host.
- The provider is to be the holder of the head lease on the property.
- Compulsory orientation plan for each tenant showing all the fire and safety equipment and evacuation procedures of the apartment.
- Maximum two residents per bedroom.

From: Suzie Hatherly
Sent: Thursday, 19 September 2019 3:10 PM
To: Tessa Parmeter
Cc: DPE PS STHL Mailbox
Subject: FW: ASTRA Response
Attachments: ASTRA Response 18sep19.pdf; ASTRA Cover Letter NSW Submission 18sep19.pdf

Follow Up Flag: Follow up
Flag Status: Completed

One for logging/saving please.

Thanks!
Suzie

From: Diana Holy <diana.holy@customerservice.nsw.gov.au>
Sent: Thursday, 19 September 2019 3:03 PM
To: Sandy Chappel <Sandy.Chappel@planning.nsw.gov.au>; Suzie Hatherly <Suzie.Hatherly@planning.nsw.gov.au>
Cc: Alanna Linn <Alanna.Linn@customerservice.nsw.gov.au>; Lachlan Malloch <lachlan.malloch@customerservice.nsw.gov.au>
Subject: FW: ASTRA Response

Hi Sandy and Suzie,
Just checking if you received this submission?

Thanks,
Diana

From: Rob Jeffress <rob.jeffress@gmail.com>
Sent: Wednesday, 18 September 2019 3:57 PM
To: Alanna Linn <Alanna.Linn@customerservice.nsw.gov.au>
Cc: John Tansey <John.Tansey@customerservice.nsw.gov.au>; Diana Holy <diana.holy@customerservice.nsw.gov.au>
Subject: Re: ASTRA Response

Hi Alanna, Diane and John,

Please find attached ASTRA's response to the Questions.

As I've mentioned in the covering letter, the questions have led to a comprehensive and at times challenging review process for us as we've worked to consider the wide range of views across our membership.

This process has also raised other important questions and led to valuable debate on matters such as:

Maximum Guest Numbers
Terms & Conditions
Trust Accounting
Licensing Requirements
the 21 day exclusion (which we support)
Industry representation
Instant Bookings

We have also naturally considered the importance of education and training as a means to raise standards and preempt issues, as part of a wider investigation of how the new regulations and registry systems might best be implemented and managed.

We have made notes of all items and will continue the work of finalising these are finalising these now.

Rather than dilute the focus from the Responses sought - or have them canvassed publicly with our response, I hope we might have the opportunity to present them to you as items for further discussion and consideration.

Finally I must give credit to ASTRA's regulatory team for their passionate interest, time and the quality of their individual contributions to this response.

Thank you again for the extra time we were given. We're looking forward to taking a breath and would appreciate it you could confirm your receipt.

Rob

Rob Jeffress
Chair ASTRA

On 10 Sep 2019, at 3:24 pm, Alanna Linn <Alanna.Linn@customerservice.nsw.gov.au> wrote:

Hi Rob

Thanks for your email to John about the ASTRA submission to the STRA consultation.

We appreciate the work involved in responding and are able to provide an extension as requested - making it due on 18 September 2019.

Thanks very much
Kind regards
Alanna

Alanna Linn
Director, Regulatory Policy
Better Regulation Division | Department of Customer Service
p 0436 658 933 e alanna.linn@customerservice.nsw.gov.au |
www.customerservice.nsw.gov.au
Level 5, McKell Building, 2-24 Rawson Place, NSW 2000

Please note, I work Monday-Wednesday only. My job-share partner, Diana Holy, works Wed-Fri and can be contacted at diana.holy@customerservice.nsw.gov.au or 0407 604 600

-----Original Message-----

From: Rob Jeffress <rob.jeffress@gmail.com>
Sent: Tuesday, 10 September 2019 8:37 AM
To: John Tansey <John.Tansey@customerservice.nsw.gov.au>
Cc: John Gudgeon <jalgudgeon@gmail.com>; Drj <zsuzsanna@drjinvestments.com>
Subject: ASTRA Response

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As volunteers, an extra weekend would be ideal and a few days after that for Zsuzsanna, John Gudgeon & I to distill the rest of the input for our Board to confirm.

Many thanks in advance for your consideration Rob

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Director, Regulatory Policy
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p 0436 658 933 e alanna.linn@customerservice.nsw.gov.au |
www.customerservice.nsw.gov.au
Level 5, McKell Building, 2-24 Rawson Place, NSW 2000

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From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 3:00 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Submitted on Mon, 09/09/2019 - 14:53

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Peter

Last name

Davis

Name withheld

No

Info

Email

peter@astraapartments.com.au

Suburb/Town & Postcode

Neutral Bay / Sydney 2089

Submission file

[stra-submission-final.docx](#)

Submission

Attn Director, Housing Policy.

Please find the submission for Astra Apartments attached.

We do not want our submission published. Our business model and sources of business are confidential.

Yours sincerely

Peter Davis

Chairman

Astra Apartments

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 1:17 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 13:13

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Robert

Last name

Henke

Name withheld

No

Info

Email

robert.henke@yha.com.au

Suburb/Town & Postcode

Sydney

Submission file

[boa-submission-to-the-department-of-planning-sept-2019.pdf](#)

Submission

To whom it may concern

Please find attached the Backpacker Operators Association NSW Submission on the Department of Planning and Environment's Explanation of Intended Effect Short-term Rental Accommodation Planning Framework.

I agree to the above statement

Yes

Sydney 11 September 2019

Submissions on the Department of Planning and Environment's Explanation of Intended Effect Short-term Rental Accommodation Planning Framework

INTRODUCTION

By document titled Explanation of Intended Effect ("EIE") the New South Wales Government's Department of Planning and Environment (Department) sought submissions regarding feedback on the details of the planning framework for regulation of Short-Term Rental Accommodation ("STRA") in New South Wales.

By way of background, BOA was established in 1992 and is the peak industry body and voice of the youth tourism industry in New South Wales and the Australian Capital Territory. The Association has about 80 businesses as members, including many who operate authorised backpacker accommodation in NSW.

BOA is making a submission as its members hold serious concerns about the phenomenal growth of so-called 'sharing economy' web-based platforms such as Airbnb, and the impact that such platforms are having on the safety of short-term visitors to the State. BOA also seeks a level playing field for its members running compliant, highly regulated accommodation businesses in NSW. Currently, businesses in the 'sharing economy' gain an unfair advantage by bypassing many of the costs that traditional operators must incur, particularly licensing, insurance and taxes. Overall, though, BOA's highest concern is for the safety of short-term travellers to NSW.

BOA's main concern about the framework is the proposed industry self-regulation. This will not work, is almost impossible to implement, monitor and enforce and thus turns the Rental Accommodation Planning Framework into nothing more than "a toothless tiger". BOA has the following concerns/suggestions about the proposed framework:

PLANNING FRAMEWORK

- BOA is of the opinion that 180 days is excessive and not in line with what is happening in other jurisdictions overseas (some examples, Amsterdam 30 days, Barcelona 62 days, London 90 days, San Francisco 90 days). BOA proposes a cap of 90 days rather than 180. In any case local Councils should have the authority to reduce the allowance of the maximum days properties are made available for STRA to 30 days so that the activity is limited to genuine home sharing where Councils believe this is necessary.
- The 180 cap is undermined to the point where it becomes meaningless if bookings for 21 days or more are not counted to the threshold.

CODE OF CONDUCT

- BOA believes that the social license for tourism is under threat and that the rights of neighbours of STRA properties need stronger protection. Providing neighbours with the contact details of hosts is not enough, they need to be accompanied by a guaranteed minimum response time.
- Section 54B(2) article (i) restricts persons whose details are listed on the exclusion register from participating in STRA activities. BOA suggests to change persons to properties; it is very simple to change the name of a host the restriction thus needs to be on the property not the person.

STRA PROPERTY REGISTER

- BOA vehemently disagrees that the STRA industry can be made responsible for developing and administering the register. The register should be funded by hosts possibly through licensing fees but the register should be administered by Government or by an independent third party that reports to Government.
- The register data collection must include the number of rooms and the number of beds of the property.
- The information on the register should be made publicly available particularly for the benefit of Councils, the ATO and neighbours of STRA properties. Industry should absolutely be required to report registration information including the number of stays (days) to enable enforcement.
- Booking platforms must be obliged to list the license or registration number of each property on their website so that it is clear for consumers as well as the authorities that a property is registered.

Yours sincerely,



For BOA NSW
Robert Henke



10 September 2019

Att: Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO BOX 39
Sydney NSW 2000

Dear Sir/Madam

Re: Submission – Short-Term Rental Accommodation Reforms – Ballina Shire Council

I refer to your recent documentation, including:

1. Discussion Paper;
2. Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019;
3. Draft Code of Conduct for the Short-term Rental Accommodation Industry;
4. Draft Fair-Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019;
5. Draft Environmental Planning and Assessment (Short-term Rental Accommodation) Regulation 2019; and
6. Short-term Rental Accommodation Fire Safety Standard.

Please find attached Ballina Shire Council's submission as requested.

This submission is broken into the following distinct parts:

- A Recommendations Summary;
- B General Comments;
- C Discussion Paper;
- D Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019;
- E Draft Code of Conduct for the Short-Term Rental Accommodation Industry;
- F Draft Fair-Trading Amendment (Code of Conduct for Short-Term Rental Accommodation Industry) Regulation 2019;
- G Draft Environmental Planning and Assessment (Short-Term Rental Accommodation) Regulation 2019; and
- H Short-Term Rental Accommodation Fire Safety Standard.

A Ballina Shire Council Recommendations

Recommendation 1:

Consideration is given to the inclusion of Sub-Clause (d) to the existing Clause 9(2) to state words to the effect of:

- (d) **If the dwelling is located on non-sewered land, the installed On-Site Sewage Management System meets the requirements of Volume 3 (Plumbing Code of Australia) of the *Building Code of Australia***

Recommendation 2:

Consideration is given to the clarification of the specifics of actual number of bedroom occupants for Short-Term Rental Accommodation and whether children are included in the occupant numbers.

Recommendation 3:

Consideration is given to the clarification of the methodology for the calculation of days that a building is actually used for Short-Term Rental Accommodation, and

Consideration is given to the methodology of “when” such calculations should commence.

That is:

- (i) calendar year?
- (ii) financial year?
- (iii) date of commencement of short-term rental accommodation?
- (iv) date of approval?
- (v) Some other measurable commencement date?

Recommendation 4:

Consideration is given to the removal of Short-Term Rental Accommodation from the Exempt Development provisions for dwellings with swimming pools.

Recommendation 5:

Consideration is given to the including of the mandatory nature of the Draft Code as this statement is:

- (i) The first Statement within the Introduction; and

- (ii) This Statement is made more prominent within the Introduction.

Recommendation 6:

Consideration is given to the including of this statement as a new Clause 5.1.6:

5 RIGHTS AND OBLIGATIONS OF INDUSTRY PARTICIPANTS

5.1 General.

5.1.6 An industry participant must comply with a written legal notice to produce information made by the local Council relating to the operation of the short-term rental accommodation.

Such a written legal notice shall refer to Part 9, Division 9.2, Subdivision 3, Section 9.22 Requirement to provide information and records under the provisions of the Environmental Planning and Assessment Act 1979 (NSW)

This section is an offence provision under section 9.25 of the Environmental Planning and Assessment Act 1979 (NSW)

Recommendation 7:

Consideration is given to the including of Clause 5.4.2 within the Clause for “Hosts to act lawfully” as a new Clause 5.4.1 (c):

Recommendation 8:

Consideration is given to the rewording of Clause 6.2.4 to:

*6.2.4 If a complaint is based on a contravention of planning law, the Commissioner may only accept the complaint if it is accompanied by evidence of completed enforcement action by a council **for issues involving the provision of Short-Term Rental Accommodation**. Such a finding is, for the purposes of dealing with the complaint, conclusive evidence of the contravention. (Change Suggested or similar wording emphasised).*

Recommendation 9:

Consideration is given to providing a definition or otherwise describe the terms:

- (i) Failure is not minor; and
- (ii) Failure.

Recommendation 10:

Consideration is given to providing access to both the:

- (i) Registration of Short-Term Rental Accommodation Industry Participant, or Industry Participant Register; and
- (ii) Exclusion of Registration of Short-Term Rental Accommodation Industry Participant, or Industry Participant Register.

Recommendation 11:

Consideration is given to the provision being amended to include Specification C1.1 (Fire Resisting Construction) for new construction works within Sections 4 and 5 of the Short-Term Rental Accommodation Fire Safety Standard.

Recommendation 12:

Consideration is given to the provision being amended to legislate the requirement for the provision of the following documentation to the local authority as a part of the application and approval process:

1. Fire Safety Schedules, Part 9, Division 2; and
2. Fire Safety Certificates, Part 9, Division 4; and
3. Annual Fire Safety Statements, Part 9, Division 6

of the *Environmental Planning and Assessment Regulation 2000* (NSW) for all changes of land use where “works” are required as defined within the *Environmental Planning and Assessment Act 1979* (NSW). It is intended to remove any doubt of the need for compliance with the Regulation.

Recommendation 13:

Consideration is given to the provision of an additional Fire Safety Measure, being a fire blanket within food preparation areas for both Section 4 of the Short-Term Rental Accommodation Fire Safety Standard. This could be done by inserting current Section 5.6 and Sub-Section 5.6.1 into Section 4.

Recommendation 14:

Consideration is given to the provision of additional Fire Safety Measure, being a fire hydrant within 60 metres of the dwelling for non-hosted Short-Term Rental Accommodation buildings for Section 5 of the Short-Term Rental Accommodation Fire Safety Standard.

B General Comments

The framework does not seek to address the adverse impacts of Short-Term Rental Accommodation on housing affordability and rental stock availability. The discussion paper mentions a number of times that Short-Term Rental Accommodation is considered to be a “home sharing activity”, however allowing long Short-Term Rental Accommodation day limits of 180 day or more does not encourage the use of a Short-Term Rental Accommodation premises as a “home”.

The framework will result in increased need for enforcement from councils for properties that are not being leased in accordance with planning regulations. This has the potential to place a significant resourcing burden on councils.

The ability to apply a 90 day limit for communities with high rates and occurrence of Short-Term Rental Accommodation is needed in order to address housing affordability and availability issues. Lennox Head Village is starting to have high rates of Short-Term Rental Accommodation being a popular coastal holiday location. There is a risk that if properties are allowed to be leased for 180 degree, they will become housing stock specifically reserved for Short-Term Rental Accommodation purposes instead of being used for principal places of residence or leased for permanent rental housing. Areas that have a transient population of holiday makers tend to lose their authentic local community feel and have an increase in social problems which in turn impacts permanent residents of the locality and the shire. The ability to limit parts of Lennox Head to 90 days Short-Term Rental Accommodation within a calendar year would go some way to limit the aforementioned impacts from occurring.

With respect to the *Environmental Planning and Assessment (Short-Term Rental Accommodation) Regulation 2019*, the installation of fire extinguishers and fire blankets in the kitchen should be a standard which applies to all dwellings, not only dwellings in multi-unit buildings.

Code of Conduct –

- Part 7 Strikes (page 11 of discussion paper) – Suggestion to remove the circumstance where a strike can be recorded against a host for “*a host misrepresented the state of Short-Term Rental Accommodation premises when advertising the premises for rent or in communications to guests*”. This will end up in the lodging and consideration of many inappropriate complaints that will need to be investigated by the Commissioner and end up becoming very resource intensive for the body set up by the commissioner. Online booking platforms have a rating and review mechanism which probably provides an adequate enough disincentive for hosts to falsely misrepresent the state of their premises.

Exclusion Register – in particular 5.4.11 of the Code states “*A host must not enter into a short-term rental accommodation arrangement with a guest if the guest is recorded on the exclusion register as an excluded guest.*” This will be a hard provision to regulate and mechanisms need to be put in place to make hosts aware of the provision and direct them to the register for checking.

C Discussion Paper

To address the questions raised in the Discussion Paper, I provide the following responses:

1. *What is your view on the form of and provisions in the STRA SEPP, Regulation and Safety Standard?*

Each individual document is addressed separately within this Submission.

2. *Are there any elements of the draft instrument that are open to misinterpretation or require further clarification?*

Any discrepancy is addressed separately within this Submission.

3. *What are your views on new policy elements relating to days, flood control lots and bushfire prone land?*

These issues are addressed separately within this Submission.

4. *Are the general obligations for industry participants adequate? If not, what other general obligations should be considered? Why?*

As outlined in more detail below, consideration should be given to granting local Councils access to either Register to enable the timely enforcement of planning legislation.

5. *What types of STRA information will be useful for the Secretary to collect to inform the further improvement of the Code and the STRA regulatory framework? Why?*

As outlined in more detail below, any Short-Term Rental Accommodation Register should include the provision of a land zoning or similar as well as the opportunity to insert the relevant and unique planning application approval number from the local authority.

This will assist local Councils generally and the Office of Fair Trading to ensure that the appropriate local approvals are in place prior to the commencement of the provision of accommodation.

6. *Are the specific obligations on booking platforms, letting agents, hosts, guests and facilitators in the Code adequate? If not, what other obligations should be considered for each of these industry participants? Why?*

Consideration should be given to including the number of days utilised for Short-Term Rental Accommodation provided by the provider to enable both local Councils and potential accommodation seekers with an avenue to ascertain whether accommodation is able to be met prior to any booking being made.

7. *Is the complaints process detailed in part 6 of the Code sufficient? If not, what other matters should be considered or set out in the process? Why?*

In this regard, I refer to my submissions in more detail below with respect to the Draft Code of Conduct.

8. *Are the grounds for recording a strike fair and reasonable? What other matters (if any) should the Commissioner consider when deciding whether to record a strike? Why?*

Please see Recommendation 7 below.

9. *What are potential ways to facilitate industry participants' access to the exclusion register while limiting potential privacy impacts? What factors should be considered?*

It is anticipated that, should the Exclusions Register progress, that the Register could be provided to provide multiple levels of access to data.

This would enable industry participants to access the information sought, whilst minimising any personal privacy impacts more generally.

10. *Is the review process clear and sufficient? What other matters (if any) should be considered? Why?*

Please see Recommendation 9 below.

11. *Are the proposed penalty notice offence and civil penalty provisions appropriate? What provisions should or should not be identified as penalty notice offence and/or civil penalty provisions? Why?*

It is noted that the penalty notices outlined with respect to planning matters are generally below those currently listed for “tourist and visitor accommodation” type matters based on the actual Class of Building under the provisions of the *building Code of Australia*.

These penalty notices amounts can be reviewed prior to the implementation of the Short-Term Rental Accommodation process itself, with the amounts being raised to be consistent with other similar BCA Class offences.

12. *Does clause 22B(1) appropriately capture end to end property management services that specifically service STRA properties? Why or why not?*

This is a matter for the Regulator, the NSW Office of Fair Trading to provide feedback on.

13. *What other organisations or persons should be prescribed classes of STRA industry participants (if any)? Why?*

Prescribed classes of industry providers is a matter for the Regulator, namely the NSW Office of Fair Trading to provide feedback on, although Ballina Shire Council would submit that all providers should be included.

14. *Is it appropriate to exclude the STRA industry participants set out in clause 22C? Why or why not?*

Exclusion of different classes of industry providers is a matter for the Regulator, namely the NSW Office of Fair Trading to provide feedback on, although Ballina Shire Council would submit that all providers should be included.

15. *What other STRA operators (if any) should be excluded from being covered by the Code? Why?*

Ballina Shire Council submits that any person, business or Corporation seeking to provide Short-Term Rental Accommodation must be covered by this proposed mandatory Code.

16. *Is the appeals process clear and sufficient? What other matters (if any) should be considered? Why?*

Ballina Shire Council supports the appeal process as outlined.

17. *Which industry participants should contribute to the cost of administering and enforcing the Code? Why?*

Costings of the upkeep of the Registers are matters for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

18. *How should costs be apportioned across different STRA industry participants? Why?*

Costings of the upkeep of the Registers are matters for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

19. *Is the proposed penalty notice offence amount appropriate? Why or why not?*

Penalty amounts for a potential breach of the Registers or the Code of Conduct are matters for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

20. *How can industry be organised to develop and manage the registration system?*

Data management is a matter for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

21. *What would be the costs to industry in establishing and maintaining the register? How would industry propose to meet these costs?*

Ballina Shire Council agrees that industry providers are utilising Short-Term Rental Accommodation for a commercial purpose and should be required to pay an appropriate fee for registration and ongoing commercial gain.

22. *What role should the Government play in developing or overseeing the register, if any?*

As the originator of this process and this planning proposal process, the NSW Government should ensure that all Registers are appropriately resourced and implemented as a matter of urgency.

23. *Are there other outcomes a register should deliver?*

Data management is a matter for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

24. *How can the approach ensure registration applies to all STRA operators, regardless of how the property is advertised for rent?*

Data management is a matter for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

25. *What audit and verification processes would be needed to ensure accuracy of data?*

Data management is a matter for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

26. *Should there be separate or additional penalties for failure to register? If so, which industry participants should they be imposed on?*

Ballina Shire Council submits that the penalty notice provisions should be similar to those already utilised within Schedule 5, (Penalty Notice Provisions) of the *Environmental Planning and Assessment Regulation 2000* (NSW) with respect to unauthorised land uses more generally.

27. *What information should the register collect? Why?*

Data management is a matter for the Regulator, namely the NSW Office of Fair Trading to provide feedback on.

28. *What role should different industry participants (e.g. hosts and booking platforms) play in the registration process?*

Ballina Shire Council would submit that industry participants should be required to provide all relevant details, including but not limited to, previous Council approvals (if any), as well as any information required for the establishment of the Register.

29. *What role should Government play in the registration process or providing information for the register?*

State Government should ensure that both the Accommodation Register, Complaints Register and Disciplinary Register are implemented and maintained to ensure ongoing compliance with the provision of Short-Term Rental Accommodation within New South Wales.

30. *Should any information on the register be made publicly available? If so, what information could be made available and why?*

Ballina Shire Council believes that parts of the Register should be publically available. This should be done by way of a multiple layer sign in capability to enable proper enforcement and monitoring, whilst respecting individual privacy concerns.

31. *Should industry be required to report registration information, including number of stays (days), to Government and/or local councils? If so, how frequently? Why?*

Ballina Shire Council strongly supports this provision being mandatory.

This will enable real time enforcement of any breaches of planning legislation, especially for local Councils who have endorsed the implementation of the 180 day limit and this should be built into the Register itself, for all interested parties, including adjoining neighbours and prospective tenants.

32. *Should any information on the register be made publicly available? Why?*

Ballina Shire Council believes that parts of the Register should be publically available. This should be done by way of a multiple layer sign in capability to enable proper enforcement and monitoring, whilst respecting individual privacy concerns.

33. *How much lead time would industry need to develop and establish the proposed STRA property register? Please provide reasons.*

See response to Question 34 below.

34. *When should the STRA regulatory framework start? Please provide reasons.*

Ballina Shire Council submits that a period of grace should be utilised prior to the commencement of Short-Term Rental Accommodation of a period of not less than three (3) months to enable industry providers to ensure adequate registration and regulation is in place.

35. *Do you support the proposed scope of the review? What additional considerations might be necessary?*

Ballina Shire Council supports the review and the proposed scope.

36. *What data sources could the NSW Government use to inform the review? How can industry and councils assist with data collection for the review?*

Ballina Shire Council recommends utilising the same process that was used for the commencement of Short-Term Rental Accommodation.

D Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Ballina Shire Council broadly supports the need for planning regulation of Short-Term Rental Accommodation within NSW.

The use of standardised criteria is considered a reasonable process to enable such applications to be dealt with as complying development. Ballina Shire Council also understands the difficulty in providing one document to cover such diverse areas of New South Wales, from Broadway to Ballina to Broken Hill.

By way of background information, Ballina Shire Council operates under two separate planning instruments, namely the:

- a) **Ballina Local Environment Plan 2012**, (gazetted from the Standard Instrument) and

BLEP 2012 applies to the more developed areas of the Ballina Shire and includes residential, commercial and industrial zones.

- b) **Ballina Local Environment Plan 1987** (originally gazetted in February 1988).

BLEP 1987 applies to the rural zones of the Ballina Shire and includes a number of Environmental Protection Zones, which were initially utilised for matters such as the protection of water catchments, coastal protection and other environmentally sensitive land. Further, there are a number of breeding areas for endangered fauna and food production areas

These Environmental Protection Zones have a very restricted land use table to ensure ongoing protection of the environment.

To address the specifics of *Draft State Environmental Planning Policy (Short-Term Rental Accommodation) 2019*, I would like to address the following:

Part 2, Clause 9 – General Requirements for Exempt Development

It is the opinion of Ballina Shire Council that the general exempt development provisions as documented at Sub-Clause (2) require an amendment to minimise potential pollution of the environment.

Given a large part of Ballina Shire is non-sewered, septic waste is treated and disposed of by way of an On-Site Sewage Management System (OSSMS). OSSMS are generally designed for a specific number of patrons or by a multiple of 1.5 persons per bedroom. This *Draft State Environmental Planning Policy (Short-Term Rental Accommodation) 2019*, provides for an increase in occupants of a bedroom over and above Volume Three of the *Building Code of Australia*, which may result in the failure of the OSSMS.

Any increase to the number of persons who are resident within a building may have a detrimental impact on the ability of the OSSMS to treat the septic waste generated within the Short-Term Rental Accommodation building.

By way of a specific example, a rural property within the Ballina Shire currently exists on a small parcel of land. The original OSSMS which was installed at the construction of the dwelling was of a reduced volume. This premises were subsequently changed to a “bed and breakfast establishment” and the OSSMS now does not meet the requirements for the safe and lawful disposal of septic waste.

As a result, Ballina Shire Council is currently in litigation with the landowner for ongoing pollution incidents. Further, this premises currently overflows into a local waterway, with oyster leases downstream, which are similar circumstances to those experienced at Wallis Lake some years ago.

Recommendation 1:

Consideration is given to the inclusion of Sub-Clause (d) to the existing Clause 9(2) to state words to the effect of:

- (d) If the dwelling is located on non-sewered land, the installed On-Site Sewage Management System meets the requirements of Volume 3 (Plumbing Code of Australia) of the *Building Code of Australia***

Reason:

To ensure that all Short-Term Rental Accommodation buildings do not have an adverse impact on the local environment.

Clause 11 – Exempt development – hosted short-term rental accommodation and

Clause 12 – Exempt development – hosted short-term rental accommodation and

Clause 13 – Complying development – non-hosted short-term rental accommodation

With the three Clauses above, Clause 11, Sub-Clause (b) and Clause 12, Sub-Clause (c) and Clause 13, Sub-Clause (c) provides some restrictions on the number of persons within the building and currently states that these restrictions are:

- (i) 2 persons for each bedroom in the dwelling, or
- (ii) 12 persons in total for the dwelling,

Whichever is the lesser,

Volume Three of the *Building Code of Australia* at Section C provides requirements for a sanitary drainage system to comply with for the lawful disposal of treated septic waste. This Part of the *Building Code of Australia* also requires compliance with the Network Utility Operators requirements.

Within the Ballina Shire, the Council is responsible for the installation, approval and monitoring of OSSMS in non-sewered areas.

Council currently has a OSSMS Strategy which is in conflict with the numbers provided with in the of *Draft State Environmental Planning Policy (Short-Term Rental Accommodation) 2019*. Council requires a commercial OSSMS system for buildings which can be occupied by **ten or more persons** (Emphasis Added)

Further, staff from the Department of Planning, Industry and Environment conducted road shows throughout New South Wales, in which Council staff were advised that children could also stay in bedrooms with parents and **that these children would not be included in the overall occupation rates.** (Emphasis Added)

If this were the case, a non-sewered premises near the beach would be further impacted on by the number of persons in each bedroom, which would also have a detrimental impact on the OSSMS.

Recommendation 2:

Consideration is given to the clarification of the specifics of actual number of bedroom occupants for Short-Term Rental Accommodation.

Reason:

To provide clarification to the number of persons occupying a bedroom for Short-Term Rental Accommodation; and

To ensure compliance with the provisions of Volume Three of the *Building Code of Australia*, for the disposal of human septic waste.

Clause 11 – Exempt development – hosted short-term rental accommodation and

Clause 12 – Exempt development – hosted short-term rental accommodation and

Clause 13 – Complying development – non-hosted short-term rental accommodation

The proposed Short-Term Rental Accommodation provides for this use, either as a hosted or non-hosted short-term rental accommodation for between 180 and 365 days each year,

Various Councils have determined to restrict the number of days that a building can be used for this proposed land use.

With the three Clauses above, no Clause or Sub-Clause provides any methodology or legal requirement for the landowner or host to maintain any form of documentation for the specific number of days of short-term rental accommodation actually provided.

Recommendation 3:

Consideration is given to the clarification of the methodology for the calculation of days that a building is actually used for Short-Term Rental Accommodation, and

Consideration is given to the methodology of “when” such calculations should commence.

That is:

- (vi) calendar year?
- (vii) financial year?
- (viii) date of commencement of short-term rental accommodation?
- (ix) date of approval?
- (x) Some other measurable commencement date?

Reason:

To provide clarification to the number of persons occupying a bedroom for Short-Term Rental Accommodation; and

To ensure compliance with the provisions of Volume Three of the *Building Code of Australia*, for the disposal of human septic waste.

Clause 11 – Exempt development – hosted short-term rental accommodation and

Clause 12 – Exempt development – hosted short-term rental accommodation and

Clause 13 – Complying development – non-hosted short-term rental accommodation

The proposed Short-Term Rental Accommodation provides for this use, either as a hosted or non-hosted short-term rental accommodation for up to 365 days each year.

With legislative changes to the provisions of the *Swimming Pools Act 1992* (NSW), a local Council now is required to provide mandatory swimming pool inspections on a three yearly basis where certain criteria are met.

Section 22B, *Swimming Pools Act 1992* (NSW) states:

22B Mandatory pool inspection program by local authority

- (1) *A local authority must, within 6 months after the commencement of this section, develop and adopt a program for the inspection of swimming pools in its area to ensure compliance with the requirements of this Part.*
- (2) *Within 12 months after the commencement of this section, the program must make provision for the inspection, at least once every 3 years, of any swimming pool situated on premises on which there is tourist and visitor accommodation or more than 2 dwellings.*
- (3) *The program is not to require the inspection of a swimming pool in respect of which there is a valid certificate of compliance or a relevant occupation certificate.*
- (4) *A local authority must inspect swimming pools in its area in accordance with its program.*
- (5) *The regulations may make provision for or with respect to the development and adoption of programs for the inspection of swimming pools including:*

- (a) *the form and content of programs, and*
 - (b) *the manner in which the public is to be consulted during the development of any such program, and*
 - (c) *the carrying out of inspections under the program.*
- (6) *In this section:*
dwelling *has the same meaning as in the Standard Instrument.*

Further, Schedule 1, *Residential Tenancies Regulation 2010* (NSW) provides the following:

SWIMMING POOLS

[Cross out this clause if there is no swimming pool]

- 40. *The landlord agrees*** *to ensure that the requirements of the Swimming Pools Act 1992 have been complied with in respect of the swimming pool on the residential premises.*

[Cross out the following clause if there is no swimming pool or the swimming pool is situated on land in a strata scheme (within the meaning of the Strata Schemes Management Act 2015) or in a community scheme (within the meaning of the Community Land Development Act 1989) and that strata or community scheme comprises more than 2 lots]

- 40A. *The landlord agrees*** *to ensure that at the time that this residential tenancy agreement is entered into—*

- 40A.1 *The swimming pool on the residential premises is registered under the Swimming Pools Act 1992 and **has a valid certificate of compliance under that Act** or a relevant occupation certificate within the meaning of that Act, and*
- 40A.2 *A copy of that valid certificate of compliance or relevant occupation certificate is provided to the tenant.*

Various Councils, including Ballina Shire Council, have determined to include rental accommodation within their Mandatory Inspection Programme for private swimming pool barriers.

With the three Clauses above, no Clause or Sub-Clause provides any methodology or legal requirement for the landowner or host to obtain and maintain any form of Certificate of Compliance for a private swimming pool, where Short-Term Rental Accommodation is provided.

Recommendation 4:

Consideration is given to the removal of Short-Term Rental Accommodation from the Exempt Development provisions for dwellings with swimming pools.

Reason:

To provide certainty for local Councils in providing and maintaining the NSW Swimming Pools Register

E Draft Code of Conduct for the Short-term Rental Accommodation Industry

Ballina Shire Council is not a Regulator for this Draft Code of Conduct or for the *Fair Trading Act* 1987 (NSW).

It is noted however, that this Draft Code of Conduct provides at Clause 2:

2 OBJECTIVES

The principal objectives of this code are to:

- (a) *set out the rights and obligations of short-term rental accommodation industry participants*
- (b) *provide for resolution of disputes and complaints concerning the conduct of short-term rental accommodation industry participants*
- (c) ***outline the compliance and enforcement approach that applies for contraventions of the code by short-term rental accommodation industry participants*** (Emphasis Added)
- (d) ***facilitate the oversight of the short-term rental accommodation industry.*** (Emphasis Added)

On this basis, Ballina Shire Council would like to provide the following submissions.

Part 1 - Introduction

It is noted that included at the very end of this Draft Code of Conduct, the following statement is included:

Compliance with this code is mandatory for all short-term rental accommodation industry participants.

Ballina Shire Council fully agrees that this Draft Code of Conduct should be mandatory.

Recommendation 5:

Consideration is given to the including of this statement as:

- (iii) The first Statement within the Introduction; and
- (iv) This Statement is made more prominent within the Introduction.

Reason:

To ensure that there is no doubt of the compulsory requirement to comply with the Code of Conduct.

To provide a short-term rental accommodation industry participant, or an industry participant with clarity as to the need for maintaining their obligations with respect to planning legislation, it is noted that the Draft Code of Conduct provides requirements to respond only to the Commissioner of the Office of Fair Trading.

It is suggested that this obligation could be improved by the provision of additional advice to short-term rental accommodation industry participant, or an industry participant as to their obligations under the provisions of the *Environmental Planning and Assessment Act 1979* (NSW).

Recommendation 6:

Consideration is given to the including of this statement as a new Clause 5.1.6:

5 RIGHTS AND OBLIGATIONS OF INDUSTRY PARTICIPANTS

5.1 General.

5.1.6 An industry participant must comply with a written legal notice to produce information made by the local Council relating to the operation of the short-term rental accommodation.

Such a written legal notice shall refer to Part 9, Division 9.2, Subdivision 3, Section 9.22 Requirement to provide information and records under the provisions of the Environmental Planning and Assessment Act 1979 (NSW)

This section is an offence provision under section 9.25 of the Environmental Planning and Assessment Act 1979 (NSW)

Reason:

To ensure that there is no doubt of the compulsory requirement to comply with the requirements of the *Environmental Planning and Assessment Act 1979* (NSW).

Clause 5.4 - The Draft Code of Conduct provides information on hosts.

A review of these Sub-Clauses however this Draft Code of Conduct does not distinguish any difference between a “Hosted” and “Non-Hosted” Short-Term Rental Accommodation as outlined on the *Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019* [NSW].

It is anticipated that some “hosts” may seek to provided hosted Short-Term Rental Accommodation, however not be resident within the building at the time of the provision of that accommodation.

Ballina Shire Council is aware of current accommodation providers within our local council area who provide *tourist and visitor accommodation*”with the requisite approvals of Council. The host however, does not reside in the building as required by conditions of development consent.

Evidence is available from guests, who post on websites for this business repeatedly make statements along the lines of:

“[Host] was great! Met us on arrival and then we did not see them again for the duration of our stay”.

This matter is currently under litigation.

Further, Ballina Shire Council noted that at Clause 5.4.2 that:

5.4.2 A host must provide the short-term rental accommodation premises in a state that is consistent with any representations made when advertising or listing the premises for rent, or otherwise in communications made to guests.

Recommendation 7:

Consideration is given to the including of Clause 5.4.2 within the Clause for “Hosts to act lawfully” as a new Clause 5.4.1 (c):

Reason:

To ensure that there is no doubt of the compulsory requirement for the host to act lawfully with respect to the type of accommodation provided, including any approvals granted under the provisions of the *Environmental Planning and Assessment Act 1979* (NSW).

It appears that there is a typographical error within the Complaints Section of the Draft Code of Conduct, in particular Clause 6.1.9. The Draft Code of Conduct currently states:

6 COMPLAINTS

6.1 Complaints process for alleged contraventions of this code

6.1.8 *The Commissioner may dismiss a complaint if satisfied:*

- (a) the complaint is frivolous, vexatious, trivial, misconceived or without substance,*
- (b) the complaint has been previously determined under this code.*

6.1.9 *If the Commissioner is satisfied that a complaint should be dismissed under section **6.3.8**, (sic) the Commissioner must issue a written notice to the complainant. The notice must include the reasons for the Commissioner’s decision.*

It is anticipated that the Draft Code of Conduct should replace 6.3.8 with 6.1.8, as there is no Clause 6.3.8 in the Draft Code of Conduct displayed on the Department of Planning, Industry and Environment website

Reason:

To ensure that there is no doubt of the process under the Draft Code of Conduct.

The Draft Code of Conduct provides a limited avenue for a local Council to provide information to the Commissioner of Fair Trading when a breach of planning legislation is identified.

Currently, Clauses 6.2.3 and 6.2.4 state:

Contraventions of planning laws

- 6.2.3 *If a complaint includes an allegation of a contravention of planning law, the Commissioner may ask the complainant to take the matter to the relevant local council and decline to accept the complaint.*
- 6.2.4 *If a complaint is based on a contravention of planning law, the Commissioner **may only accept the complaint** if it is accompanied by evidence of completed enforcement action by a **council under the Environmental Planning and Assessment Act 1979, Local Government Act 1993 or Protection of the Environment Operations Act 1997.** (Emphasis Added). Such a finding is, for the purposes of dealing with the complaint, conclusive evidence of the contravention.*

Local Councils within New South Wales have, for many years, operated under a number of pieces of legislation, including but not limited to the *Environmental Planning and Assessment Act 1979 (NSW)*, *Local Government Act 1993 (NSW)* or *Protection of the Environment Operations Act 1997 (NSW)*.

Circumstances may exist, where a breach of a piece of legislation not identified above is also a breach of planning laws, however the Council may seek to use the specific legislation to rectify that breach.

By way of an example, a premises may be utilised as Short-Term Rental Accommodation, but also have a non-compliant swimming pool barrier. It is more expeditious for litigation to be carried out under the provisions of the *Swimming Pools Act 1992(NSW)*, due to the immediate nature of compliance being sought and provided.

In this instance, if the local Council does not issue a breach of planning legislation as well as the swimming pool legislation, such a complaint could not be referred to the Commissioner of Fair Trading.

Similarly, a breach of food standards in a Short-Term Rental Accommodation premises is more readily actioned by the service of Prohibition Notices under the *Food Act 2003 (NSW)*, than the enforcement regime under the planning legislation.

Recommendation 8:

Consideration is given to the rewording of Clause 6.2.4 to:

- 6.2.4 *If a complaint is based on a contravention of planning law, the Commissioner may only accept the complaint if it is accompanied by evidence of completed enforcement action by a council **for issues involving the provision of Short-***

Term Rental Accommodation. *Such a finding is, for the purposes of dealing with the complaint, conclusive evidence of the contravention.*

(Change Suggested or similar wording emphasised).

Reason:

To ensure that a local Council does not need to commence and finalise planning breaches under specific legislation, where more specific legislation applies.

Clause 7.1.3 provides for Compliance and Enforcement Actions for breaches of the Draft Code of Conduct. Currently, this Sub-Clause and Clause 7 more broadly identify two distinct failures, namely:

- (i) Failure is not minor; and
- (ii) Failure.

Nether term is otherwise identified.

Recommendation 9:

Consideration is given to providing a definition or otherwise describe the terms:

- (iii) Failure is not minor; and
- (iv) Failure.

Reason:

To ensure consistency in any decision-making process.

To provide clear and concise information to all concerned parties,

Finally, the Draft Code of Conduct is silent on the actual Registration process and Exclusion processes.

It is also noted that the Commissioner of Fair Trading or their delegate may not have sufficient information or expertise to determine whether planning legislation, as proposed, is being complied with.

For example, a landowner may apply to be registered and mistakenly identify that the provisions of “exempt development” apply under the *Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019*.

Further, a Short-Term Rental Accommodation provider may be listed on the Exclusion Register, but may lodge a formal development application with Council for Short-Term Rental Accommodation.

Additionally, already premises listed with Council for “*tourist and visitor accommodation*” may list themselves as Short-Term Rental Accommodation Industry Providers under these Draft changes without the relevant approvals in place.

To assist both the Commissioner of Fair Trading and local Council’s in being able to ensure compliance with planning matters for Short-Term Rental Accommodation, access to both Registers would be beneficial. Such access does not need to be a open level of access and some form of security protocols would be expected to be utilised. This may include, but not be limited to a sign in portal, or other form of access through a nominated party.

Recommendation 10:

Consideration is given to providing access to both the:

- (iii) Registration of Short-Term Rental Accommodation Industry Participant, or Industry Participant Register; and
- (iv) Exclusion of Registration of Short-Term Rental Accommodation Industry Participant, or Industry Participant Register.

Reasons:

To ensure consistency in any decision-making process.

To provide clear and concise information to all concerned parties.

To ensure the accuracy and completeness of the Registers.

F Draft Fair-Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019

Ballina Shire Council is not a Regulator for this Draft Regulation or for the *Fair Trading Act* 1987 (NSW).

Given this, it is not appropriate for Council to provide feedback on this individual Document.

G Draft Environmental Planning and Assessment (Short-Term Rental Accommodation Regulation 2019).

Ballina Shire Council supports this Draft Regulation as provided.

H Short-Term Rental Accommodation Fire Safety Standard.

Ballina Shire Council broadly supports the need for the installation, maintenance and testing of essential services within Short-Term Rental Accommodation buildings within NSW.

The use of standardised essential fire safety measures is considered a reasonable process to enable such applications to be dealt with as complying development, whilst providing easily measurable fire protection measures.

Recommendation 11:

Consideration is given to the provision being amended to include Specification C1.1 (Fire Resisting Construction) for new construction works within Sections 4 and 5 of the Short-Term Rental Accommodation Fire Safety Standard.

Reason:

To ensure that all new construction works to achieve Short-Term Rental Accommodation complies with the requirements of the *Building Code of Australia*, in particular where Class 2 buildings provide for construction with combustible materials for separate dwellings, one on top of another. On the Northern Rivers area of NSW, there are large areas to which these draft Reforms apply which are located within Bushfire Prone areas.

Recommendation 12:

Consideration is given to the provision being amended to legislate the requirement for the provision of the following documentation to the local authority as a part of the application and approval process:

4. Fire Safety Schedules, Part 9, Division 2; and
5. Fire Safety Certificates, Part 9, Division 4; and
6. Annual Fire Safety Statements, Part 9, Division 6

of the *Environmental Planning and Assessment Regulation* 2000 (NSW) for all changes of land use where “works” are required as defined within the *Environmental Planning and Assessment Act* 1979 (NSW). It is intended to remove any doubt of the need for compliance with the Regulation.

Reasons:

- To avoid any doubt that Short-Term Rental Accommodation is required to comply with **all relevant legislation** and not only the provisions of these draft reforms; and
- To ensure that all Short-Term Rental Accommodation complies with the requirements of the *Environmental Planning and Assessment Regulation* 2000 (NSW); and

- To ensure appropriate enforcement actions can be taken where buildings do not comply with the *Environmental Planning and Assessment Regulation 2000* (NSW);
- To ensure consistency between *Environmental Planning and Assessment Regulation 2000* (NSW), *State Environmental Planning Policy (Short-term Rental Accommodation) 2019* and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Recommendation 13:

Consideration is given to the provision of a fire blanket within food preparation areas for both Section 4 of the Short-Term Rental Accommodation Fire Safety Standard. This could be done by inserting current Section 5.6 and Sub-Section 5.6.1 into Section 4.

Reason:

- To ensure that all Short-Term Rental Accommodation provides adequate fire protection measures within areas of cooking where residents are not familiar with those facilities.

Recommendation 14:

Consideration is given to the provision of a fire hydrant within 60 metres of the dwelling for non-hosted Short-Term Rental Accommodation buildings for Section 5 of the Short-Term Rental Accommodation Fire Safety Standard.

Reason:

- To ensure consistency between the Short-Term Rental Accommodation Fire Safety Standard and Clause 13(h) of the *Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019*.

If you have any enquiries in regard to this matter please contact me within Council's Compliance Section on 1300 864 444.

Yours faithfully



Stephen Rendall
Compliance Coordinator
Development and Environmental Health

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 10:23 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Submitted on Wed, 11/09/2019 - 10:22

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Barb

Last name

Alysen

Name withheld

No

Info

Email

b.alsen@bigpond.com

Suburb/Town & Postcode

Newtown 2042

Submission

BACKGROUND

This submission is based on the experience of living next door to an unhosted Airbnb rental for more than 2 years.

The STRA next door, which was previously a small 2 bedroom terrace, was adapted for STRA to 3

bedroom dwelling by converting much of the communal living space to a third bedroom. Group activity in the house has thus been forced outside. The house, once home to 2 people, is listed as suitable to sleep 8. At times, the noise late at night and early in the morning is intolerable and affects at least a dozen neighbouring properties.

The host has never responded to written requests about noise and for his contact details. Lodging a complaint via the Airbnb website is an unnecessarily complex procedure and seems to result only in a response that the complaint will be passed on to the host. Self-regulation, in my experience, has failed.

RESPONSES

1. Page 7: The change to the previously exhibited policy to include the exemption of 21 or more day bookings from the 180 day cap is an unacceptable concession to the STRA industry and will adversely impact on local residents and those wishing to rent properties in sought-after inner-city areas. I hope the review will look closely at the implementation of this (should it go ahead) to ensure there is no abuse by industry.

2. Page 8, Question 2: Are there any elements of the draft instrument that are open to misinterpretation or require further clarification?

The stipulation that the carrying capacity of a STRA unhosted dwelling should be limited to 2 persons per bedroom is too generous and does not account for hosts reconfiguring dwellings to add bedrooms and reduce communal space. This requirement should also take into account the total square metre space of the house.

I did not see any reference to dwellings being 'child safe'. Surely this is a consideration.

The requirement for multiple smoke alarms is obvious. But inner city properties often have windows with fixed bars preventing easy exit from upper floors. They also frequently have old, dry timber staircases and security doors that lock from the inside. Guests may have just a single set of keys between them. The regulations proposed for 'dwellings in multi-unit buildings only' should apply to all un-hosted dwellings.

3. Page 10: Question 6: Are the specific obligations on booking platforms ... industry participants? Why?

The contact details (specifically mobile phone numbers and email addresses) of hosts should be provided to neighbours and owners' corporation personnel as a matter of priority. Hosts should be required to respond to and deal with complaints from neighbours in real time (just as they respond to communication from paying guests) especially at unsociable hours. This is not an onerous imposition on hosts. If hosts understood they would be required to respond to neighbours overnight they would likely ensure that problems did not occur in the first place.

Unhosted STRA properties should be required to display signs advising guests of their obligations in relation to neighbours (just as registered accommodation and other licensed premises do).

4. Page 11: Question 8: Are the grounds for recording a strike fair and reasonable?

The bar for guests failing to comply with an obligation to a neighbour (eg. a STRA guest acting violently) has been set far too high and reflects an unacceptable concession to STRA owners and hosts as opposed to other community members. Noise and disruption which prevent neighbours from sleeping are not 'minor' matters. Two such episodes should be considered as a strike against a host.

5. Page 17: Questions 30 and 31:

If self regulation is permitted (though I don't feel this industry has earned that privilege) it should be required to report data to the state government and local councils at least quarterly and all information on the register should be made public so that other stakeholders (such as neighbours) are able to evaluate its veracity and impact.

6. Page 18: Question 33: How much lead-time ...?

The legislation for these changes was passed over a year ago. Industry has had plenty of time to plan for

them. Lead-time should be no more than 3 months. Community members – including neighbours – have already been forced to wait a year for relief.

I agree to the above statement

Yes

From: Barb Perry <barbperry@bigpond.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Barb Perry
1 Wasdale Grove
Lakelands, Nsw 2282

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Saturday, 31 August 2019 12:17 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Submitted on Sat, 31/08/2019 - 12:16

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Barbara

Last name

Enock

Name withheld

No

Info

Email

dbenock@hotmail.com

Suburb/Town & Postcode

sydney

Submission

I oppose short term leasing/renting at Bridgehill residences

Barbara Enock

Apt 610

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Saturday, 7 September 2019 9:02 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Submitted on Sat, 07/09/2019 - 21:01

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Barbara

Last name

McConchie

Name withheld

No

Info

Email

ediebarb@gmail.com

Suburb/Town & Postcode

AINSLIE

Submission

Dear Minister,

We operate a short term holiday rental in the Eurobodalla shire. We have been running it via the Stayz and now AirBnB platform for over 10 years and our house has had many people stay for short term holidays. The model of the short term holiday home rental is something that many Australian's enjoy and utilise. It is here to stay because it offers people choice in the style of accommodation, the location and the price point.

As part of our responsibility to our local street and town community, we have adopted the code of conduct that the Stayz group developed in partnership with a number of regional councils. This has helped us communicate with our guests which has led to over 10 years of issue free hosting.

As an owner participating in the short term rental industry we maintained our house at a high standard and to this end have:

- employed cleaners, gardeners, local handy jobs people, builders, painters, plumbers, electricians and roofing specialists;
- sourced materials and goods for our house purchasing from local business retailers.

We have also promoted local tourism industries and businesses such as boat charters, cafes, restaurants, clubs, supermarkets, local markets and retailers of personal goods and charities

We would like to note the following points in response to the proposals:

- * We agree that a code of conduct is one of the most useful tools in helping create short term rental with minimum impacts on neighbours. We support a common code of conduct for this industry.
- * We do not support a capping of nights: over the previous ten years we have found that we have increased bookings around the year which originally started as predominantly summer month rentals, bringing tourism to the region at times that were typically very low for tourism benefit.
- * We support good safety standards for visitors, and any house that has been approved and is compliant with existing industry codes should not have to retrospectively be forced into an upgrade that is not building greater benefit overall.
- * The recommendation for smoke detector alarms in each bedroom is excessive. For hotels/hostels where rooms are behind fire doors to corridors, and where doors always remain shut for privacy this may be appropriate. Short term holiday homes with bedrooms very close together often with internal doors left open overnight, having a smoke detector alarm in each bedroom and the adjacent hallway is in excess, and potentially creates a new hazard of deafening noise and confusion that can occur from overwhelming noise levels. Smoke detector alarms in corridors outside bedrooms is a known effective level of hazard mitigation and should not be increased. Hard-wiring these alarms is appropriate.
- * The registration system is problematic, over complicated and does not seem to be able to demonstrate in the current proposed model effective management and process of membership. The current model seems overly bureaucratic and expensive for short term rental owners and potentially disadvantaging guests through the passing on of costs.

We support better relationships between holiday home short term rental and our local communities and responsible service delivery. We do not support systems that will potentially cripple this market through heavy cost compliance.

We wish to continue to give back to the community that we have belonged to for more than 10 years. The reforms you are suggesting need to be carefully considered, including thinking about unintended

consequences.

Thank you.

I agree to the above statement

Yes

From: Barbara Turner <barbaracturner@hotmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because this is something I love to do and something I am really good at. I also love the fact that hosting provides positive benefits to the whole community such as more beautiful homes , gardens , and help local businesses to thrive.

Holiday makers create a really happy vibe which is wonderful to see.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
Barbara Turner
6 Burns St
Byron Bay, Nsw 2481

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Tuesday, 20 August 2019 4:05 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Submitted on Tue, 20/08/2019 - 16:05

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Barry

Last name

Gardner

Name withheld

No

Info

Email

barneygardner07@hotmail.com

Suburb/Town & Postcode

Millers Point

Submission

Having to reside in close proximity to short term rental accommodation and Airb&b's I and my neighbours have suffered from continual partying and drunken brawls at all hours as well as the coming

going of noisy guests night and day!

Also the build up of rubbish left by short-term let guests in side and back lanes that emit strong smells are at times unbearable!

There is frequently rubbish stacked in bags and cardboard boxes and left on the curb which collectors are not obliged to pick up unless placed in garbage bins and this entices vermin!

Whilst all this goes on there is never a host/manager in sight and I think that permanent residents that reside near these short term lets be given the genuine names and phone numbers of the owners and managers so we can directly contact them if we have complaints!

We at times contact the police but because they may be under staffed or busy they can't always respond rapidly!

I agree to the above statement

Yes

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: Barry Liddle <barryliddle2@me.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Barry Liddle
7 Flinders St
Surry Hills, Nsw 2010

From: Barry McIntosh <cptbarry74@hotmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Barry McIntosh
17 Pacific St
New Brighton, Nsw 2483

From: PhW <bawleybeachfront@gmail.com>
Sent: Thursday, 5 September 2019 11:44 AM
To: DPE PS STHL Mailbox
Subject: Rental regulations for NSW

Dear Minister,

Home rental whether it be short, medium or long term is a right of home owners. It is becoming a necessity for many home owners to look at ways to generate income in order to pay the extraordinary amount of rates, taxes, utilities and other rising costs. Much of these costs relate to all levels of government grasping for ever increasing mounts of money from ordinary Australians to pay for their poor and inefficient government services and inadequate infrastructure. Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. Government placing restrictions on home owners renting their own properties will seriously erode governments own revenue base and damage an economic sector that is functioning with no real issues. There is no basis to impinge on the rights of Australian citizens and home owners who have made great sacrifices to pursue property ownership and who are the bedrock of the Australian economy.

There is no regulatory failure within the rental accommodation sector that warrants government intervention. The tiny proportion of trivial complaints about noise, parties, parking, smoke detectors etc, can and should, be dealt with under existing laws. These issues are not specific to short term accommodation they equally relate to longer term tenants and owner occupied dwellings. The only failure is that of local law enforcement who do not always respond quickly and effectively to complaints applying their existing manifold powers.

The NSW Government has many bigger problems to address such as infrastructure challenges and problems in the building and construction sector. The Government should put its resources and energy into these high priority issues and avoid risking damage to a sector that has adequate existing regulation and few problems.

From: Bee Leo <beehongleo@yahoo.com.au>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Bee Leo
6 Field Pl
Wahroonga, Nsw 2076

1. What is your view on the form of and provisions in the STRA SEPP, Regulation and Safety Standard?

- Our Council appreciates the opportunity to comment on the draft legislation.
- The draft legislation is seen to address the safety and behavioural concerns raised by the community, however it is not seen to be effective in addressing the social impacts of STRA where it impacts upon residential housing affordability.

2. Are there any elements of the draft instrument that are open to misinterpretation or require further clarification?

- Recommend including the relevant Building Classes into the Fire Safety Standard (perhaps as an appendix) for ease of comprehension to a broad audience.
- The SEPP only requires dwellings to comply with the Fire Safety Standard if Class 1b or 2-9. However, the Fire Safety Standard provides requirements for Class 1a, 2 and 4. This is confusing.

3. What are your views on new policy elements relating to days, flood control lots and bushfire prone land?

- The policy permits Regional councils to nominate reductions in un-hosted STRA permissibility to no lower than 180 days, by writing to DPIE. To have the reduced thresholds apply at policy commencement, DPIE have advised that requests should be included in a submission to this consultation.

Bega Valley Shire Council requests to reduce un-hosted STRA permissibility to 180 days for our Shire.

- We note that the one of the intentions of the SEPP is to manage the social impacts from this land use, however we contend that the SEPP does not achieve this aim.
- In our shire we must balance the needs of a growing tourism sector with those of our residents who need appropriate and affordable long-term housing. We need the right controls to be able to distinguish between these needs and have a nuanced response to the variety of accommodation on offer. Residential housing should be prioritised over tourist accommodation.
- In response to community concerns regarding the loss of residential accommodation to tourism accommodation, the policy permits a maximum 180-day cap (if nominated by Council).

Bega Valley Shire Council supported restriction of the use of residential accommodation for tourism use and resolved during the notification period of the Options Paper that a 60-day limit was appropriate.

The intention behind a 60-day cap was to provide opportunity for home-owners to rent their own private dwellings during holiday periods to benefit financially from the influx of tourists during these times, while providing a disincentive to those who would choose to let a residential property solely for tourist accommodation, rather than to the local residential rental market.

It is considered that the 180-night cap for regional areas does not adequately address the issue, particularly given the significant premium paid for tourist accommodation in coastal areas.

Example 1: Bermagui on AirBNB (sourced 03/09/2019)

- 60 places available to stay
- 56 places that are “entire apartment/cottage/house”
- Average nightly price is \$156
 - Compared to average residential rental property price, of which there were 5 available, and which is \$348 per week (all were units)

Compare:

- 180 nights tourism rental x \$156 per night = \$28,080 per annum, VS
- 52 weeks residential rental x \$348 per week = \$18,096 per annum

- Demonstrating that a Bermagui landlord could potentially earn an additional \$9,984 p.a. by letting their property as a tourist rental instead of a residential rental.

Example 2: Tathra on AirBNB (sourced 03/09/19)

- 60 places available to stay
- 52 places that are “entire apartment/cottage/house”
- Average nightly price is \$224, but ranged from \$55 up to \$414 per night
 - Compared to average rental house price, which is somewhat unknown, as there were none available in Tathra on realestate.com.au on search date 03/09/2019
 - Closest available is one available at Kalaru at \$440 per week (4 bedroom, 1 bathroom dwelling)
 - 11 other properties available in Bega ranging from \$270-\$440 per week

Compare:

- 180 nights tourism rental x \$224 per night = \$40,320 per annum, VS
- 52 weeks residential rental x \$440 per week = \$22,880 per annum
- Demonstrating that a Tathra landlord could potentially earn an additional \$17,440 p.a. by letting their property as a tourist rental instead of a residential rental.

Therefore, given the significant opportunity cost by providing a dwelling for residential accommodation (being \$17,440 p.a. for Tathra, or \$9,984 p.a. for Bermagui) there is no disincentive provided by a 180-day cap to convert residential accommodation into permanent tourism accommodation.

Further, while offering a property for 60 days over Christmas and Easter holidays (peak periods) may result in the property being rented for a high proportion of those peak-periods, providing a property for 180 days per year may result in only 90 days of stays, with higher vacancies during non-peak periods. This is supported by Bega Valley LGA Tourist Accommodation Profile (2016) as provided by Destination NSW (source: <https://www.destinationnsw.com.au/wp-content/uploads/2017/02/Bega-Valley.pdf>), which indicates that across a yearly period, the average occupancy rate for tourism accommodation was approximately 45%.

Therefore, within the parameters of a 180-day cap, a property could be listed as available 365 days per year for tourist accommodation and only result in 180 days of stays. If the 180-day cap is proposed to reduce the number of properties being made available for tourist use (instead of to the local residential market) then it is considered to be largely ineffective.

4. Are the general obligations for industry participants adequate? If not, what other general obligations should be considered? Why?

5. What types of STRA information will be useful for the Secretary to collect to inform the further improvement of the Code and the STRA regulatory framework? Why?

6. Are the specific obligations on booking platforms, letting agents, hosts, guests and facilitators in the Code adequate? If not, what other obligations should be considered for each of these industry participants? Why?

How will the obligations apply in respect to companies, and are they sufficient to provide adequate compliance and transparency where a property is owned by a company?

7. Is the complaints process detailed in part 6 of the Code sufficient? If not,

8. Are the grounds for recording a strike fair and reasonable? What other matters (if any) should the Commissioner consider when deciding whether to record a strike? Why?

9. What are potential ways to facilitate industry participants' access to the exclusion register while limiting potential privacy impacts? What factors should be considered?

10. Is the review process clear and sufficient? What other matters (if any) should be considered? Why?

- 11. Are the proposed penalty notice offence and civil penalty provisions appropriate? What provisions should or should not be identified as penalty notice offence and/or civil penalty provisions? Why?**
- 12. Does clause 22B(1) appropriately capture end to end property management services that specifically service STRA properties? Why or why not?**
- 13. What other organisations or persons should be prescribed classes of STRA industry participants (if any)? Why?**
- 14. Is it appropriate to exclude the STRA industry participants set out in clause 22C? Why or why not?**
- 15. What other STRA operators (if any) should be excluded from being covered by the Code? Why?**
- 16. Is the appeals process clear and sufficient? What other matters (if any) should be considered? Why?**
- 17. Which industry participants should contribute to the cost of administering and enforcing the Code? Why?**
- Agree with the proposal that the responsibility for managing hosts, guests and premises is put back onto the booking platforms and letting agents. It is appropriate that the costs be borne by those who are directly benefitting from STRA (guests, landlords and booking platforms), not upon the rate-payers within the broader community.
- Concern is raised with Clauses 6.2.3-6.2.3, which details that complaints in relation to planning law can be declined to be accepted by the Commissioner for Fair Trading, with the responsibility put back onto Councils. We note that the fire safety standards are being applied under the SEPP (STRA) 2019 and EP&A Regulation, and therefore are considered “planning law”. By making it a standard referred to in a SEPP it puts the complaints process back upon Councils.
- 18. How should costs be apportioned across different STRA industry participants? Why?**
- 19. Is the proposed penalty notice offence amount appropriate? Why or why not?**
- Given the context of the potential rental gains to landlords and booking platforms, a fine of \$550 appears ineffective if intended to operate as a disincentive.
- 20. How can industry be organised to develop and manage the registration system?**
- 21. What would be the costs to industry in establishing and maintaining the register? How would industry propose to meet these costs?**
- 22. What role should the Government play in developing or overseeing the register, if any?**
- Suggest that Fair Trading is best placed to maintain the register, with industry providing data updates as required.
- 23. Are there other outcomes a register should deliver?**
- 24. How can the approach ensure registration applies to all STRA operators, regardless of how the property is advertised for rent?**
- 25. What audit and verification processes would be needed to ensure accuracy of data?**
- 26. Should there be separate or additional penalties for failure to register? If so, which industry participants should they be imposed on?**
- 27. What information should the register collect? Why?**
- 28. What role should different industry participants (e.g. hosts and booking platforms) play in the registration process?**
- 29. What role should Government play in the registration process or providing information for the register?**
- 30. Should any information on the register be made publicly available? If so, what information could be made available and why?**

Yes. The register should provide the property address, approval pathway (i.e. exempt or complying development) and cap (if applicable).

31. Should industry be required to report registration information, including number of stays (days), to Government and/or local councils? If so, how frequently? Why?

Yes. A reporting function to Council would increase transparency for the community and provide useful information to Council to understand the extent of STRA take-up in our Shire.

32. Should any information on the register be made publicly available? Why?

Yes. The register should provide the property address, approval pathway (i.e. exempt or complying development) and cap (if applicable).

33. How much lead time would industry need to develop and establish the proposed STRA property register? Please provide reasons.

34. When should the STRA regulatory framework start? Please provide reasons.

35. Do you support the proposed scope of the review? What additional considerations might be necessary?

36. What data sources could the NSW Government use to inform the review? How can industry and councils assist with data collection for the review?

From: Belinda Allen <bforbelle@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we have extra room in our home and through Airbnb we are able to share it with a diverse range of visitors to our beautiful coastal community. Gives us a little retirement income too. But any costly registration or alterations would make it not viable for us.

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

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Belinda Allen
20 Neil St
Bundeena, Nsw 2230

From: Belinda Catanzariti <belcat36@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Belinda Catanzariti
11 Davidson Pl
Griffith, Nsw 2680

From: Belinda Davies <belinda.stevenson@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we have a cottage in the Southern Highlands which we don't get to use much and want to share it with others while still enjoying it when we can.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Belinda Davies
37 Arthur St
Leichhardt, Nsw 2040

From: Belinda Peterson <bingig@bigpond.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it is the ideal way for us in our current situation to make some money to help pay our bills.

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Regards,
Belinda Peterson
19 Blandford St
Bathurst, Nsw 2795

From: Belinda Robertson <belindamrobertson@bigpond.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we vacate our house over the holidays and Airbnb is a fun way to share our fantastic location and make some money at the same time. It helps us pay our mortgage, insurance, rates and power bills. We love hosting.

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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Thank you for reading my submission.

Regards,
Belinda Robertson
24 Pacific Parade
Manly, Nsw 2095

From: Belinda Scott <beltiescows@bigpond.com>
Sent: Thursday, 5 September 2019 9:36 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct.

However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Yours sincerely,

B. Scott

From: Belinda Tucquet <belinda@hummingbirdtherapy.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we have experienced financial hardship and need to have our place available on Airbnb to be able to maintain our mortgage payments.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Belinda Tucquet
11 Roses Rd
Federal, Nsw 2480

From: Ben Cook <ben@bencook.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because sharing my home with a student who wants to see the world is better than an entitled Bondi local. I don't make any profit, Australian people are great, but preferably I'd rather share my home with a traveller from time to time. It's my right, it's my home.

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

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I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Ben Cook
30 Warners Ave
North Bondi, Nsw 2026

From: Ben Moffitt <drazzymate@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

I'm struggling to repay my mortgage :(

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
Ben Moffitt
581 George St
Sydney, Nsw 2000

From: Ben Neely <bennybigred12@hotmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Ben Neely
215 Araluen Rd
Moruya, Nsw 2537

From: Ben Peterson <peto82@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Ben Peterson
Hoban Road
North Rothbury, Nsw 2335

From: Ben Smith <ben@futurestory.co>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I need the extra income to live on.

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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Thank you for reading my submission.

Regards,
Ben Smith
New South Head Rd
Sydney, Nsw 2029

From: Ben Stitt <ben.stitt@pharmacare.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Ben Stitt
21 Burrawong Rd
Avalon Beach, Nsw 2107

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 10:26 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Submitted on Wed, 11/09/2019 - 10:25

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Benjamin

Last name

Mannaa

Name withheld

No

Info

Email

ben_mann13@hotmail.com

Suburb/Town & Postcode

Mullumbimby 2482

Submission

AirBNb home letting is having a disastrous impact on the health and well being of the long term and permanent residents our shire. The cost of living and availability of comfortable livable premises has been severely impacted by the huge influx of whole properties being short term let year round - over 3000 homes in Byron Bay Area alone. Where do residents go? Something needs to change immediately

before complete devastation of community health, welfare and culture. When will those who short term let through sites such as Airbnb be charged Income Tax on this enterprise such as Uber drivers must declare as Income or is this only the case because many politicians have multiple investment properties and are never condemned to driving a ride share vehicle to make means to end. A heavy tax must be implemented on the short term letting industry to bring about some balance that which has been heavily skewed in favour of the short term lessor/investor to the utter detriment of a healthy community.

I agree to the above statement

Yes

From: Benjamin Powell <ben_powell88@hotmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Benjamin Powell
114 Clarence Rd
Blackheath, Nsw 2785

From: Benjamine Duncan <benj.f.duncan@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I enjoy renting on Airbnb and other travel sharing platforms, so I choose to be part of this community and provide this special experience to others.

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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Thank you for reading my submission.

Regards,
Benjamine Duncan
Mowbray Rd
North Willoughby, Nsw 2068

From: Bernard Kelly <bkelly@bkip.com.au>
Sent: Thursday, 26 September 2019 9:46 AM
To: DPE PS STHL Mailbox
Cc: John McInerney
Subject: Short Term Rental submission
Attachments: Submission on Short Term Rentals in Millers Point.pdf

Follow Up Flag: Follow up
Flag Status: Completed

As residents of Millers Point for three years, we are greatly concerned about the proposed regulations (or lack thereof) of STRA in our little suburb, the impact on our amenity that we should be able to enjoy in our homes and the adverse impact of the heritage qualities of the Millers Point precinct.

We fully endorse the submission of the Millers Point Community Resident Action Group submission. The sensible and practical regulatory suggestions are substantive and should be fully accepted.

As a resident of Millers Point, we are concerned that our little suburb is being overrun by short-term rental accommodation. As has been well documented in other locales around the world, particularly North America and Europe, unchecked STRA has had a highly adverse consequence for local communities in similar contexts. We don't want to see what has happened in parts of Barcelona, San Francisco, Venice and other major cities happen in Millers Point.

Being a medium-density housing environment, of mostly older building from the 19th century, quite simply the heritage and amenity implications are substantial and adverse. These are state heritage listed homes being used by people who have no concept of the heritage value of the building they are in, let alone the community and suburb. Longer term, heritage building fabric will be irrevocably damaged, which makes a mockery of the Conservation Management Plans. People who bought in Millers Point to live and build a new community are being terribly affected. The amenity of having weekly changeover of guests next door means noise, disruption, inappropriate behaviour and overcrowding which simply does not happen with long term residential arrangements, which are respectful, accommodating and neighbourly, something that STRA arrangements will never be able to replicate.

As an addition to the proposed regulatory framework proposed by MPCRAG, one additional item needs to be stressed to eliminate overcrowding and inappropriate room use. Under BCA definitions, habitable rooms are defined by the amount of natural light they receive and of course access/egress options. We believe these definitions should be incorporated into what rooms are allowed to be let (particularly for unattended STRA) so that only rooms that would sensibly be defined as a bedroom are used as such.

From a heritage perspective, we believe that any heritage listed property being presented for unattended STRA should have to undergo regular inspections of the property by either the NSW Heritage Council or LGA (in our case City of Sydney). This inspection will ensure the CMP is being adhered to, both in terms of the initial renovation undertaken, as well as ongoing maintenance and protection of heritage fabric.

We look forward to these submissions being accepted by the Government, who of course as former owners of Millers Point, have paramount responsibility for ensuring the birthplace of European

settlement in Australia is properly protected and long term residents amenity and community is protected.

Yours sincerely

Bernard and Charley Kelly
40 Argyle Place, Millers Point

**The Millers Point Dawes Point,
The Rocks and Walsh Bay
Community Resident Action Group
(MPCRAG)**



**Submission
On
Short Term Rentals in Millers Point**

MPCRAG Contact: johnmcinerney@iinet.net.au
0414 421 906
127 Kent Street, Millers Point NSW 2000

INTRODUCTION

The Millers Point, Dawes Point, Rocks and Walsh Bay, Community Resident Action Group (MPCRAG) has been a voice for local residents for over 30 years. We have a working alliance with the Paddington and Glebe Societies who share our views on the proposed Short Term Residential Accommodation (STRA) regulatory structure.

The Millers Point, Dawes Point, The Rocks and Walsh Bay Residents Action Group (RAG) at a number of meetings has received reports about the disruption caused by short term rentals in our residential area.

The increasingly confrontational environment being created in our heritage-listed suburb due to STRA distresses our members. We now suffer from late night noise transmission through thin heritage party walls, privacy impacts into small joined back yards, garbage bin mismanagement, disruptive late night/early arrivals and departures and general overcrowding (up to 21 in one terrace house).

We have genuine long-term residents breaking down at our monthly community meetings, and planning to sell up and leave Millers Point. We see a reduction in our membership as new owners use middlemen property managers to operate their STRA houses. They do not become involved in community issues or events, and their only issue seems to be financial gain.

We believe this is one of the greatest challenges ever faced by our heritage-listed suburbs of Millers Point, Dawes Point, The Rocks and Walsh Bay.


Our most affected area is Kent Street, which has now been dubbed *Rent Street* by the local community. High Street is not far behind where nearly 80% of the houses (many of which are currently being renovated) are and will be used as STRA. This once active community street has turned into a semi-hotel, semi-vacant, semi-nowhere place.

Unless a more tailored set of regulations can be developed, then our whole area will eventually mirror this situation.

We have experience with our residents using Airbnb and similar platforms with no negative impact on the community, but this is only when the resident owners remain in the house as a “resident host”. Our problems emerge when there is no real “host” and middlemen operate the property as a commercial enterprise. An extreme example has resulted in Kent Street, where one entire house is now operated as a linen and equipment store for the multiple STRA occupancies in the rest of the street.

In addition, we wish to support the concerns of apartment dwellers in our area such as the Highgate Apartments who wish to retain the right to refuse short-term rentals in their apartment building. We note that the City of Sydney currently only allows tourist accommodation in apartments on different floors to residential accommodation and with separate lift access.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'J. M. McInerney', with a long, sweeping horizontal stroke at the end.

President

Millers Point, Dawes Point, The Rocks and Walsh Bay Community Resident Action Group

SUBMISSION

We submit as follows:

1. The proposed Short Term Rental Accommodation (STRA) regulatory structure would allow all residences in NSW to be used for “Airbnb” type use without local council (or any) approvals, registration, monitoring, or independent prosecutions. We believe this to be a significant reduction of the benefits and planning protections currently provided under “Residential” zoning.

We have legal advice that using “Exempt Development” provisions for STRA use amounts to a “down-zoning” of current residential planning protections. We hope to pursue this advice through the courts.

2. Studies by the Planning Department at the University of Sydney have shown that a significant proportion of lower cost inner-city residences are being removed from the rental market because of potentially higher incomes being obtained through the STRA system. The need for accommodation for emergency and key workers in the inner city is becoming critical and any further reductions in rental availability would be to the detriment of the whole community.
3. The proposed STRA regulatory framework allows residences approved under the Affordable Rental Housing SEPP 2009, now SEPP No 70 Affordable Housing (Revised Schemes) to be used for STRA. This undermines the core objectives of this State policy for affordable housing.
4. The proposed regulatory structure opens the door to infringements against building regulations including fire detection, room overcrowding, and other non-compliances with the National Construction Code. Redefining the word “Residential” to include STRA as of right does not change the fact that this residential occupation would actually become commercial occupation. We have documented evidence of inner-city terraces being occupied by up to 21 persons in defiance of all building regulations. The Government has acknowledged the serious impacts, which have occurred in Byron Bay and allowed for a 90-day cap on short-term use. We would argue that a similar situation and solution is needed in the inner-city communities of Sydney. Other areas of Sydney and NSW are having similar difficulties.

Problems do not seem to arise with genuinely hosted accommodation, where the permanent owner / resident is in residence. Their presence successfully moderates the behaviour of any visitors and they continue to contribute to the general community. We believe a 365 days/year situation could occur with genuine owner-occupier hosts.

5. We believe a 60 day period for non-hosted STRA could work. The remainder of the year could continue to be used for STRA if the owner was present as host. There would remain a danger that many of the middlemen operators (who sometimes manage up to 30 or more residences) would find loopholes through rental or management agreements. For that reason, a system of owner and operator registration would be required.
6. Registration, in some form, is necessary to ensure the proper operation of the income tax system, including long-term capital gains taxes. Renting out through Airbnb is essentially the same legally as renting through a real estate agent. All income should be declared and capital gains tax accounted for. The 6 year absence rule should only apply if the dwelling ceases to be the main residence of the owner.
7. Last year (2018) the Government promised that the 180 day cap in Sydney would provide relief from ongoing visitors and ensure that homes would not be wholly converted into commercial holiday accommodation. The newly introduced 21 day rule is a gross betrayal of this promise that will result in commercial ventures replacing residential communities.
8. Exempt development is meant to be reserved for minor developments that do not impact adjacent residents, and Council oversight is not needed. This procedure is completely inappropriate for short term letting, which can result in different service and infrastructure needs and community impacts. The use must be correctly classed as a complying development use requiring local council involvement, and necessarily fire safety upgrades.
9. The proposed Code of Conduct appears inoperable. Without registration and independent monitoring, there will be constant neighbour / neighbour and neighbour / STRA manager disputes. We have documented evidence of aggressive and abusive behaviour from STRA “middle men” whose prime objective is increasing profit for themselves and their absentee owners.
10. The stated aim of the regulatory structure is “home sharing” but it does not restrict STRA to the principle home or set low caps in keeping with occasional letting of a person’s principle place of residence. As well, the “host” can be anyone, including the ubiquitous “middle men” who operate dozens of STRAs in inner Sydney.
11. Currently a “bed and breakfast” use is a permitted use in residential zones. Airbnb is essentially a variation of this use and should also be permitted. That is, require a Complying Development Permit, rather than an Exempt Development, and allow the imposition of appropriate safety and amenity conditions, and an allied registration process.

12. Clear evidence has been presented to our residents of undue influence and lobbying occurring between the Government and STRA proponents. This continues. Based on this information we request an upper house inquiry be held to determine the way forward from here.
13. We are not against the concept of STRA, it is the proposed management of the concept that deeply disturbs us.

From: Bernard Hoitink <bhoitink@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Bernard Hoitink
118 MacLeay St
Turvey Park, Nsw 2650



11th September, 2019

Attn: Director, Housing and Infrastructure Policy

NSW Department of Planning, Industry and Environment

GPO BOX 39

Sydney NSW 2000

By: NSW Government Planning Portal

Re: Short Term Rental Accommodation Reforms (STRA)

The Berry Chamber of Commerce and Tourism ("The Chamber") represents over 200 businesses in the Berry region.

As such we are writing to express our considered position on the proposed changes to the Short-Term Rental Accommodation industry.

There are unquestioned economic benefits that flow to local economies from home owners who use their property for short-term rental accommodation. Many of our members who operate short-term rental accommodation do so to support their self-funded retirements or use this diversification of income as part of a broad strategy to enable them to move their families to regional areas. The use of homes provides a significant boost to the stocks of short-term accommodation - having a positive effect on this regional economy and community allowing significant scalability in quantity of room nights available that could not be replicated by commercial operators.

The submission however does not specifically address the impact on the amenity of residential neighbours resulting from inconsiderate or anti-social behaviour by some short-term rental occupants – the scale of this issue remains unquantified.

An appropriate quantification of the issue should have been the first step in defining the scale of any appropriate response.

In towns such as Berry where motel and hotel accommodation is limited, any restriction on short-let accommodation will have a major negative impact on the tourist economy,

Berry Chamber of Commerce and Tourism Inc.

ABN 92 060 261 699

P O Box 216, Berry NSW 2535 Email info@berry.org.au

Web www.berry.org.au Facebook www.facebook.com/BerryChamber

one that can scarcely be afforded in light of economic conditions within the broader economy and specifically for Berry as it was recently bypassed.

Regardless of this - In terms of the proposals currently on exhibition:

1. The Chamber fully endorses efforts to improve safety for both guests and hosts – but would like to see some flexibility in how this is achieved. As the proposal currently stands it is very prescriptive and may be prohibitively onerous in some instances.

a. Properties are already required to comply with building standards and guidelines - as locally applicable - to ensure they are fit for purpose and habitation.

b. To additionally, require all properties to install interconnected smoke alarms and hallway lighting that is triggered by smoke alarm activation may be considered particularly onerous in some situations and may not be possible in others. Particularly in a town like Berry where many properties are heritage listed or of significant heritage value. Commercial grade smoke alarms and hallway lighting will have a negative effect on the historic aesthetic of the properties, may be exceptionally expensive or impossible to apply in those instances. Some flexibility or alternative 'acceptable solutions' should be included.

2. Compulsory registration however, we believe, represents over regulation and will result in red tape, less choice and higher costs across the industry.

a. Who will pay for the development, construction, administration and ongoing management of the register to ensure it remains a relevant and accurate?

b. Who will pay for the training and engagement of participants to know how and when to use the register (Advertising/marketing/development/training costs state wide ongoing?)

c. On what basis will 'fees' to pay for the register be levied?

i. Will it be based on the number of properties?

ii. Number of guests?

iii. Number of bookings?

iv. Income?

v. Number of nights?

d. It is understood that a register is intended to reduce the number of complaints

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about the industry. Given that the number of complaints is already very small especially in the Shoalhaven LGA, checking every guest/host seems excessive.

e. Will property owners be required to check the register for every booking? If so, how will the new system integrate with existing systems? Or will all property owners be 'required' to use and pay for a new system?

3. Code of Conduct – it is broadly agreed that a Code of Conduct – both for guests and hosts is a good idea and should already be the standard.

However, we do have concerns that advertising the code of conduct to industry and the general population – at kick off and on an ongoing basis to ensure compliance and awareness will be costly – without any direct benefit.

Overall we support the implementation of measures to enhance safety and security, but do not support the imposition of unwarranted costly bureaucracy – where it is clearly not required.

Yours sincerely,

Anthony Houghton
PRESIDENT

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 9:53 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Submitted on Wed, 11/09/2019 - 09:52

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Anthony

Last name

Houghton

Name withheld

No

Info

Email

anthony.houghton@berry.org.au

Suburb/Town & Postcode

2535

Submission file

[stra-letter-11-09-19.docx](#)

Submission

Please find attached from the Berry Chamber of Commerce & Tourism

I agree to the above statement

Yes

From: Beth Riley <grevilleaframing@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it provides me with an income that will enable me to transition to retirement. As a single woman with children my superannuation is minimal and would like to provide an alternative income from my profession of nursing.

I have the room in my house in a beautiful area of Ettalong Beach and provides the possibility for a economical break for guests I host.

As a Airbnb member when I travel I prefer to use Airbnb as it provides a more intimate holiday experience.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW

Government streamlining safety regulations which:

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Beth Riley
37 Warrah St
Ettalong Beach, Nsw 2257

From: Cathryn Dorahy <rcleggett26@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I like the idea of sharing my wonderful city. Over the six years of hosting and being a guest, I have met wonderful people from all over the world.

As a host I get to share the passion for the things and place I enjoy. Many of my guests frequent the businesses suggested and refer on to other visitors to Wollongong.

The income from my Airbnb also assists in allowing me to have a reasonable income in retirement. I am not dependant on the government for a pension or newstart.

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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Thank you for reading my submission.

Regards,
Cathryn Dorahy
21 Mailer Ave
Wollongong, Nsw 2500

From: Cathryn Stavert <stavert1@bigpond.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Cathryn Stavert
22 Julian Rocks Dr
Byron Bay, NSW 2481

From: Cathy Hoyle <cathyhoyle@gmail.com>
Sent: Thursday, 5 September 2019 9:24 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

I think the most critical change I strongly believe would fix the majority of issues continues to be overlooked. Renters in NSW list their rental properties, almost always without the owners permission and in breach of their residential lease agreements, to short term renters. If you actually got ahead of that and stopped that a lot of the issues would be immediately resolved.

Cathy Hoyle

From: Cathy McBride <cathy.mcbride@mail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: [SUSPICIOUS MESSAGE] Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Cathy McBride
105 Campbell St
Surry Hills, Nsw 2010

From: drvnostram@gmail.com
Sent: Friday, 6 September 2019 12:32 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Dear Minister,

We own a holiday property in regional Australia and as such, in some periods of the year, the short-term rental accommodation market is an important *occasional* supplemental revenue driver for our family as we near retirement. Outside of the holiday periods there is not that much revenue opportunity. Availability of good quality short term housing in areas such as ours support regional tourism which is really important for the local businesses and people who live there.

As a result, too much regulation and un-necessary additional costs should be avoided to ensure there is no excessive financial burden or work required on the property forced on us.

As responsible owners, we support the creation of a register of holiday rental properties however, We would oppose overly stringent night limits and excessive use restrictions for our property as this may potentially deprive us of income we may rely on in the future. As we have good fire protection in place already, which complies with domestic requirements, We would also advocate no more requirements other than domestic ones in class 1a buildings as this will drive cost into properties like ours which are not rented out a great deal. Maybe only additional requirements are forced on those who rent out properties for over 90 days per annum for example. Otherwise, trades will charge significant money in a short space of time for requirements over and above domestic purposes for properties who may only have 5 short term visitors in any one year. If additional requirements become necessary, then for those who only rent out for less than 90 days per annum should have 3 years to update any requirements in order to spread the additional cost of any upgrades required.

I hope that good sense can prevail in the case of occasional renting such that costs are not driven up for occasional rentals.

Thank you reading our submission.

Caz and Dave Boorman

From: Cellito Sands <cellitosands@yahoo.com.au>
Sent: Thursday, 5 September 2019 9:37 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the smoke alarms requirements - the cost of installing all required smoke alarms and security lightning etc will be unaffordable for many owners and therefore you will deprive many holiday homeowners of income they have come to rely on. Maybe a requirement for normal smoke alarms in all rooms will be much better (to follow the requirements in normal long term rentals).

Kind regards

Homeowners - Cellito Sands, Smiths Lake

Sent from my iPhone

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Friday, 30 August 2019 8:42 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Submitted on Fri, 30/08/2019 - 20:41

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Cesar

Last name

Moreno Bermudez

Name withheld

No

Info

Email

cesar.moreno.bermudez@gmail.com

Suburb/Town & Postcode

Darlingurst

Submission

Att: Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment

Estimated public servants, I have these concerns and feedback related to the last draft about the regulation of short term accommodation

1- I can see that studio apartments are not considered in a different way. We have many studios apartments used for short accommodation in Potts Point, Elizabeth Bay, Rushcutters Bay and Darlinghurst in NSW. If the idea is avoid party-guests . It is very difficult to do a party in a 20-40 sqm unit. These apartments should be treated as on-site-host. The definition of studio to be aligned with the spirit of the law should be linked to unit size.

In the same line of thinking all the fire safety requirement does not make sense ask for them for studios since important is that the building meet the safety rules. A fire extinguisher takes a lot of space in a studio apartment and also does not make sense if it is only 5 meters out your door

2- My second enquiry is better understanding of the 180 period. It means that I can host anytime through the year and stop when I reach a 180 days occupancy. Or, it means that I am able to rent for example from January 1st to July 30th independent if I am successful or not to get full bookings for that period. I much believe has to be based in total 180 days through the year.

Finally I have to say that I have seen the short accommodation brings very good outcomes for small-working class - residential areas. In these areas host trend to do renovations , care more about the aesthetic of the building inside and outside. The guest are usually with better manners and more respectful than average residents. With a final outcome of better living for all the building residents. With expensive units maybe is the different. Guest may use more the social areas, care less than residents, try to get more for their money (since they pay high accommodation fees) inviting friends over, doing parties, usually they can guest more than 2 people ... I do not see that the current draft acknowledge and tackle this situation properly

Best regards,
Cesar Moreno
Australian Citizen
M: 0422365139

I agree to the above statement

Yes



11 September 2019

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

Contact: Gareth Curtis
Our Ref: DOC2019/091963
Your Ref: Short-Term Rental Accommodation

Dear Sir / Madam

DRAFT – Submission on Short-Term Rental Accommodation

Thank you for the opportunity to comment on the proposed regulatory framework regarding short-term rental accommodation (STRA).

It is with concern we note that the proposed framework has become increasingly complicated over the course of its development. In light of this, we urge the Department to give careful consideration as to whether it would now be simpler, for all involved, if proponents of STRA were required to lodge a development application with Council for the use and abide by a Code of Conduct.

The development application approach is already mapped in the existing planning framework, allows councils to recover costs for processing applications, is fairer on adjoining landowners and is consistent with the approach taken for other established forms of tourist and visitor accommodation.

However, should the Department wish to proceed with this overly complicated regulatory framework, the following comments are provided.

Day limits for STRA

We wish to advise that Council has not yet arrived at an official position regarding day limits for STRA. While our tentative preference is for the lower threshold of 180 days, we are of the view that the decision to lower the day limit should be supported by factual data and a resolution of Council. We will require additional time to complete this separate process.

Furthermore, it is unclear from the discussion paper as to how often the SEPP will be reviewed (beyond the initial 12 month review) to bring about changes that may be required by councils regarding day limits for STRA. To assist councils that seek to amend the STRA day limit in the future, it is recommended that day limits for STRA are contained in each councils' local environmental plan (LEP), as opposed to the draft State Environmental

t: 02 4993 4100 f: 02 4993 2500

p: PO Box 152 Cessnock NSW 2325 or DX 21502 Cessnock

e: council@cessnock.nsw.gov.au w: www.cessnock.nsw.gov.au

ABN 60 919 148 928

Planning Policy (the SEPP). Including the day limit in the LEP will allow councils to amend their policy through the normal planning proposal process and reduce the bulk of the SEPP.

Cumulative impacts of STRA

The proposed regulatory framework does not address or consider the cumulative impacts of STRA and the potential for it to concentrate in particular areas, impacting the established residential amenity.

The introduction of exempt & complying development pathways and the overall regulatory framework provides little opportunity or controls to prevent cumulative impacts of STRA outside of the ability to limit the number of days. The planning framework should clarify that residential land uses in the vicinity of STRA are sensitive and enjoy protection from the potential amenity impacts associated with STRA.

The Complaints Process and Enforcement

The regulatory framework does not provide adequate guidance regarding Council's role in investigating and carrying out enforcement action in response to breaches of the Code of Conduct.

The complaints process needs to specifically recognise that any, and all complaints that arise in association with the activity of STRA are intended to be dealt with via the Code of Conduct and other complaint management mechanisms established as a part of this reform. Complaints need to be centrally case managed by the Commissioner for Fair Trading as opposed to cost shifting an obligation onto Council to manage symptoms arising from the operation of a STRA facilitated by this reform.

The explanation of intended effect suggests a reliance on Council and Police to respond and investigate complaints about disturbances arising from STRA. Council, Police and other agencies should not be relied upon to provide a responsive capability to issues arising either during the day or after hours.

Further consideration should be given to the effectiveness of regulation in the absence of a proactive monitoring and compliance program, or appropriate response capacity.

Code of Conduct

- Numerous sections of the Code fail to specify any obligation of an actual response or corrective action, including:
 - 5.4.4 & 5.4.5 – Specifies an obligation for the host, or their representative to be 'contactable to 'manage' and 'deal' with certain scenarios, but doesn't actually impose any obligation beyond being contactable. This should reference response in a certain manner, e.g. in accordance with established policies or management plans, recording corrective action etc.
 - 5.4.8 – Specifies an obligation to provide the name and contact details of a host, but fails to specify any function of the host if those contact details are used.

- 5.5.6 – Provides an obligation on a guest to notify their host of a dispute or complaint, but does not have any corresponding obligations on the host once the notification is received.
- 5.5.8 – Despite imposing responsibility on a guest to ensure their visitors comply with the provisions of 5.5.2 as if they were a guest, it does not constitute an offence under S.54C in the same manner as committing the offence themselves would. This should be specified as an offence and make provision for defence where the person is nominated and the behaviour of the visitor was undertaken without their knowledge.

Despite responsibility for visitors being imposed on guests, there is no responsibility imposed on the host for their guests. There should be established a clear chain of responsibility where in the absence of being able to identify the offending individual, the host is responsible and liable to offence provisions.

Without an established chain of responsibility, it will be extremely difficult to establish the individual/s responsible in manner that will allow pursuit of relevant offence provisions.

- 5.5.1 (c) – There is no guidance, standard or specification as to what must be included or addressed in the 'Terms' that the guest must not contravene. There is some scope to include a responsive capability for the Host into these.
- 5.5.3 – It is submitted that guidelines in relation to appropriate conduct should make provisions for
 - Appropriate management of waste and use of enclosed receptacles by Guests.
 - Maximum number of vehicles and their use including parking
 - Timeframes for the playing of music
 - Timeframes for the use of outdoor entertainment areas including balconies, pools, decks etc.
 - Timeframes for the operation of plant and equipment such as air conditioners, pool pumps, heaters etc
 - The keeping of animals i.e. dogs.

STRA connected to a private water supply

In the interest of public health, the Code of Conduct should outline minimum requirements for water quality in instances where the development is reliant on a private water supply, such as rainwater tanks, bore water, etc. Water quality requirements presently apply to forms of tourist and visitor accommodation and we see no reason why STRA should be exempt from these requirements. The same is true of requirements relating to swimming pools and spas, noting that these uses will likely be interpreted as public swimming pools and spas and may be subjected to regulation under the Local Government Act.

Onsite Sewage Management Systems

Properties without reticulated sewerage are limited by the design and capacity of their Onsite Sewage Management System (OSSM). Residential OSSMs have a maximum capacity of 10 persons before commercial systems are required to manage daily loads. In many cases, residential OSSMs are designed for a capacity of less than 10, having regard to the number of bedrooms and the original intended use as a residential dwelling.

The discussion paper outlines that the maximum occupancy of a property for STRA will be 12 persons. Exceeding the capacity an OSSM was designed for will result in system failure with environmental & public health consequences. In the interest of public & environmental health, the Code of Conduct should limit the maximum occupancy of properties reliant on OSSMs to that of the approved OSSM design.

Proposed STRA Fire Safety Standard

The STRA fire safety standard sets out the fire safety requirements for a class 1a dwelling (Section 4 of standard), Class 2 (section 5 of standard) and class 4 (section 5 of standard). The vast majority of STRA will fall in the class 1a and 2 categories.

The fire safety provisions detailed in section 4 and 5 of the standard are more stringent than the provisions contained in the National Construction Code, BCA 2019 for a class 1a and sole occupancy unit in a class 2. For example, Section 4 of the Standard requires smoke alarm in each bedroom and evacuation lighting in hallways for class 1a; however, this is not a requirement for class 1a in the BCA. Section 5 details requirements regarding portable fire extinguishers, fire blankets etc. within the sole occupancy unit which is generally not a requirement of the BCA.

While we acknowledge that the additional fire safety requirements in the standard add to the building safety and support this requirement, we note that the Fire Safety Standard specifications will require STRA operators to install additional fire safety measures in existing and new properties.

The Fire Safety Standard and STRA Code of Practice are silent on the certification/regulatory process for any required design upgrade, installation and ongoing maintenance process for the fire safety measures within a proposed STRA building. The installation and ongoing maintenance of compliant fire safety measures is particularly critical when the STRA building provides accommodation to occupants who are likely to be unfamiliar with the building and/or possibly impaired by alcohol for example thereby increasing risk to occupants and evacuation times.

The existing legislative requirements for creation of a fire schedule and annual maintenance certification does not apply to class 1a buildings. We recommend the inclusion of a requirement that a fire schedule be created for STRA buildings (regardless of class) and the submission of an annual fire safety statement similar to the provisions detailed in Part 9 of the *Environmental Planning and Assessment Regulation 2000*.

Waste

The proposed planning framework for STRA has not given adequate consideration to the management of domestic waste. A regular residential waste service may not be sufficient for STRA if they accommodate up to 12 people. It is reasonable to assume that people utilising STRA are more likely to consuming a larger volume of individual/pre-packaged goods (food and drinks) than regular households, contributing to a significantly higher amount of waste.

If you require any further information, please do not hesitate to contact Council's Strategic Planning Manager, Mr Martin Johnson, on telephone 02 4993 4229.

Yours faithfully

Gareth Curtis
Director Planning and Environment

From: Iain Rush <Iain.Rush@cessnock.nsw.gov.au>
Sent: Monday, 23 September 2019 12:33 PM
To: DPE PS STHL Mailbox
Subject: Final Submission to Short-Term Rental Accommodation - Cessnock City Council
Attachments: Cessnock City Council _ Final Submission to Discussion Paper _ Short-Term Rental Accommodation.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon,

Please see attached, Council's final submission to the short-term rental accommodation proposed legislative framework.

Regards,
Iain Rush Senior Strategic Planner
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325
p 02 4993 4155
www.cessnock.nsw.gov.au
Integrity, Respect, Teamwork, Accountability and Excellence

From: Changning Wang <wangchangning126@hotmail.com>
Sent: Tuesday, 10 September 2019 3:37 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

I have a business that represents home-owners who wish to host on Airbnb. Airbnb helps these home-owners to pay the mortgage and the bills, and to share their spaces to guests so that they can become part of other communities.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share the homes of our home-owners.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Changning Wang
355 Kent St
Sydney, Nsw 2000

From: Chantal mahoney <chantalmahoney@ahoo.fr>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because this is an important income to support my art practice.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Chantal mahoney
15 Hanover St
Rozelle, Nsw 2039

From: Charles Drayton <nick.drayton003@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because the income received from hosting supports the charity that my partner and I operate, giving free shoes to the homeless and disadvantaged around Australia.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Charles Drayton
51 Edgeworth David Ave
Waitara, Nsw 2077

From: Charlie Driver <drivercharlie@yahoo.com.au>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it's great having visitors be able to share the marvellous location we get to live in.

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Thank you for reading my submission.

Regards,
Charlie Driver
3 Myamba St
Gerringong, Nsw 2534

From: Charlie Fenton <charliebfenton@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Charlie Fenton
1450 Wombeyan Caves Rd
High Range, Nsw 2575

From: Charlie Harb <charlie@nexgen.com.au>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Charlie Harb
Concord West Station
Concord West, Nsw 2138

From: Charlotte de Freyne <defreynehood@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it allows me to make some income and at the same time have enough flexibility to spend quality time with my 4 young children and not have to put them into daycare and aftercare.

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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Thank you for reading my submission.

Regards,
Charlotte de Freyne
32 Grove St
Lilyfield, Nsw 2040

From: Charlotte Hand <charlottehand7@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it enables me to help local businesses, improve the state of my acreage that provides home to abundant wildlife that has migrated to our property due to your monstrous destruction caused by the woolgoolgah bypass. Many koalas have been seeking refuge due to all the trees taken down for that highway. My income from Airbnb house sharing my place helps keep the land abundant as well as pay my mortgage to ensure this 15 acres is kept in its current state. Many neighbouring properties are only used for recreational/ farming purposes and ours is untouched. I hope that you realise that your actions have a vast impact on much more than just humans making money from 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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is

approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Charlotte Hand
16 Amber Pl
Meerschaum Vale, Nsw 2477

From: Charmaine Aarons <charlieaarons@yahoo.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I need someone else to share with to pay rent. I have lived in shared housing for most of my adult life mostly with long term housemates who I have maintained ongoing friendships with. When my last housemate left after sharing for over 4 years, I thought I would try something different and have been enjoying the new faces and experiences that Airbnb guests bring to my home. What has surprised me is the number of locals who come to stay because they live in the country and have a few days work, or a meeting to attend in the city, or the commonest, for me, are the grandmothers who live interstate and want to stay near their grandchildren but cannot be accommodated in the grandchildren's home. I of course also have overseas travellers who simply like home comforts while on the road.

So while as an Airbnb host it helps me economically with paying the rent and the bills, I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism. I also suggest many other activities and sites that are not always covered in the major tourist brochures. And as I am now retired it enables me to meet new people who have also become my friends.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for me if I have to pay hundreds or thousands of dollars for a permit to simply share my home. For other hosts who share their home for a few weeks a year, it will probably make hosting uneconomical.

For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems.

Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved

residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which respect the ancillary use of my home for home sharing; mandate smoke alarms – either battery operated or hard-wired and require evacuation or emergency plans and guest education, which I have to say Airbnb are excellent at prodding hosts to ensure that these things are in place.

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Charmaine Aarons
15 James St
Leichhardt, Nsw 2040

From: Cheree Mcdonald <chereemcdonald@bigpond.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Cheree McDonald
786A Jenolan Caves Rd
Good Forest, Nsw 2790

From: Dom Haw <domhaw55@gmail.com>
Sent: Tuesday, 10 September 2019 11:45 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I don't have enough money to pay the bills. I need to supplement my income to survive. My husband has cancer & we are on a limited budget.

We have battled all our life & paid taxes all our life. I have a right to earn money. We don't have any savings. I don't want to go on Centrelink.

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. Coffs is a tourist town and depends on tourists, and there is many times in the year where there is not enough accommodation. We can't have NSW government legislating an accommodation monopoly for just a limited few businesses !

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive. More expensive for the tourists and much too expensive for home-owners.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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If you have excellent reviews, you are already letting market work. You don't need to be regulated, or have a Code of Conduct, because market chooses you because of excellent conduct, super cleanliness, & consideration of neighbors (noise) etc.

Plus, there is the privacy issue. I am entitled to function with my own privacy & anonymity. If a customer wants to book in & pay the money, THEN they get the address, contact details etc. Otherwise, they don't get the information. This information should not be freely available in a register.

There are a lot of private businesses operating in Australia, where there is absolutely no requirement to be on a register. They are simply as 'c/- the accountants office', or a trading company/name.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform. (Again, I stress that the if you

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

All towns depending on tourism to survive should be able to trade 365 days a year. Tourist's are fundamental to town's survival There should be no '**day caps**' on amount of days you can use homesharing on AirBnB/Stayz etc in a calendar year. If there is a 'day cap' imposed on me, it should be imposed on every accommodation business i.e. resorts, hotels, council caravan parks, backpackers, B & B's etc.

With this legislation, everyone should be treated equally, including councils. Any talk of a 'day cap' should apply to every caravan site, tent site, and cabin in council caravan parks otherwise we are furthering another very large monopoly accommodation business in our town. The caravan parks are effectively now built like resorts. As well, local resorts and hotels are now advertising on AirBnb/Stayz and many other similar platforms. Where do you draw the line ?

Council also should have no legislative or other type of right to limit days with 'day cap', or charge a toll or otherwise interfere in my accommodation, because they have a huge conflict of interest because of their ownership of all the numerous caravan parks in our area.....most of which are now like resorts. (Plus, they are waiving fees to developers.)

Strata title should & must be a separate issue. Ideally, with each strata title block voting to look after their own patch. Or at worst, separate legislation dealing only with strata title issues.

Thank you for reading my submission.

Cherie Hawke

Email: cherie11888@gmail.com

From: Cherie Hawke <cherie11888@gmail.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I don't have enough money to pay the bills. I need to supplement my income to survive. My husband has cancer & we are on a limited budget.

We have battled all our life & paid taxes all our life. I have a right to earn money. We don't have any savings. I don't want to go on Centrelink.

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I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Plus, there is the privacy issue. I am entitled to function with my own privacy & anonymity. If a customer wants to book in & pay the money, THEN they get the address, contact details etc. Otherwise, they don't get the information. This information should not be freely available in a register.

There are a lot of private businesses operating in Australia, where there is absolutely no requirement to be on a register. They are simply as 'c/- the accountants office', or a trading company/name.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform. (Again, I stress that the if you have excellent reviews, you are already letting market work. You don't really need to be really need to have a Code of Conduct, because the market chooses you because of excellent conduct, super cleanliness, & consideration of neighbors (noise) etc.)

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems. All towns depending on tourism to survive should be able to trade 365 days a year. Tourist's are fundamental to town's survival There should be no 'day caps' on amount of days you can use homesharing on AirBnB/Stayz etc in a calendar year. If there is a 'day cap' imposed on me, it should be imposed on every accommodation business i.e. resorts, hotels, council caravan parks, backpackers, B & B's etc.

With this legislation, everyone should be treated equally, including councils. Any talk of a 'day cap' should apply to every caravan site, tent site, and cabin in council caravan parks otherwise we are furthering another very large monopoly accommodation business in our town. The caravan parks are effectively now built like resorts. As well, local resorts and hotels are now advertising on AirBnb/Stayz and many other similar platforms. Where do you draw the line ?

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(Plus, they are waiving fees to developers.)

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Thank you for reading my submission.

Cherie Hawke

Email: cherie11888@gmail.com

Regards,

Cherie Hawke

19 Anniversary Pl

Coffs Harbour, Nsw 2450

From: CHERRI STANDFIELD <cherri.standfield@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it supplements our retirement income whilst at the same time provides affordable holiday accommodation for many people who could not afford it otherwise.

We also live in an area that benefits from the additional tourism as hotel accommodation is limited and expensive.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

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Thank you for reading my submission.

Regards,
CHERRI STANDFIELD
124 Rickard Rd
Empire Bay, Nsw 2257

From: Cherry Hood <cherryhood@icloud.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

I wanted to provide my feedback on the Government's proposed regulations for home sharing

I'd like to host on Airbnb because we live on a small acreage, we've lived here almost 20 years, we're trying to sell the place, (sadly unsuccessfully) we'd like to retire, we both almost 70 years old, we have this huge place and our even our grandchildren are too grown up and busy to stay here any more. Allowing others to pay us to stay on our lovely farm will give us a reasonable income.

Neither of us take any government benefits as yet. We don't have excess money to change the building or pay more fees.

We're registered for GST and Income Tax.

Our property is approved by local council as a "habitable dwelling."

The requirements for this approval have proven very strict, very lengthy and very expensive. It has cost \$7200 for all the reports from various consultants and council in order to lodge a DA to obtain a second dwelling approval and it has taken over 12 months.

I can not see why an Airbnb guest would need anything more than any other person to temporarily 'dwell' here like we do and our family has enjoyed for 20 years!

The local Airbnb host community depends on hosting as an economic lifeline to help us pay the mortgage and the bills.

We'll also recommend local cafes, restaurants and shops so small businesses will get a boost from local tourism. Guests will shop in Goulburn for their stay.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Cherry Hood
173 Arthurs Rd
Towrang, Nsw 2580

From: Cheryl Harris <cheryl_m_harris@hotmail.com>
Sent: Tuesday, 24 September 2019 6:09 PM
To: DPE PS STHL Mailbox
Subject: STRA Consultation - Response from Highgate, Kent Street

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir / Madam,

Re: STRA Consultation Submission

I live in Highgate, Kent Street which is a strata building and I am extremely concerned as to the prospect of short term rentals within the building.

There are unique implications for strata buildings which need to be taken into consideration that simply do not apply to non-strata flats and houses

Shared, communal areas such as the pool, spa, sauna and gym inevitably deteriorate when high numbers of transient, short term guests use them.

Incidents of damage, theft, assaults, unwanted attention and antisocial behaviour are likely to increase, with the culprit not easily traceable or held to account.

Security procedures are also likely to be tested to their limits by transient travellers which in turn puts additional pressure on Highgate concierge.

High value items in communal areas such as marble, statues, paintings, sofas and rugs are likely to be at risk of damage or theft leading to increased insurance claims and higher premiums that will be reflected in increased strata fees for all residents.

I fully appreciate that not all dwellings have the same level of communal facilities, fixtures and furnishings as Highgate which is why I feel that individual strata buildings should have the right to choose whether they allow short term rentals or not. The relevant considerations are detailed, subtle and unique to individual strata buildings and are best decided locally rather than at state level.

Yours faithfully,

Cheryl M Harris
Highgate, Kent Street
+61 (0)410 474 747

From: Cheryl Serong <cserong55@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Cheryl Serong
58 Pacific Dr
Port Macquarie, Nsw 2444

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 7:13 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Submitted on Mon, 09/09/2019 - 07:13

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Choo-Lee

Last name

Khor

Name withheld

No

Info

Email

chooleekhor@gmail.com

Suburb/Town & Postcode

Milsons Pt

Submission

AirBnb in designated buildings purpose built gives certainty of choice to all residents prior to purchasing

into such real estate.

Allowing retrospectively AirBnb to fit into otherwise residential abode causes safety and security issues of revolving strangers who are not long term residents within my building which is my home. Everyday sharing my lift rides with my neighbors is not the same as with transient Airbnb tenants.

As home owners I face intrusion and higher costs of maintenance & fees and unfair to subsidise another owner carrying out a business.

I agree to the above statement

Yes

Submission regarding proposed changes to legislation outlined in the Government papers:

Short Term Rental Accommodation Businesses operating in Residentially zoned areas.

Dear Sir / Madam,

enclosed please find just a very small sample of extracts of correspondence between ourselves and relevant bodies on this matter.

We would also like to point out the unfair exclusion of the Central Coast Region from the *Greater Sydney Commission* panel's definition of the Greater Sydney Region. This is in direct contrast to **every** government department's classification of the Central Coast region. Note it also seems that every non-government body, excluding the Greater Sydney Commission, also includes the Central Coast Region in the Greater Sydney Region. This has obvious ramifications for the residents of the Central Coast area regarding your proposed changes to the relevant legislation.

The liveability of our residential areas will be destroyed around these unsupervised STRA businesses and to say otherwise shows a complete lack of actual understanding of the issues, which obviously arises out of not having to live next door to one. The proposed measures to cope with the destruction of our neighbourhood lifestyles will be easily circumvented by hosts / guests and does not take into account, amongst other things, the conflicts of interest between host and guests with regard to bond / review etc.

We would appreciate your time in reading our submission.

Kind regards,

Chris and Helen Lane

Encl.

Chris and Helen Lane

1 View St., Norah Head
NSW 2263

Ms Emma McBride MP

Suite 204, Level 2 Mariners Centre of Excellence

1 Bryant Drive

Tuggerah, NSW, 2259

Dear Ms McBride,

further to our previous correspondence to yourself in regards to Short Term Accommodation (STA) style business practices, we wish to update you on developments regarding the use of these practices by people with dwellings situated in residentially zoned areas.

We have engaged in conversations with operators of these businesses in order to understand their reasoning behind their choice of business practice. Besides the usual quoting of the current legality of their practice, a common reason given is that it does not differ from renting out the premises to long term tenants. That both are pseudo commercial operations within the confines of a residentially zoned area.

What these operators fail or refuse to realise is that the distinction between traditional (regulated) types of businesses and theirs, is that people staying at their establishments are unknown and unregulated guests. This stands in stark contrast to residents, be they rate paying owner occupiers or tenants of the owners, living (not holidaying) at the premises, or holidaying guests with suitable control / regulation, as in traditional B&B.

The patrons of these STA sites are more often than not holidaying with complete disregard for the surrounding residents, as well as conducting themselves in a manner where they are fully aware that there is little or no accountability for their behaviour.

As you may be aware from our previous correspondence, neighbouring properties at 18 Soldiers Point Drive and 53 Bungary Rd. Norah Head and apparently soon to be 51 Bungary Rd. are STA properties. We reside at 1 View St. and lease out our next door rental property, 20 Soldiers Point Drive, to long term tenants. It is of note that the tenants are a family with three primary school aged children who have been there approximately 5 years and we sincerely hope for the long term future.

With reference to this particular situation, problems have already arisen in that the rear balcony of the residence at one of the STA sites, 18 Soldiers Point Drive, whilst approved under Council's Residential Zoning Standards / Guidelines, is being continually used by the guests staying at the STA site. This balcony is situated directly over the rear yard and deck of the neighbouring property at 20 Soldiers Point Drive, our tenanted property.

When this deck was being used by our neighbours and their friends, there was no feeling of having your privacy invaded, but when used by uncontrolled / unregulated strangers (strangers to us, our neighbours, as well as to the neighbouring STA host), for extended periods of time and even brief moments, sometimes intoxicated sometimes not, the feelings of our tenants and their children is one that you could well imagine. It is also of note that our tenants have been finding cigarette butts flicked into their backyard, as the STA stipulates it is a non-smoking establishment, with the result that guests lean over the balcony side and smoke and then dispose of their rubbish accordingly.

The noise/language is also what you would expect from holiday makers with no vested interest in maintaining the amenity of the local area.

With regards to living / owning next door and neighbouring to a STA site and after numerous days and late nights with loud and sometimes offensive partying at both STA sites during the Christmas / New Year period, we were told by the owner of 18 Soldiers Point Drive, that police are the people responsible for dealing with any complaints. We had tried on a few occasions to phone the owner of the STA at 18 Soldiers Point Drive, with the intention that a quick phone call by the owner to their guests would not only result in the cessation of any anti-social activities, but circumvent the need for police to waste time on this issue. On these occasions we were told to call the police about the issue. It was only in later conversations that the STA host informed us that she had no way of contacting the guests once they had entered her property. We were unaware of this at the time and immediately apologised for the misunderstanding.

The above lack of communication between host and guest reinforces the issue that STA hosts have little to no control over their guests or their guest's friends and that the business model dissuades both guests and host from giving bad reviews because of bond and patron feedback issues.

Lack of control of guests, friends of guests and uninvited guests by not only the presiding governing body / enforcement agency, but also by the owners themselves, as well as the lack of accountability of the STA users, is illustrated as follows.

Note the following two instances are just two from a long list of disturbances that did not either warrant Police or our own intervention, because they either discontinued after short periods of time and were infrequent and or were of a nature that if Police were called, the disturbance / offence may have subsided by the time Police arrived. NOTE IN EITHER CASE THE INCIDENTS STILL OCCURRED AND CAUSED A DISTURBANCE.

12/1/18 call to Toukley Police at 10.30pm, after waiting half an hour after curfew for guests to vacate the outside rear elevated deck area of 18 Soldiers Point Drive. Explained to Police that we were trying to sleep.

No response by police at site, so rang again at 12.30am and was told by a police officer that officers were busy and he apologised for the delay. I then asked it was OK to approach the guests myself, to which the police officer said that if we feel comfortable in going over to ask them to move inside, then that would be OK. I told them that I would do so to end the matter.

Explained to STA guests that their voices and continual animated conversations were stopping us getting to sleep. They moved inside and we were able to get to sleep straight away.

Note it is apparently part of this business model for residents in the neighbouring properties to police the behaviour of STA guests.

Next day our tenanted property at 20 Soldiers Pt Dve was vandalised with paint stripper. Police Incident Report No. E66590526.

The incident report contains relevant information, such as the occupants of the departing last guest's car continuing to sound the horn until our tenants went out to the front of their house and noticed the occupants of the departing car pointing and laughing at the front wall of our tenant's house. It had been doused with paint stripper or similar in the earlier hours of the morning. Police were unable to follow up as they had no number plate details of the car involved and they could not follow up with the STA web based company without eyewitnesses or similar.

These are the types of people with whom we now share our backyards and lives.

It is of note that we were also informed by the irate host of the STA, that Police had attended the STA site at 2.30am that morning, following a call and that police had apologised to the guests of same for waking them, as they were apparently in bed.

The costs, both social and financial, caused by the operation of these business is being borne by the surrounding community, not the operators themselves.

We have asked repeatedly of the owner operators to consider renting out their properties in either a traditional B&B format or long term leasing format, pointing out that either way will ensure more accountability by patrons of the businesses.

One of the operators even stated that they did not want to share their house with complete strangers, hence they would not be entertaining a traditional style Bed and Breakfast, yet it seems perfectly alright that we the neighbours share our private lives with the uncontrolled and unregulated guests.

We have not even started to inform you of the many small inconveniences to our lives, caused as a direct result of these STA's. Things such as finding large garbage bin bags of rubbish being deposited amongst the trees on our nature strip from departing guests etc..

We can only apologise to you for asking you to be involved in this sorry state of affairs, but it seems we have no other course for redress in this issue but to involve your office.

With that in mind, we sincerely appreciate your time and effort in this matter.

Kind regards,

Chris and Helen Lane

Hi Fiona,
just forwarding some points that you may deem pertinent to your forthcoming decision.

- * The very first night of this new business practice, 18/11/17, guests were “partying hard” in the pool at 1.20 am and we were unable to contact the owner / operator.

- * Some guests behave in the knowledge that they will not be held accountable for their actions. This creates anxiety issues for neighbours, relating to the fact that we do not know if the current guests are going to respect the neighbourhood. “When will the next anti-social event occur? Who, or what type of person is looking into our back-yards at any given time?” and so on.

This has been our experience to this day of living next to an unlicensed, unregulated, unsupervised business operating in an established residential area, where people have bought their homes in good faith.

- * No on site control of guests, *or guests of guests!*

- *Guests continually out on decks, in backyards late at night and early morning.

- * Residential homes not set up for continually hosting groups of people on commercial basis re: Privacy, Noise, Rubbish etc.

- *Garbage bin bags full of fast food scraps etc. being left on our nature strip by departing guests and cigarette butts being thrown into neighbouring backyards.

- *Opportunistic crime occurring in relation to criminal damage to neighbouring properties.

- *Constant holiday mode / parties, large and small gatherings, constant use of swimming pool etc.

- *Constant turnover of strangers invading privacy of our backyards both acoustically and visually.

- *Left to neighbours to try and control guests and guests of guests. Disrespectful behaviour , offensive /loud music and or noise, swearing etc..

- *Contact with guests may result in being sworn at or subject later recriminations.

- *Having to call Police, as instructed by owner/operators of these businesses, thus wasting Police time and resources on what should not be allowed to happen in the first place.

Note: Police are called as a last resort, as neighbours try and control this anti-social behaviour themselves by directly communicating with the guests. This sometimes incurs abuse from drunken and / or obnoxious guests.

- * Short term monetary gain by certain property owners who only have their own vested interests at heart.

- * Disrupting every single surrounding resident of these two houses.

We note other Councils are currently implementing regulations / guidelines to stop these negative impacts on the local and wider community.

- The following is an extract from Wyong Council's own regulations / plans governing existing accommodation practices:

Council recognises the importance of ensuring that people visiting the region have a range of accommodation options, while preserving the environment and residential amenity for local residents. It is recognised that it is the existing amenity and character which attracts both residents and visitors to the Wyong area. Therefore, preservation and enhancement of the existing environment is of paramount importance.

Kind regards,

Chris Lane

1 View St., Norah Head. Ph: 4396 2812

Summary of just one letter to Council

Local Zoning, land use etc to remain unchanged.

*Exempt development re STA to remain unchanged, as this will allow the "mum and dads" to create a bit of "extra" income when needed, as well as provide STA for the area.

*Guidelines / regulations regarding exempt / non-exempt development for STA to remain unchanged. This currently protects the mum and dad operators and also gives a mechanism to neighbours and the wider community to deal with recalcitrant operators who cause undue disruption to their neighbours and the wider community. (More than two complaints etc. starts a DA process). These operators must then find other Council approved forms of accommodation business models through which to trade, as these operators have shown themselves to be either incapable or unwilling to run their business in a fashion that shows respect for the surrounding neighbourhood / community.

It is of paramount importance that an **on-site** resident to be included in any business model, as anything less will mean that neighbours will end up policing the guests at all times of the day / night. i.e. ringing the operator, who may be only 5 mins away, still means that neighbours have to put up with the disruption for an undetermined period of time before they then contact the operator (if possible) and then wait for the operator to respond on site. This is already after it has either woken them or disrupted their lives in other forms.

Note that these business models must only be ones that include, but not limited to: On site resident occupancy during the letting period, licenced business model (that may be revoked or suspended by relevant authorities) and a determined letting period not to exceed a certain number of days per calendar year, eg. 30 days. Anything more constitutes a full commercial venture in a residential area.

18/8/18

Chris and Helen Lane

1 View St., Norah Head

NSW 2263

Messrs Anthony Roberts MP and Matt Kean MP

Dear Ministers,

we write with reference to your response to Mr David Harris's MP correspondence to yourself on our behalf, regarding the change in our quality of life resulting from living next door to a STHL.

We thank you for your assurances that if WE the neighbours are to try to regulate and control the behaviour of the STHL operator business clients, that a code of conduct will be enforced if serious breaches of same occur. Please note that we are unsure as to how you think it reasonable for neighbours to supply the "labour", as well as pay a lifestyle price for the business being run by the STHL operator.

Ministers, would you please clarify what constitutes a serious breach of the Code. Besides the "usual" parties and holiday mode of guests etc. taking place at all hours, does it include frequent late night / early morning "low key" social gatherings on outside decks / in back yards, resulting in nearby neighbours inevitably being woken from their sleep? Does it include the constant invasion of privacy in our back yards by a continual stream of strangers. Need we go on and explain other disruptions? If you are interested in a list, we can provide excerpts from the many written complaints to local authorities since late 2017.

In regard to your comment in response to STHLs operating at the expense of the local amenity, we would like to draw your attention to our current long term tenant, a family of five with 3 young children, serving notice of termination of our joint rental agreement. They informed us that it is as a direct result of living next door to a STHL. As you can see it is now at our expense financially! We have been advised that we have little or no legal recourse to recover damages for income lost from this property if no crime has been committed in relation to this situation. It also doesn't give us much hope of retaining future long term tenants / residents. Note that our residential home is next to our tenanted residential property, which in turn is next to a STHL.

Ministers, in relation to strata bodies etc. and to your regulation that there be a minimum of 75% of owners favouring or not STHL in their building for the owners corporations to act, would you please give consideration to amending your planning change and include a requirement for a similar majority of permanent residents in a local community having their voice heard.

We would like to take this opportunity to inform you that a petition against a change to the current Local Council LEP favouring approval for STHL, forwarded to Council in response to a DA seeking a change to the current LEP and hence approval for the STHL, was overwhelmingly supported by the community. Of the approximate 240 permanent residents approached, only 3 residents declined to sign the petition. Note that one of these residents is directly associated with the DA.

With quite a few holiday homes in the immediate area, it only takes one STHL operating to affect the lives of the neighbouring residents, as is the case with this particular STHL. The village atmosphere of Norah Head will be jeopardised.

Note that in this letter we haven't even addressed the anxiety issues created by not knowing when the next disruption to our lives will take place. This, according to yourselves, will apparently be addressed by the limit, anywhere between 180 and 365 days a year at any time for entire house letting, being imposed on operators???

Is it really just a bit of extra "pocket money" for mums and dads, if these houses are being let for more than say 2 weeks per year? We think not.

We again state our dismay at the destruction of the residential zoning being carried out by the STHL practise and call on you to reconsider your stance on this issue. It is definitely not a "Win Win" situation for permanent residents.

Regards,

Chris and Helen Lane

1 View St,

Norah Head NSW 2263

From: Chris Brownlee <c.brownlee@me.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

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- Mandate smoke alarms – either battery operated or hard-wired
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I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Chris Brownlee
186 Lawrence Hargrave Dr
Thirroul, Nsw 2515

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:54 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 16:53

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Chris

Last name

Cummins

Name withheld

No

Info

Email

chriscummo@gmail.com

Suburb/Town & Postcode

Wangi Wangi 2267

Submission

Submissions relating to proposed changes to the Short Term Rental Accommodation Industry

Introduction

Advent of online accommodation booking services

Just because someone dreams up an idea on how to make money by inundating the community with online booking platforms does not mean we should embrace this idea and legalise it .

These online booking platforms have circumvented the law and are designed for one thing, to make money for themselves and the hosts.

Like a giant pyramid scheme the online booking platforms promise that everyone can make money just by following their system. Easy money and they only take a small bit of every dollar you get. But like any pyramid scheme eventually the money goes to the top, to the people who thought up this idea.

What I am worried about is if STRA is allowed to flourish and neighbourhoods and communities have been hollowed out by STRA how hard it will be to rebuild community spirit, to bring back normality to neighbourhoods?

Long standing Planning Laws have been implemented to regulate the use of land and property, part of this is to protect residential areas and limit what land can be used for.

No-one should be able to build a holiday resort or a hotel in a R2 low density residential area let alone changing a large house into a quasi-hotel with no onsite management or security, but this is happening now and will happen even more if it is legalised.

If planning laws are changed to allow businesses to encroach into residential areas where previously they were not allowed substantial compensation must be provided to the affected residents. The residents though would rather just have their quiet enjoyment of life back.

Many people move to quiet residential areas to retire or just provide a quiet, safe environment to bring up their children and enjoy the serenity, the feeling of community and a neighbourhood where everyone knows each other and everyone feels safe, this is what living in a small village is like.

This is of course turned upside down when an investor buys the house next door and decides to maximise profits and set up an un-hosted STRA quasi-hotel next door.

The concept of AirBnB and the likes started off as what seemed like a reasonable idea with sharing unused parts of your own house, I believe that the hosted traditional B&B works well in communities and should be still allowed.

With the online proliferation of the hosted AirBnB and as the money started to flow the idea expanded into people renting out their entire home un-hosted and then to investors buying houses purely to set up unsupervised quasi-hotels in residential areas. The online booking platforms have pushed the expansion all in the name of money and expanding their agenda. The greed took over.

Some investors have found this so profitable they have multiple investment properties listed as STRA.

Can you imagine what will happen to neighbourhoods and communities if un-hosted STRA is actually legalised and the green light is given to these investors? Every desirable village and community could be inundated with STRA to the detriment of those communities.

Local Councils have been unable to enforce their local environmental planning regulations because they have been overwhelmed and they simply do not have the resources or funding to prosecute each illegal Short-term rental.

Let us remember that this all began by the pushing of a concept that is still currently in breach of planning legislation in many areas. Just because a lot of people are doing this does not make it right and definitely it does not mean it is best for our communities. I believe that the opposite is true.

These un-hosted STRA businesses are profiting on the misery of the neighbours who have no say and are

often ignored by managing agents and hosts. Most guests simply do not care, they have paid their money and expect to get their monies worth. They are gone after a few days and the neighbours have another group to deal with and suffer through.

From reading the Draft Legislation and Code of Conduct I see that this will encourage more investors to enter this very lucrative market. Why would an investor long term rent to a family and put a roof over their head and make small return when they can short term rent out an entire house and make many times that amount of money? They also use this property themselves when they want to and pick up some tax deductions along the way. It is all about the money and greed.

This legislation will increase the gap of the rich and the poor. The rich will buy up more properties for STRA and the poor will struggle to afford to rent a property long term. I fear for the younger generation who are unable to afford to buy a house to live in now, how will they ever be able to afford one if investors push up prices even more. It will be unaffordable to buy a house unless they short term rent it for high returns adding to the problem. This is undermining the great Australian dream of buying a home for your family to live in.

This is what is already happening to many properties in my small village community and if this legislation is enacted I can see this will escalate. Some Real Estate agents are already advertising and promoting to potential buyers on how much money investors can make by buying up waterfront houses and the most desirable properties and short term renting them even though it is still currently illegal to do this in many parts of Lake Macquarie.

Investors are already breaking the current council regulations. I have been told by Council that they have been investigating 450 short term rentals in the Lake Macquarie area that there have been complaints about, that was six months ago. Some investors that have complaints against their property used as STRA have temporarily let their properties for three months and have listed them again for short term rental after that period. If the gate is opened and STRA is legalised it will be much harder to put the genie back into the bottle.

If hosts, owners and booking platforms are circumventing the law now why would they change their behaviour just because new laws are introduced. Past behaviour is a very good indication of future behaviour, especially where money can be made. Again I say this industry is driven by money and greed.

All over the world people are rallying against the erosion of neighbourhoods and communities caused by online booking platforms disrupting normal neighbourhoods turning houses into hotels, over tourism. In Australia too we see areas like Margaret River in WA and Hobart in Tas, and Byron Bay in NSW where local people are struggling to afford to live in the local community because of the rise of STRA. Homelessness in Hobart is a huge problem except if you want to rent a STRA by the night. The Tas Government at one stage even started paying Hotels to give the homeless somewhere to stay. So the world has been turned upside down with homes being turned into Hotels and Hotels being used to house the homeless.

In Australia, country motels are struggling to run a business as there is an unfair playing field and competition from online booking platforms promoting unauthorised STRA accommodation which do not have the costs, levies and taxes of a business. In NSW the government seems to want to legislate and regulate these STRA which I believe are not compatible with a normal quiet R2 residential area. I believe the proposed code of conduct is completely unworkable.

The only way to properly manage STRA is to have an on site Host or Manager, onsite 24 hours a day 7 nights a week. Why do the neighbors of these STRA properties have to be the default STRA Police to firstly suffer through disruptions to their usually quiet enjoyment of life then, to determine if it is serious enough to make a complaint, decide whether to attempt to ask the renters to cease their behaviour or to call the owner or host, then to convince the managing agent, owner or platform that it is serious enough to need action. To be put into potential danger when the manager does not attend the premises but makes a phone call or a text message to the STRA and asks them to cease the behaviour. To then hear the anger and yelling from the large group next door as they argue about what they are going to do next. To then decide if you should contact the Police or to just lock all the doors and windows and hope for the best. To have the managing agent tell you that you over reacted. This has all happened to me and much more. We tend to go away on weekends now. Home does not feel the same anymore.

No wonder neighbours of STRA suffer anxiety, stress, Post Traumatic Stress Disorder, a loss of the sense of control over their own home and amenity. With new renters arriving every few days full of energy "on holiday" it is very draining. I believe this impact has not been addressed at all.

Why would a developer bother to go through proper planning regulations and council approvals to build a motel or a resort when they can avoid red tape, have less restrictions and not have to pay for staff and security. Just buy a house, list it on an online booking platform and walk away. Have a managing agent fob off any issues with the neighbours and they all rake in the money. All this to the detriment and misery of the poor suffering neighbours.

On looking at the list on the STRA advisory Committee Members it appears that there is little representation by community groups or representations by persons who are directly affected by STRA. I cannot see a group that represents owners of Torrens title houses that are affected by party houses that are STRA. From the outside it appears that many of the representatives have a vested interest into allowing the legislation to be introduced.

There has been very little promotion or advertising that the draft legislation and code of conduct is open for public submissions. It appears that it is being pushed through by stealth, without proper community consultation, or research on community impact, and neighbourhood impact.

The fact is until you have an unhosted STRA next door to you it is difficult to understand the stress and the impact that this will have on your once quiet daily life. It is not just the noise. After having a number of bad experiences with large numbers of unruly guests next door, it becomes stressful each time a new group of people arrive next door. It is the fear of the unknown, it is post traumatic stress.

Imagine this, you have lived a peaceful and quiet existence in your own home for 16 years. You love the area, your neighbours are fantastic and the community spirit of the small village is delightful. The house next door is sold and the new owner is not from the community and he sets it up as a STRA. This is a business to him, he admits that. No he does not want to retire to the community, he admits that, it's all about the money.

Below is a review and response to the review by a managing agent (names withheld) of a nearby illegal STRA

Review by {.....}.

Terrible

Response from the managing agent

January 2019

A very disappointing stay with group. Multiple noise complaints from neighbours. We spoke personally on the 30th Dec & trusted they understood their responsibility to respect the neighbours and surroundings was paramount. Sadly this understanding did not translate to their actions. Guests set off illegal fireworks on the property on New Years Eve. During their stay an issue arose with the gas supply which was reported in the afternoon on the 30th Dec. By 5pm the issue was resolved by our staff attending the property and increasing the gas bottle supply yet the guest claimed they were without gas & hot water for 24hrs. We acted as soon as we were notified and thus do not accept these claims. Departure proved to be a nightmare. With an incoming booking arriving at 2pm and the current guests confirmed with a 10am departure, our cleaner arrived at 10:20 to begin the process of turning a 4 bedroom house around for our new booking. The cleaner found the front door open which they deemed odd (and a security breach of the property to us) so entered the house calling out hello. All occupants were asleep. Once awake they became abusive and threatening, demanding the cleaner leave 'their' house and claiming he would be bashed if he stayed on site. Our office staff was contacted by the cleaner who was now forced to wait. eventually spoke with after several calls and texts. claims she was offered a 12noon checkout. There is no evidence of this in text or any written correspondence from our office. We run a sophisticated communication system from start to finish and confirmed at all stages of communication that departure was strictly 10am. group was advised to vacate immediately which they refused spending another 2 hours at the property causing our owner extra costs of wait time by the cleaner. This also only provided a 2 hr turnaround window for our incoming guests placing extreme pressure on the cleaning team. The house was not damaged but grime and filth from days of partying had built up in all areas of the property. 8 bath towels have been completely destroyed requiring replacement. Council otto bins were full (general waste and recycling) plus 8 x large garbage bags of rubbish and 3 x garbage bags of recycling. Excess rubbish has cost us over \$200 to remove and dump. Whilst we wish our guests to enjoy themselves, especially over the festive season, we expect groups to be mindful and respectful of the property inside & out, their surroundings, neighbours, letting agent and any member of staff who attends the property. The treatment of our cleaner was uncalled for. The breaches of the lease agreement which agreed to & signed prior to arrival have caused extra costs and forced our team to respond to several varying complaints from neighbours placing our staff in difficult and unnecessary positions. We warn all future hosts to be wary of such guests.

If neighbours were given an opportunity to review the property and managing agent and owner I would state:-

The renters partied for four days straight with loud doof doof music playing most of the time. They started a wood bbq which they placed near an outdoor deck which proceeded to fill the house with smoke. The noise was so intolerable that the direct neighbours left the house for as much time as they could. Complaints were made with the owner, property manager, some were unanswered some were responded to a day later. Still the partying continued, they were less offensive for one night then let it rip on the last night. Neighbours could not enjoy the outdoors each night and had to lock the doors and go inside. With the direct neighbours seen leaving the premises the renters got louder and partied harder. The renters lost their bond, the neighbours had four days of misery. Happy New Year!

At 2pm the next renters arrived, a few days later the next lot arrived, they were louder and more aggressive than the first. We were abused and felt threatened on our own deck by a "family group" They were loud and aggressive for four days constantly yelling at each other, there goes the quiet neighbourhood.

No wonder neighbours feel anxious and stressed whenever new short term renters arrive, you never

know what you are going to get.

Economic Benefits to owners and STRA business not to the community and neighbours.

My experience of living next door to a STRA unsupervised house has been horrendous to say the least. I see the people arrive with car loads of food and drink. Because we live in a scenic area they usually do not leave the premises for the entire stay. We have spoken to some and suggested local places to eat and drink but their response is, "Oh no we have brought everything with us." In some areas there may be some economic benefits but in small towns STRA takes money out of the hands of legitimate accommodation providers and places it into owners/investors and the booking platforms. Many of these owners of STRA in our community do not live in the community and have no ties to the community except they use the STRA for their own use when they want to.

Unreasonable Impacts on Neighbours

How do you define unreasonable impacts on neighbours? According to the 2016 Census my village of Wangi Wangi has an average of 2.7 persons per household,. This is a small village with many retired people and small families. The average age in Wangi Wangi is 53 years old. It is a quiet village until STRA comes next door. Living on a peninsular noise travels near the water. Just the fact that the 5 Bedroom house next door is a STRA would be an unreasonable impact on the neighbours.

If a 6 bedroom house next door is a STRA the house is being used at 100% capacity as often as possible for the investor to maximise their profits. They fill every bedroom. 6 couples/12 people can arrive in six cars causing parking problems in the narrow street. Because of the steep driveway access none of the "guests" bother to park on the premises. They all park on the narrow street which happens to be the local bus route. The people arrive in an excited mood everyone is on holidays, in a holiday mood, wanting to spend time on decks and outdoor areas most of the time, drinking, talking, laughing yelling, screaming all the activities that you expect in a Holiday Resort, Hotel, or a caravan park. Except that in a hotel, holiday park, caravan park or Resort onsite management and security would constantly monitor, address any issues, shut down unruly behaviour and noise, evict guests if necessary.

With STRA the neighbours cop it all. The neighbours are not on holidays they are just trying to live their normal lives, trying to sleep and work, look after kids and grandkids. Some people work shift work and night work. Neighbours want a normal home life, they want to sit on their own out door deck and entertainment areas and have a quiet meal with their family or have some friends over occasionally. This becomes an impossibility when the house next door is a STRA. Even if there is 6 or 8 people in "holiday mode" sitting talking, laughing on a deck 3 metres away, strangers looking at you as if you are invading their space it impacts on the neighbours. The short term renters we have experienced next door stay for an average of 3 or 4 nights, then they leave and the next group arrive. This time it could be 8, 12, 15. Add some visitors and all of a sudden there is 20 or 30 people next door.

If an above average size family lived in a six bedroom house with 2 adults and 3 children, both or one parent would work 8 hours per day five days per week, the children would attend school and activities during the week and some of the weekend, sometimes friends come over, occasionally they have a party for a special event. There is a spare bedroom for guests and maybe a home office. They would have 2 cars which they park in the garage. The total use of the house would be somewhere around 25% to 50% use of the property, this is normal neighbourhood living.

I would say that just by the fact that the house is rented as a STRA the neighbours have unreasonable impacts of noise and disturbance of our quiet enjoyment of life.

From my experience of living next to an unhosted STRA for the last 8 months I would say it is impossible to ensure neighbours can enjoy the amenity of their own home without full time onsite management or a host on the STRA property.

State wide Planning

This cannot be a one size fits all policy. Every community has a different culture, a different make-up, different types of dwellings from units to separate houses to rural properties. Different communities have different expectations. Some communities like Port Stephens and The Gold Coast have always been holiday areas, but also in those areas there is the local community that must be protected. Other communities like ours are quiet villages with a large proportion of retired people. The Local Councils are in the best position to know the culture and expectations of their ratepayers. A statewide policy that changes the fundamental rights of people and allows what are basically unsupervised hotels next door to low density residential houses is absolutely absurd.

I suggest that everyone on the planning committee have an unhosted STRA next door to them for the 12 month trial period so that they can appreciate the impacts that the neighbours have to put up with. This of course is not possible but I ask you to walk a mile in my shoes. Think about how you would feel if you were living a quiet life in your own home and all of a sudden your life is impacted on by the house next door or both houses, one on each side, became an unhosted STRA.

I believe a much greater weight should be given to any submissions of directly affected neighbours to unhosted STRA as they have lived through and have experienced what it is you are proposing to legalise. I believe most people don't actually understand the full impact of living next door to an unhosted STRA until it happens to them and I believe if this is legalised it could quite easily happen to you all.

Obligation to neighbours

Without onsite management who will Police the obligations to neighbours?

How will it be determined if noise is affecting neighbours only by neighbours having to complain? Why should the onus be on the neighbours? The STRA has already been imposed on them with no regard from the host.

There seems to be no obligations by the host to the neighbours except to give them contact details for normal hours. Hosts should be required to be in attendance and contactable 24 hours per day. The host needs to be obliged to respond in a timely manner to complaints from neighbours and the community. To shut down parties, to evict unruly guests. To pay compensation to affected neighbours. All that seems to happen now is that the renters lose their bond, the owner claims on insurance and the neighbours suffer through it.

What evidence is needed to satisfy the commissioner of offences? If video or sound recordings are required are those in breach of privacy laws? If it is against privacy laws will an exemption in law be provided to neighbours of STRA so they can gather evidence to prove a disturbance has occurred? Do the neighbours have to put themselves in further potential danger to gather evidence and further aggravate the renters?

Why should the neighbours have to be the STRA Police? If a complaint is made by the neighbours, say an elderly retired couple, and the complaint is against the 12 renters next door, will the testimony of the now 12 sober renters be taken over the poor suffering couple? The only solution is to ban unhosted STRA, have an on site manager or host, not just a 24 hour phone number to ring.

The code of conduct as proposed is completely unworkable. There is so much emphasis placed on the neighbours to supervise, complain, convince the commissioner then to have findings made to later have them appealed and dismissed as trivial is a complete joke.

A levy should also be attached to any fine, penalty and adverse Tribunal Finding to fund a Neighbours and Community Compensation Fund. This fund could be similar to the Victims Compensation Tribunal to compensate Neighbours and the Community for any adverse effects. Also, to neighbours for devaluation of their property and amenity, loss of enjoyment of life, depression, anxiety, pain and suffering,.

If this legislation is implemented it should be at no cost to the government with a user pay system. Registered hosts and booking platforms should be required to register and pay taxes in Australia. There should be a substantial levy to hosts, enablers, booking platforms, owners, being a percentage of the daily fee say 30% of the per day accommodation. Fees charged to go to a fund to offset the administration costs of managing the registers, to fund tribunals and to offset costs of the commissioner and his investigation team. To fund enforcement officers similar to council rangers who could be called in to deal with minor complaints and refer serious breaches of noise and criminal matters to Police.

Without these the neighbours become the default complainants and Police. Owners may say any problems ring me, neighbours should not have to monitor, complain, prove disturbances are occurring. They are stressed enough just being invaded every few days by STR that have paid a lot of money, who feel entitled with the following attitude, "I have paid a lot of money to stay here and I'm not going to go inside and shut the door and be quiet."

They leave, the next lot arrives and here we go again with the same issues. Many neighbours of STRA myself included tend to now move out of their own homes on the weekends just to regain a bit of sanity. Why should I be forced out of my own home? Short term renters have also cheered when I have left my house.

My adult children cannot afford to buy a property in our local neighbourhood. The cost of long term rental has increased over the last year as the number of STRA properties have increased. There are less suitable long term rentals available for families to rent as the larger houses are bought for STRA so the hosts can put more beds in and charge higher per night rates. Houses that are four bedrooms are being converted to six bedrooms for the same reason, more beds more people in the STRA, more money for the owners.

Maximum Occupancy

The maximum occupancy of guests should be limited to 6 persons and no visitors in R2 low density residential areas. It needs to be remembered that these houses are in residential areas, not holiday resorts.

A maximum occupancy of 12 guests and no restrictions on visitors, with a turnover every few days is not conducive to residential living and peaceful enjoyment of one's home for those houses around the STRA. Any more than 6 persons, by the very nature of the number of people will introduce noise and disruption to everyday residential living and introduce "party conditions".

Even if 6 persons are constantly staying in the STRA it is more than the average household in Australia. Why because a property is a STRA should more than double the amount of an average family be allowed to stay in a house in a residential area simply because it has 6 bedrooms? If two families want to holiday

together then they should stay somewhere that is zoned as a holiday accommodation area, a resort, a caravan park, or in two residential houses, this way residential properties would not be overloaded and there would be less impact on neighbours.

This limit could be increased on application in relation to homes in rural areas where the impact on neighbouring properties would not be so great.

Home Owners Or Investors

I submit that only your principle place of Residence be allowed to be a STRA. By allowing investors to have multiple STRA renting by the day it is effectively running an unauthorized unsupervised hotel business activity in a residential area. If a local resident with ties to the area rents out part of their principle place of residence they would be much more aware and responsive to any impacts to their neighbours. An investor who buys a property solely for the purpose of getting the highest return as a STRA is less likely to care about impacts to the community and the neighbours, because to them its all about the money.

This proposed legislation makes it easier for STRA investors to make more money, because returns of STRA are much higher than long term rentals. This will affect long term rentals as there will be less long term rentals available for families and residents of communities. The costs of long term rentals will increase. This will have a profound impact on housing affordability and homelessness.

The NSW government should be encouraging home ownership and helping families to buy themselves a home to live in, not making it harder for families to get into the property market as this legislation will do. By restricting STRA to the principle place of residence the playing field for first home buyers and young families struggling to enter the property market would be much more even.

Number of Days

I submit that 60 days should be the maximum number of days a property can be used for STRA. This is more than enough to cover holiday periods and enable home owners to rent out their homes while on holidays and travelling. There should be no exemption for longer periods of 21 days and each day should count towards the yearly cap.

Exempt or Complying Development

Every STRA should be complying development. Properties should be independently inspected and certified for the following:-

1. That the appropriate fire and safety standards have been met;
2. That there is sufficient, adequate and accessible on-site parking to accommodate the guests;
3. Houses used as STRA must erect privacy screens and noise minimising structures to lessen the impact on neighbouring properties; and
4. That the property is registered.

I live next door to a STRA house with a short steep driveway, I have noticed that visitors to the property prefer to park on the street. If my neighbouring property had a maximum occupancy of 10 (which it would if the maximum occupancy was enacted) this could possibly mean 5 or more cars parked on the street. In a narrow village street that is also a bus route this has an impact on the whole community. Busses struggle to get past, residents struggle to find a carpark near their own home. All this plus you want to allow visitors to the STRA as well. This is a huge impact to neighbours.

As the STRA is being used as a holiday let it is important that the neighbours retain quiet enjoyment of their home. I have, and others I know, have experienced anxiety, stress, hypersensitivity and loss of sense of security by the constant flow of strangers to the STRA. After having gone through some very

bad experiences with short term renters next door with each new lot of renters arriving there is a sense of dread and feelings of helplessness. It is post traumatic stress and fear of the unknown. What are these people going to be like? Will it be a small group, a family, a bucks party, a hens weekend, a boys weekend away, a full on party with drinking games and loud doof doof music all day and night?

With a Torrens Title home, with gardens and outdoor areas, guests to the property are easily seen and heard. It is my submission, that the host should be required to minimise the impact the use of the property as a STRA has on neighbours, by installing privacy screens in outdoor entertaining areas and also erecting structures to minimise noise impact. Noise limiting devices that entertainment venues have to shut off power if noise limits are exceeded.

It is my submissions that each STRA needs to be registered and the host given a licence number. Each Torrens Title STRA should have a sign erected outside the property stating the following:-

1. The registration number of the short-term rental;
2. A 24 hour contact number;
3. The maximum occupancy allowed on the premises at any one time. (It is my submission that if the maximum occupancy was 6 this requirement would not be necessary).

It is my submission that Torrens Title STRA affect more than just the neighbouring property. Un-hosted short-term rental houses impact many neighbouring houses not only houses directly bordering the subject premises.

In steep country, around gullies and valleys, especially in quiet residential areas, sound travels and disturbs people to a far greater extent than on flat country. Also, as many of the homes in my area are waterfront, sound travels over the water which again has a greater impact than on flat country. For instance you only need to hear a dog barking down the street or across the gully to know it affects far more than just the "directly neighbouring premises".

Exclusion Register

There appears to be little or no personal contact with hosts of un-hosted short term rentals. Access is usually by way of a lock box or a code on entry.

Therefore I fail to see how an exclusion register can be policed.

How, will the exclusion register be enforced if visitors are permitted onto the property?

The booking may be made in the name of the one person who is not on the exclusion register and the remaining guests may be all listed on the exclusion register. Even if every guest staying or visiting a short-term rental was registered as an occupant with official identification and checked against the register how would that be policed? Who is going to do this? One person could book in at 2pm and the other 11 guests could arrive later. Will there be spot checks by the host? My experience is that the host / owner does not come near the STRA until after the premises is vacated. Even when complaints are made the host / owner just sends a text message or makes a phone call to the guest.

How will underage guests be policed from not booking the premises? For example, schoolies.

Self-Regulation

It is a conflict of interest for the industry to self-regulate the short-term rental regulations. This has already been proven with the current failure of the Building Industry to self-regulate. This is like putting the lunatics in charge of the asylum. The register should be administered and enforced by the respective Councils and State Government. The register should be a public record, how else can affected residents and neighbours see if the house next door has been prohibited or if the house down the road that is constantly having parties is a STRA?

There should also be a substantial levy imposed on owners, hosts, and booking platforms to support the administration, enforcement, monitoring and costs of short-term rentals sufficient to cover the costs of the complaints process and registration, monitoring, enforcement costs. I suggest a team of enforcement officers or rangers who can monitor and be called to troublesome STRA properties. Perhaps a user pay system could be implemented similar to where there are concerts or sporting events, where the organisers of these events must pay for a certain number of Police to be supplied in order for these events to be allowed to operate.

Complaints System

It should not be for the neighbours to police the STRA. The only way this can be avoided and complaints minimised is to have an on-site host. The onus should not be placed on the neighbour to collect evidence, potentially place themselves in a dangerous situation and make a complaint because their home-life is being disturbed.

Not a one size fits all Policy

This should not be a State wide one-size fits all policy. Councils need to have more control over their LGA and property owners living in residential areas, who have made probably the biggest investment of their lives need to be considered and protected. Councils are in the best position to know how STRA affects each suburb differently and should be able to make changes to how STRA are allowed in different parts of their local area.

Serious impacts on Neighbours

There needs to be studies conducted into how these houses impact on the mental health of neighbours. I have personally suffered from loss of peace and enjoyment, powerlessness, hypersensitivity, stress, anxiety, depression and symptoms of post-traumatic stress disorder as a direct result of living next to a STRA. These are matters that impact on the health of communities and need to be considered in the Code of Conduct particularly in relation to Torrens Title un-hosted entire house short term rentals. This also needs to be considered in relation to the complaints system. Outside enforcement, monitoring, and patrols would take some of the stress away from the neighbours who are basically left alone to suffer through disturbances and be the STRA Police, a position they don't want to be in and shouldn't have to be in.

Compensation for Neighbours

How will home owners who find themselves with a STRA next door or across the road be compensated? If you are unable to sell your house or the value is depreciated because this new legislation has allowed STRA to set up next door is the NSW Government going to pay compensation for this? Is the NSW Government going to set up a compensation fund for affected neighbours for pain and suffering, loss of amenity, loss of enjoyment of life, health issues that develop like anxiety, post traumatic stress disorder, or do those affected have to resort to civil action against the Government, Owners and Hosts.

STRA Social Impacts

Before any implementation of STRA is considered perhaps a list of all addresses of the STRA for the last 12 months could be supplied from the represented booking platforms that are on the committee and then a study and survey of all direct neighbours of these STRA be conducted so that a realistic assessment of any impacts can be gained. This would be an unbiased assessment of real people who have experienced living next to a STRA. This would give some accountability and balance.

Without this type of research and consultation by allowing STRA the NSW Government I believe is forcing an unwanted social experiment on the unsuspecting neighbours of any future STRA that spring

up once it is enacted. If the NSW government is not willing to do this then you may find yourself living with a STRA next door to you or maybe even have one each side of your family home.

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 22 August 2019 11:43 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 22/08/2019 - 11:42

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Chris

Last name

Fozard

Name withheld

No

Info

Email

manager@budgetmotels.com.au

Suburb/Town & Postcode

Frankston

Submission

My name is Chris Fozard, and I am responding on behalf of the Budget Motel Chain.

- Regulations for 'Short-Term Rentals' (STRs) should be the same as any other accommodation provider.
- 'STRs' should have to be registered with their local council, pay an annual fee and be inspected yearly by the health inspectors to retain their registration and follow the same rules and laws that apply to any other accommodation provider.
- 'STRs' should have to obtain the same insurance as any other accommodation provider, not just domestic insurance. (The potential implications here for the insurance industry, and their fees, is obvious).
- 'STRs' should have to follow the same fire regulations as any other accommodation provider, in accordance with council, health and state building regulations.

The 'standard accommodation providers, Hotels, Motels, Motor Inns, Caravan Parks, Cabin Parks, Hostels, etc. all have to follow a strict set of laws to ensure the health and safety of the people they accommodate. By allowing 'STRs' to run, unchecked, can risks the lives of those who stay at one of these houses. There are so many reasons that can be argued as to why 'STRs' should be stringently regulated, but protecting the lives of those who stay at these unregulated properties is number one

Kind Regards

Chris Fozard
Operations Manager
Budget Motel Chain
03 9784 4111

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Tuesday, 27 August 2019 11:29 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Tue, 27/08/2019 - 11:28

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Chris

Last name

Michie

Name withheld

No

Info

Email

cmichie@bigpond.net.au

Suburb/Town & Postcode

Annandale 2038

Submission

It is recommended that, in addition to the information listed in clause 5.4.8. (a) and (b) of the Code of Conduct, the Host be obliged to give the Owners Corporation the following:

- . details of the public liability insurance they have arranged in terms of clause 5.4.3. (a) and (b) of the Code of Conduct, and
- . confirmation that they have installed the fire safety requirements detailed in clauses 5.1 to 5.7 of the Fire Safety Standard.

I agree to the above statement

Yes

STRA Code of Conduct & Registration Feedback

| Topic | Question |
|----------------------|---|
| Planning instruments | <p>1. What is your view on the form of and provisions in the STRA SEPP, Regulation and Safety Standard?</p> <p>All dwellings –</p> <ul style="list-style-type: none"> • Agree no more than 2 persons per bedroom / 12 persons per property. • Agree to smoke alarms • Don't agree with lighting of hallway unless it is part of the smoke alarm itself – overkill <p>Multi unit –</p> <ul style="list-style-type: none"> • Agree but believe that all external doors for ALL properties should be openable without a key internally • Agree but believe that fire extinguishers & fire blanket in kitchen for ALL properties • Agree with evacuation signage <p>Standalone dwellings</p> <ul style="list-style-type: none"> • Agree with heat detector when garage is not accessible by guest and underneath the property |
| | <p>2. Are there any elements of the draft instrument that are open to misinterpretation or require further clarification?</p> <p>No</p> |
| | <p>3. What are your views on new policy elements relating to days, flood control lots and bushfire prone land?</p> <p>Byron Shire Council (BSC) are proposing to reduce STRA to 90 days or less shire wide. BSC is required to prepare “a planning proposal to identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out in parts of its local government area”, as per Ministerial Direction 3.7. They are putting forward via this submission process a request to reduce all holiday letting in Byron Shire to 180 days until such time as they prepare the planning proposal referenced above. They have not made any contact with any relevant parties in determining the impact that this will definitely have on the economy of the towns of the Shire. They are only focused on issues that are experienced in the town of Byron Bay, and not on the detrimental tourism & economic impacts on the other towns eg. Brunswick Heads, New Brighton, South Golden Beach, Bangalow, etc..</p> <p>We agree with the restriction not being imposed in the Byron Shire, except if deemed necessary in Byron Bay itself, which leaves the number of lettable days at 365 days per year.</p> <p>Due to council's negative view on STRA as a whole, we have concerns around council's involvement when determining a properties complying development eligibility.</p> <p>We agree in principal with the flood & fire safety requirements but need to determine the extent of the impact for our local area as we are surrounded by bush & the majority of the Northern Rivers is flood susceptible.</p> |

| | |
|--|--|
| Code: Industry participants' obligations | <p>4. Are the general obligations for industry participants adequate? If not, what other general obligations should be considered? Why?</p> <p>Yes</p> <p>5. What types of STRA information will be useful for the Secretary to collect to inform the further improvement of the Code and the STRA regulatory framework? Why?</p> <p>The Secretary could ask for a copy of participants complaint registers to determine the type & extent of complaints experienced to date.</p> <p>Ours, for example, will show how little of a problem the North Byron Shire is experiencing.</p> <p>6. Are the specific obligations on booking platforms, letting agents, hosts, guests and facilitators in the Code adequate? If not, what other obligations should be considered for each of these industry participants? Why?</p> <p>Yes in relation to guests, booking platforms & letting agents.</p> <p>We do not agree with Hosts having to have insurance that covers the Guests & their visitors belongings. How can a host be liable if a guest leaves the front door open and something is stolen, for example? This surely falls under travel insurance</p> |
| Code: Complaints | <p>7. Is the complaints process detailed in part 6 of the Code sufficient? If not, what other matters should be considered or set out in the process? Why?</p> <p>No</p> <p>All complaints must go to the host / letting agent first in order to be given the opportunity to rectify any concerns within a reasonable amount of time. If the issue continues to be a problem, this is when the Commissioner should become involved.</p> |
| Code: Compliance and Enforcement | <p>8. Are the grounds for recording a strike fair and reasonable? What other matters (if any) should the Commissioner consider when deciding whether to record a strike? Why?</p> <p>Yes, in theory. However, we have concerns around what determines whether the complaint is legitimate. And how whether the expectations of a guest is realistic when viewing a property online, for example, as opposed to actually viewing the house in person. It is understood that a property can not be misrepresented but still at times a persons perception may differ from what is reality</p> <p>Another concern we have is if person A is on the exclusion register so they get person B to make the booking. When taking bookings we only enter 1 persons details, not all the parties that will be holidaying in the property.</p> <p>9. What are potential ways to facilitate industry participants' access to the exclusion register while limiting potential privacy impacts? What factors should be considered?</p> <p>All participants hold a registration number. These numbers are checkable on the register. This number will advise whether the participant is excluded without providing any personal information.</p> <p>10. Is the review process clear and sufficient? What other matters (if any) should be considered? Why?</p> <p>Yes</p> |

| | |
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| Code: Penalty notice offences and civil penalties | <p>11. Are the proposed penalty notice offence and civil penalty provisions appropriate? What provisions should or should not be identified as penalty notice offence and/or civil penalty provisions? Why?</p> <p>We find the penalties rather excessive. This is a holiday letting industry – it does not involve serious infractions like Trust Account fraud.</p> |
| Amendment Regulation: Prescribed classes of STRA industry participant | <p>12. Does clause 22B(1) appropriately capture end to end property management services that specifically service STRA properties? Why or why not?</p> <p>Yes</p> |
| | <p>13. What other organisations or persons should be prescribed classes of STRA industry participants (if any)? Why?</p> <p>None</p> |
| Amendment Regulation: STRA industry participants excluded from Code of Conduct | <p>14. Is it appropriate to exclude the STRA industry participants set out in clause 22C? Why or why not?</p> <p>Yes</p> |
| | <p>15. What other STRA operators (if any) should be excluded from being covered by the Code? Why?</p> <p>None</p> |
| Amendment Regulation: Appeals against listing on exclusion register | <p>16. Is the appeals process clear and sufficient? What other matters (if any) should be considered? Why?</p> <p>Yes</p> |
| Amendment Regulation: Fees and cost recovery | <p>17. Which industry participants should contribute to the cost of administering and enforcing the Code? Why?</p> <p>The Guest</p> |
| | <p>18. How should costs be apportioned across different STRA industry participants? Why?</p> <p>Registration Fee – for Guest to register</p> <p>Registration Fee – for property to register</p> <p>Administration Fee – per booking, per property paid for by Guest</p> |
| Amendment Regulation: Penalties | <p>19. Is the proposed penalty notice offence amount appropriate? Why or why not?</p> <p>Excessive for a first offense. Maybe it would be more appropriate to determine the penalty amount around a certain % of the booking amount that it relates to</p> |
| Proposed industry-led property register | <p>20. How can industry be organised to develop and manage the registration system?</p> <p>Through a STRA committee of relevant parties eg. Those listed on Appendix 2</p> <p>Those that should not be part of the STRA committee include local council members.</p> |
| | <p>21. What would be the costs to industry in establishing and maintaining the register? How would industry propose to meet these costs?</p> <p>Registration Fee – for Guest to register</p> |

| |
|--|
| <p>Registration Fee – for property to register</p> <p>Administration Fee – per booking, per property paid for by Guest</p> |
| <p>22. What role should the Government play in developing or overseeing the register, if any?</p> <p>They should have a State Govt representative in the STRA committee mentioned in question 20 above</p> |
| <p>23. Are there other outcomes a register should deliver?</p> <p>No</p> |
| <p>24. How can the approach ensure registration applies to all STRA operators, regardless of how the property is advertised for rent?</p> <p>Determined by the STRA Committee</p> |
| <p>25. What audit and verification processes would be needed to ensure accuracy of data?</p> <p>Determined by the STRA Committee</p> |

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| <p>26. Should there be separate or additional penalties for failure to register? If so, which industry participants should they be imposed on?</p> <p>No, covered in penalties above</p> |
| <p>27. What information should the register collect? Why?</p> <p>Agree – name & contact details of host</p> <p>Agree – address of property</p> <p>Do not agree – it should be number of days the property is actually stayed in – bookings can be cancelled.</p> <p>Do not agree – that should already have been determined regarding strata compliance, by laws & STRA</p> <p>Agree – but breach information should not be viewable by general public; only whether they are excluded or not</p> <p>Also on the register should be Guest name & contact details</p> |
| <p>28. What role should different industry participants (e.g. hosts and booking platforms) play in the registration process?</p> <p>None – only once place / site to register</p> |
| <p>29. What role should Government play in the registration process or providing information for the register?</p> <p>None</p> |
| <p>30. Should any information on the register be made publicly available? If so, what information could be made available and why?</p> <p>Only whether a participant is excluded or not</p> |
| <p>31. Should industry be required to report registration information, including number of stays (days), to Government and/or local councils? If so, how frequently? Why?</p> <p>Not directly. They can refer to the register</p> |

| | |
|---|---|
| | <p>32. Should any information on the register be made publicly available? Why?</p> <p>Same question as 30</p> |
| Commencement of regulatory framework | <p>33. How much lead time would industry need to develop and establish the proposed STRA property register? Please provide reasons.</p> <p>Councils should have to apply for any request to limit number of days a holiday property is lettable prior to the establishment of the STRA register & the regulatory framework.</p> <p>Holiday home owners will need to determine the viability of continuing to holiday let with the reduction in income & costs associated with the compliance of the Code if the number of days a property can be let are reduced from 365.</p> <p>34. When should the STRA regulatory framework start? Please provide reasons.</p> <p>Refer question 33</p> |
| 12-month review of regulatory framework | <p>35. Do you support the proposed scope of the review? What additional considerations might be necessary?</p> <p>Yes</p> <p>36. What data sources could the NSW Government use to inform the review? How can industry and councils assist with data collection for the review?</p> <p>Voluntary submissions from participants & / or surveys issued to registered participants.</p> |

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 11:07 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 11:06

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Chris

Last name

Morrey

Name withheld

No

Info

Email

cmorrey@me.com

Suburb/Town & Postcode

2483

Submission file

[stra-code-of-conduct-and-registration-feedback.pdf](#)

Submission

See above attachment

I agree to the above statement

Yes

From: chris sorrell <chris@threeblueducks.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we have a spare unused apartment that is not suitable for long term rental as it is next door to a night club. But is perfect for people coming to Byron as a visitor. Without Airbnb it would be empty most of the time.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing

- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

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I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
chris sorrell
6 Lawson St
Byron Bay, Nsw 2481

From: Chris Verner <chris.verner@vmlearning.com.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Chris Verner
131 Hammond Dr
Clothiers Creek, Nsw 2484

From: no-reply@planning.nsw.gov.au on behalf of Department of Planning,
Industry and Environment <no-reply@planning.nsw.gov.au>
Sent: Friday, 16 August 2019 10:33 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Cc: DPE PS ePlanning Mailbox
Subject: Have your say on Short Term Rental Accommodation

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Fri, 16/08/2019 - 10:32

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Chris

Last name

wilesmith

Name withheld

No

Info

Email

cwilesmith@ozemail.com.au

Suburb/Town & Postcode

Sapphire, Coffs Harbour

Submission

I bought into a residential estate zoned not for rental accomodation soon after an investor bought a property and has had short term holiday let's occurring, fair to say it has been a nightmare , people swearing late night parties defecating in gardens put simply I bought a property based on it being residential I am totally apposed to changing the laws to allow commercial business to be conducted in a residential estate such as holiday let's

I agree to the above statement

Yes

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 1:12 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Sylvia submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 13:12

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christeena

Last name

Wright

Name withheld

No

Info

Email

christeena.wright@gmail.com

Suburb/Town & Postcode

Byron Bay 2481

Submission

To whom it may concern,

I am against Airbnb listing of properties in the Byron Bay region for short term holiday accommodation, except where there is a private room in a home or when a home owner wished to rent their own home during their own short vacation elsewhere .ie. the way Airbnb started out years ago.

The negative knock on effect of Airbnb short term rental of whole properties including granny flats in Byron Shire has been devastating for permanent tenants and has just about sunk Byron under tourists, to the great detriment of our community .

Kind regards,

Teena Wright

I agree to the above statement

Yes

From: Christian Penning <christianpenning@gmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Christian Penning
65 Soldiers Ave
Freshwater, Nsw 2096

From: Christian Ramirez <cramirez480@hotmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Christian Ramirez
47 Francis St
Bondi Beach, Nsw 2026

From: Christiane Shepherd <christiane.shepherd@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

The Airbnb host community depends on hosting as an economic lifeline to help us pay the mortgage, the bills and in my case to support my children by helping them enter the home market and being available to babysit grandchildren. I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

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Thank you for reading my submission.

Regards,
Christiane Shepherd
104 Whistler St
Manly, Nsw 2095

From: Christie Pulbrook <christieswan@hotmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Christie Pulbrook
12 Boyd St
Minnamurra, Nsw 2533

From: Christina Huizing <hchrischris@hotmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Christina Huizing
81 Lord Sheffield Circuit
Penrith, Nsw 2750

From: Christina Parkin <christina.parkin@bigpond.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because as a mature woman with little opportunity to find regular consistent employment since I was made redundant from TAFE cutbacks 4 years ago, I need to supplement with earnings from 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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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- Respect the ancillary use of my home for home sharing

- Mandate smoke alarms – either battery operated or hard-wired - Airbnb even supply carbon monoxide alarms which I have installed
- Require evacuation or emergency plans and guest education - these already are mandated by the Airbnb platform.

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Code of Conduct

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home-sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Christina Parkin
59 Church St
Port Macquarie, Nsw 2444

From: Christina Pollner <chrispollner@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Christina Pollner
284 Merimbula Dr
Merimbula, Nsw 2548

From: no-reply@planning.nsw.gov.au on behalf of Department of Planning,
Industry and Environment <no-reply@planning.nsw.gov.au>
Sent: Friday, 16 August 2019 4:25 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Cc: DPE PS ePlanning Mailbox
Subject: Have your say on Short Term Rental Accommodation

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Fri, 16/08/2019 - 16:24

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christine

Last name

Davitt

Name withheld

No

Info

Email

legalcosting@optusnet.com.au

Suburb/Town & Postcode

Fairlight

Submission

My submission is in relation to the proposed restrictions on the number of days when a property in the "Greater Sydney Area" can be let for short stays. The restriction to 180 days per year is, in my opinion, unfair and unreasonable - as is the definition of the "Greater Sydney Area".

Property prices in and around Sydney are the highest in the country. For those who go to the time and expense to set up a property for either long term or short term rentals, the prospect of only being able to recover 50% of the available opportunities to recover those expenses and to obtain any form of income are virtually wiped out. Apart from the initial costs of setting up a property after a long period of residence by the owners, the ongoing expenses of Land Tax, utilities and maintenance cannot be realistically recovered in only 6 months of the year.

It appears to me that the said restriction is a means of keeping the powerful Hotels lobby in line by reducing the amount of competition for large and long standing hotel operators in the Sydney CBD. This type of market manipulation is unfair and unreasonable. Hotels and related accommodation providers should be subject to market demands just like everyone else. If they provide quality products at reasonable prices they will thrive. They should not be openly advantaged in relation to the short stay market because of Government regulation.

In my situation, I had a very large house in which I raised a large family. At the age of 66 I could no longer maintain that property living there on my own. It was essential that I downsize to the security of a home unit. However, as we all know, the housing sale market in Sydney has been dramatically falling for the past 3 years. As a result, I could not sell my property at the time I needed to downsize without taking a drop in price to a figure that would have been acceptable nearly six years ago. I could not afford to do that, and I could not get a permanent rental return to cover my expenses. I had no option but to convert the property to a short stay property. But if I can only recover six months worth of bookings, it makes it an almost impossible proposition to actually make any income from the business - not because of any failing on my part, but only because of an inexplicable Government interference that does not affect the vast majority of the rest of the State. So, the very properties that need the most income to survive are being strangled by the Government's own policies and deterred from surviving.

If the short stay market did not provide a service that the people wanted, it would collapse. That is not the case. The short stay market is growing rapidly only because of market demand.

I could understand the proposed number of day restrictions if applied to the Sydney CBD, but to extend that out to residential suburbs where there are very few other accommodation options is absurd and damaging to the whole of the short stay enterprise and the individuals in those outer Sydney areas like mine, some 8 ks from the CBD but miles from the nearest practicable hotel accommodation.

I urge the government to reconsider this proposed restriction. It is unfair, unreasonable and damaging to the individual owners who, for a variety of reasons particular to the Sydney market and cost of living, want to or NEED to go into the short stay market in order to either earn an income or, like me, preserve a property for the short to mid term. I say that, in principle, it is inherently unjust to apply commercial restrictions to individual portions of the community based on geographic considerations as is the case in this instance. The affect of the limits for owners from Newcastle to Wollongong is to pretty much make is non viable to either begin or continue providing short stay facilities. This may be great news for the major hotel chains, but it does not reflect what the owners and their many many thousands of prospective guest travellers are looking for or wanting as has been proved by the statistics available for the past few years. Government has no business interfering in and distorting the market in this way.

Christine Davitt

I agree to the above statement

Yes

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: Christine Gallagher <cgallag29@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I became a host to survive. Unfortunately like the many groups in our society who through no fault of their own find themselves in financial crisis. My case. I am one of a great number of older women who ended up on their own, retiring with negligible super, no savings & still paying a mortgage. Unlike those who just spent all their money each week & remained renters we did try to provide for our future. As usual Australia rewards those who didn't even try by giving them rent assistance. We who did try get no help in keeping a roof over our heads in old age. We are & have always been prepared to work to pay our way. Just don't make everything too complicated for us. I am 72

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Specifically, I want to comment on the following:

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there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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STRA Property Register

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Christine Gallagher
13 Gray St
Port Macquarie, Nsw 2444

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 11:57 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 11:56

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christine

Last name

Guinand

Name withheld

No

Info

Email

guinand.christine@gmail.com

Suburb/Town & Postcode

Suffolk Park 2481

Submission

Short Term Holiday Letting is destroying the fabric of our community. People who work here cannot find anywhere to live. Air BnB properties in Byron Shire have doubled in 3 years! Most of these are owned by

investors and property speculators who are driving up prices and destroying the permanent rental market in our shire.

The new proposed State Environmental Planning Policy (Short-term Rental Accommodation) 2019 under the Environmental Planning and Assessment Act 1979 will entrench Short Term Holiday Letting in our Shire and change it for good. There are 2,572 whole homes listed on Air BnB in Byron Shire! Only 725 listings are for private rooms in people's homes.

In other parts of the world governments are placing restrictions on Air BnB but in NSW the state government appears to have allowed the short term letting accommodation industry to write the rules to the detriment of local population.

We need to cap the number of nights to 90 to turn this situation around and make it a less profitable business, and go back to having neighbours instead of strangers.

The law should support the residents.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:18 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 16:18

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christine

Last name

He

Name withheld

No

Info

Email

ch98@bigpond.com

Suburb/Town & Postcode

2000

Submission

Dear MInister

Airbnb provides flexibility to those who need to rent in a short term. Sharing economy is here to stay, just like Uber, Airbnb, car next door and Airtasker etc.

This is an outcome of both the advancement of information technology and human economic behaviour. Times have changed, so should regulations and rules of the state.

Although it is not banking nor the stock market where heavy regulations must be in place. STRA should be regulated but only to a certain degree, for tax and public safety purposes.

Any artificial or we shall call non-economical regulations and rules against STRA will only slow down/put a drag on the growth of the market/industry, but lose any financial benefits of the homeowners and the state. The STRA industry will eventually and inevitably catch up to the rest of the world.

In my opinion, the platform of Airbnb brings people from the world to Sydney particularly in center of Sydney where boosted economic, employment rate of New South Wales. STRA properties should be registered with the local council and/or building management to allow regulators and managers to provide policing services to the community.

STRA owners and service providers should pay a premium/surcharge/levy for the extra services provided by the relevant authorities/entities.

There are bad tenants everywhere which you can't judge that bad people are from short term tenancy such as Airbnb. I come across a few recently cases that long term tenants planted drugs in the accommodation because they are long term tenants. They think the chance of being caught were rare. In regards to disrespectful/bad guests throwing parties and damaging property or unreasonable owners providing unacceptable conditions of listings (small numbers compared to the industry volume), these issues should be referred back to the platform provider and its insurers. That's their job being a responsible middle man and they financially benefit from doing so. After all, there is no guarantee that long term tenants would not damage property, carry out illegal activities on the premises.

Ultimately it is an economical issue. Economical problems should be resolved by economical policies.

Kind Regards

Christine He

I agree to the above statement

Yes

From: Christine McDonald <tidda7@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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

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I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Thank you for reading my submission.

Regards,
Christine McDonald
40 Redmond St
Leichhardt, Nsw 2040

From: Christine Refalo <urjachristine@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb as an over 60's Australian it is a way I can subsidise my other part time income. It is also a way I can personally share with travellers who visit this regional area.

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Regards,
Christine Refalo
401 McCabes Rd
Bundagen, Nsw 2454

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Categories: rob submission 2.0, Air BNB run

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I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Christine Refalo
401 McCabes Rd
Bundagen, Nsw 2454

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 4:20 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 16:19

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christine

Last name

Willmot

Name withheld

No

Info

Email

christinewillmot@gmail.com

Suburb/Town & Postcode

Sunrise Beach Byron Bay 2481

Submission

I am writing in regard to the State Government's Short-term Rental proposals regarding Air B&B accommodation in Byron Shire.

Something which started as a low-key way of providing income-enhancing home-stay accommodation in people's homes - while the owners were in attendance - has changed into a huge industry that benefits not just regular residents as it was originally intended for, but which is almost completely dominated by commercial accommodation providers who are actually buying houses for the express purpose of providing accommodation all year round.

This situation has disadvantaged permanent residents who are often bothered by noise and numbers and have lost the feeling of being part of a community of residents; it has also taken business away from licensed and rates-paying accommodation providers and it has deprived Council of business taxes.

The overall social effect has been a hollowing out of the community - a sense that the whole town of Byron Bay especially is no longer a place to live, but a place overwhelmingly dedicated to servicing tourists. It has also raised the land values and real estate rental prices to almost the highest in the country, making it less and possible to local people to buy houses or afford rentals.

Please fight this move by the state government - please stand up for us and say no to increasing the cap from 90 to 180 days allowed in the landlord's absence; say no to the exemption of 21 consecutive booked days and say no to the allowing the accommodation industry to 'regulate' itself.

Thank you
Christine Willmot
1 Cain Court Byron Bay

I agree to the above statement

Yes

From: Christopher Brierley <chrisbbrierley@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Christopher Brierley
447 Darling St
Balmain, Nsw 2041

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Wednesday, 28 August 2019 9:41 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Wed, 28/08/2019 - 09:41

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christopher

Last name

Durman

Name withheld

No

Info

Email

cpdurman@gmail.com

Suburb/Town & Postcode

Pymont/ 2009

Submission

Strata should be have the ability to make their building impervious to short term rentals with a 75% vote at an AGM or EGM.

We have purchased in a secure building that requires FOB's to get into any of the facilities, car parks and separate floors.

These units were purchased with this level of security in mind.

Short term rentals will totally void this security and the feel of safety within our area.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:26 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 16:26

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christopher

Last name

Finn

Name withheld

No

Info

Email

chris.finn@kennedyslaw.com

Suburb/Town & Postcode

2535

Submission

Dear Sirs

I write to express my concern over several of the proposed changes to the short term rental accommodation (STRA) planning framework of the New South Wales Government.

My wife and I have run a short term rental accommodation property on the New South Wales south coast now for almost two years, and have run it safely without incident. It is professionally managed through Berry Getaways, who are excellent agents and have always adhered to the accommodation code of conduct set by industry organisations. These set guidelines of allowing no more than two adults per bedroom, and we adhere to that.

Both my managing agents and we are always supportive of continued safety measures and improvements to STRA.

However, we have concerns and express our absolute opposition to some of the recommended safety standards at 4.24 of the STRA planning framework proposal. In particular, the proposal that:

- That there be no more than two guests per bedroom; and
- A maximum of twelve guests in any dwelling (whichever is the lesser).

Our property is a large property with seven bedrooms and so can easily accommodate 14 adults. Why should we be penalised for having a large property and an ability to accommodate more than twelve guests when we have done so without incident, completely safely for a long period of time. ?

Second, one of our bedrooms is a bunk bedroom that can accommodate 4-5 children – and it is specifically set up to accommodate children. The proposed change allowing only two guests (as opposed to two adults) per bedroom would unfairly prejudice us and, importantly, would have enormous negative impact on the income stream from our property which is set up to accommodate several family groups which is the clientele the house has attracted without incident in the past.

We strongly urge that reconsideration be given to these proposed recommended safety standards in terms of the maximum amount of persons per bedroom and per dwelling.

thank you

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Sunday, 1 September 2019 8:15 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Sun, 01/09/2019 - 08:10

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christopher

Last name

Jones

Name withheld

No

Info

Email

topahjones@gmail.com

Suburb/Town & Postcode

Wangi Wangi 2267

Submission file

[short-term-rental-submission.docx](#)

Submission

My submission is contained in the attached file.
Thank you for the opportunity to comment.

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Sunday, 25 August 2019 5:55 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Sun, 25/08/2019 - 17:54

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Christopher

Last name

Mack

Name withheld

No

Info

Email

kriztoefa@hotmail.com

Suburb/Town & Postcode

POTTS POINT

Submission

I encourage law makers to remember that many of us middle-Australians need freedom and fairness. I live in a block of units where an over-zealous, ill-considered and blanket rule against having paying guests was slapped down with no care or consideration as to why some of us HAVE to do it from time to time to get by.

As an owner of an apartment, I want the freedom to rent my spare room when I want, or my entire place when I go away. It is unfair that a small number of self-interested members of the Strata Committee can decide how I use my own home (or a Government).

It is also unreasonable that as an owner of an apartment, my rights are less than someone who has a free-standing home - we become a second, lesser asset holder than those with houses. All the old people on the Strata Committee and who have time to vote and rabble rouse while the rest of us work 5-6 days and scrape to get by, don't care about us younger and middle aged people who pay an enormous amount (far greater % of income than they ever did) to buy (or rent) our homes.

We need to be able to honour our enormous mortgages (or rent) during times of unemployment or other periods of low income. We are considerate neighbours and make sure that our guests (paying or not) are as well. We need freedom to use our own home, within our own walls, as we see fit.

There are plenty of Laws to prevent bad neighbours already. Why limit us? For every bad Short Term Let home, there is an equally bad permanent resident who parties too loud, is rude to neighbours etc.

I agree to the above statement

Yes

From: Christopher Upjohn <chris@satellitelive.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Thank you for reading my submission.

Regards,
Christopher Upjohn
53 Rochford St
Erskineville, Nsw 2043

From: Chuang Wang <chuangw528@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

Sharing economy is a new trend of social development, meanwhile it has greatly relieved my financial pressure. I believe it also provides many flexible job opportunities.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Chuang Wang
46 Savona Dr
Wentworth Point, Nsw 2127

Governance.PMcCarthy
Reference:
Phone: 4974 2000



11 September 2019

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

Dear Sir/Madam

Thank you for the opportunity to provide feedback on the draft *State Environmental Planning Policy (Short-term Rental Accommodation) 2019, Environmental Planning and Assessment (Short-term Rental Accommodation) Regulation 2019*, Code of Conduct and the proposed industry led property register.

City of Newcastle (CN) has made submissions on previous consultations on the proposed policy framework to manage short term rental accommodation in New South Wales and has been supportive of the development of a consistent, State-wide planning framework.

Please find attached CN's detailed submission on the proposed regulatory framework currently on public exhibition.

We would be pleased to expand on our submission if required. Please contact me on 4974 2000 or email mail@ncc.nsw.gov.au

A handwritten signature in black ink, appearing to read "P. McCarthy".

Patricia McCarthy
Section Manager, Urban Planning

Enc

CITY OF NEWCASTLE SUBMISSION - SHORT TERM RENTAL ACCOMMODATION

The popularity of home stays has been a boon for regional economies but at the same time it has occasionally caused problems for residents in terms of noise, traffic and anti-social behaviour. The regulatory framework should be designed to deal with these impacts efficiently, quickly and at minimal cost to the parties involved in the complaint system. The following recommendations in relation to the draft State Environmental Planning Policy (SEPP) and draft Code of Conduct are aimed at improving the management of short-term rental accommodation to ensure they remain accepted by the community.

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019 (SEPP)

Issue: ensuring short term rental accommodation (STRA) does not interfere with the amenity of the neighbourhood, e.g. controlling 'party houses'.

Recommendation: that either the definition of STRA or the specific development controls in Part 3 of the draft SEPP include words similar to the definition of home business that is included within the Standard LEP, that is, that it does not involve interference with the amenity of the neighbourhood through use not normally associated with residential activities such as "party houses" and anti-social behaviour.

Reason: The draft SEPP proposes that STRA be exempt development or in certain specific circumstances complying development. Given the lack of formal assessment and consultation, exempt and complying development should be of minor environmental impact and this should be clearly stated in the draft SEPP. While all the issues in the definition for home business may not be relevant, issues in relation to noise, anti-social behaviour and parking are commonly cited issues by neighbours in complaints. STRA is located in residential areas similar to a home business and to be exempt development should not be operating in a way that causes offense.

Issue: length of stay, non-hosted STRA.

The draft SEPP proposes that non-hosted STRA outside of Sydney be permitted 365 days per year unless councils nominate a lesser time (not less than 180 days) during the consultation period. Councils that have requested this shorter length of stay are listed in the SEPP. Listing these councils in the SEPP is overly prescriptive. There should be more flexibility for councils to vary the length of stay for non-hosted short-term rental accommodation. CN's experience is that SEPPs can take years to be amended so that in effect, this is the only time councils may elect to vary this timeframe.

Recommendation: the SEPP set out a minimum stay of 180 days across the State for non-hosted stays unless the council stipulates a longer stay in a DCP.

Reason: The SEPP permits length of stays of 180 days and 365 days depending on whether the premises are hosted or non hosted and whether the property is in Sydney or outside of Sydney. This is confusing and unnecessary.

Issue: car parking

Residents complain about vehicles from guests being parked on footpaths, verges, front yards and across neighbour driveways.

Recommendation: the development controls specify that one off street car parking space be provided per bedroom.

Reason: while the draft SEPP states that the short-term rental accommodation must operate in accordance with consent conditions, these conditions would have been issued for a private residence and not a commercial operation that could potentially regularly have up to 12 guests being permitted as exempt development.

Issue: registration

Recommendation: it be compulsory for STRA to be registered.

Recommendation: that this be included in the definition of STRA, for example, short-term rental accommodation means an existing dwelling -

(a) that is registered on the property register and is lawfully used....

or that the requirement for registration be included in Part 2 General requirements for exempt and complying development.

Reason: to be clear that STRA must be registered. A discussion of the property register is provided later in this submission.

Issue: BCA classifications. CN raised in previous submissions the upgrading requirements from a residential dwelling to visitor accommodation, which is a change in building classification. Owners may need to obtain development consent each time the premise is changed between uses and BCA classifications.

Recommendation: set aside 'change of building use' triggers that generate the need for development consent to be obtained when dwellings/apartments temporarily switch to STRA use.

Reason: a clear position is required to deal with this matter.

Code of Conduct

When the Minister for Better Regulation announced in 2018 that a regulatory framework would be prepared to manage the impacts of STRA on communities, he said in part that,

"... the mandatory Code of Conduct for online accommodation platforms, letting agents, hosts and guests would address impacts like noise levels, disruptive guests and effects on shared neighbourhood amenities. The Code will also include a new dispute resolution process to resolve complaints, and NSW Fair Trading will have powers to police online platforms and letting agents. Under our 'two strikes and you're out' policy, hosts or guests who commit two serious breaches of the Code within two years will be banned for five, and be listed on an exclusion register. The Government's short-term holiday letting plan will support the sharing economy and give consumers more choice while cracking down on bad behaviour."

The Minister said that the reforms recognise the estimated \$31 billion annual contribution of online booking platforms like Airbnb and HomeAway (formerly Stayz) to the Australian economy, while stamping out party houses through a mandatory Code of Conduct.

Issue: The Code of Conduct does not clearly 'stamp out' party houses. There is no mention of this issue in the Code.

Recommendation:

- i) It should be clear that party houses are a contravention of the Code and the host is ultimately responsible for guest behaviour and can have a strike recorded against them for allowing parties on the property. Advice could be included in section 5.4 'Hosts', that hosts are responsible for ensuring guests behave responsibly during their stay.

This should also include advice regarding the Hosts rights to terminate a booking, retain fees and recover any costs.

- ii) seek NSW Police comments on the Code of Conduct.
- iii) Add a new clause 5.1.6 under section 5, 'Rights and Obligations of Industry Participants' stating that the premises must not interfere with the amenity of the neighbourhood and in this regard large parties with more than 12 guests, that cause excessive noise are not permitted and guests stay may be terminated immediately if they have parties during their stay. This would make operating party houses an offence under section 54C of the Act.
- iv) Add similar clauses to section 5.2 'Booking platforms' and 5.3 'Letting agents' that advice should be provided to guests that the premises must not be used for parties, offensive noise or anti-social behaviour and that they may be asked to leave immediately if they engage in these activities.

Reason: The Code should be very clear that parties are not permitted. Hosts, letting agents and booking platforms should have robust vetting systems in place and take responsibility for guest behaviour. The Minister made clear that a key reason for developing the Code of Conduct is to reduce the incidence of STRA being used for parties and neighbours dealing with anti-social behaviour by guests. The Code appears to place responsibility for ensuring STRA are properly managed entirely on the guest. The host should have at least the same obligations to neighbours that guests do during the occupancy period.

The Code as drafted is simply reinforcing the status quo, where neighbours are required to call the police after hours to deal with noise and anti-social behaviour complaints. It appears there were no representatives from the NSW Police Force on the STRA advisory committee. If this is the case, it is a significant oversight as the police could have provided valuable information on the types of complaints they receive in relation to STRA and the scale of the problem. Representatives from a mix of metro and regional councils would have also benefited the drafting of the Code.

Issue: The Code is drafted in an overly complex, legalistic manner that will be difficult for most industry participants to understand and may be used as a defence for not complying with the Code.

Recommendation:

- i) redraft the Code or prepare a Plain Language version of the Code, include examples or FAQs, for example: it is 2am and the STRA in the street is having a loud party for the third night in a row, what can the neighbours do?
- ii) the definitions within the Code refer to sections of other Acts, which would require the person reading the Code to look up these other Acts in order to understand the definition. Lay people are unlikely to do this and it is important that everyone understands their obligations. All information should be included within the Code without the need to search other pieces of legislation in order to understand meanings.
- iii) the definitions should include "industry participant" and "strike" should include that a strike can be recorded against any industry participant and in relation to STRA being used for parties.

Reason: The Code must be easy to read and understand to ensure that it achieves compliance and is enforceable.

Issue: dispute resolution process is unclear about time frames and the complainants' involvement

Recommendation:

- i) clauses that refer to notifying parties "as soon as practicable" or "as soon as possible" should have specific time frames. Disputes should be dealt with as quickly as possible and CN recommends that notification of a complaint should be made to the relevant parties within 24 hours.
- ii) the Code refers to a booking platform taking 'reasonable steps' to ensure a host or guest is aware of how to lodge a complaint with the Commissioner, the Code should provide clear information on how to do this and state what reasonable steps should include.
- iii) neighbours should also be able to lodge a complaint with the Commissioner and advice on how neighbours can do this should also be provided.

Issue: penalties for offences are not clear

Recommendation: The Code should state what the fines are for the different penalties and state what the difference is between offence provisions under section 54C of the Act and a civil penalty under section 54D of the Act.

Reason: there are significant penalties associated with breaching the Act and these should be clear to industry participants.

Issue: it is not clear what it means for hosts and guest to act lawfully.

Recommendation:

- i) provide examples of the types of actions that contravene criminal law and planning law.
- ii) state that all complaints should be made to the STRA Commissioner
- iii) the Commissioner should determine all complaints that are contraventions of the Code, including guests using STRA for parties or engaging in anti-social behaviour, having more than permitted number of guests, or not registering the property.

Reason: The Code should be clear about what the criminal laws and planning laws are and what the consequences are of breaching these laws. It is unlikely that many guests or even other industry participants would know what a contravention of a planning law would be. The Commissioner should be a 'one stop shop' for complainants. Councils pursuing action in the Land and Environment Court is too costly and lengthy to be valuable in managing breaches to the Code of Conduct.

Issue: The Code only requires hosts to be available during 'ordinary hours' defined as 8am - 5pm every day.

Recommendation: Hosts provide contact details and are available to respond to complaints about parties and anti-social behaviour outside ordinary hours.

Reason: Hosts must take responsibility for the behaviour of guests. Parties and anti-social behaviour will often occur outside 'ordinary hours'. Hosts should always be available to respond to complaints about parties, management of unruly guests should not be the responsibility of the NSW Police Force or councils.

Issue: The Code is not clear about immediate consequences for guests engaging in anti-social behaviour.

Recommendation: The Code should state that guests who engage in any of the behaviours listed in clause 5.5.2 may be asked to leave immediately.

Reason: to ensure the amenity of the neighbourhood is not negatively impacted by the operation of STRA.

Issue: complaints should be dealt with quickly, efficiently and at minimal cost for parties involved.

Recommendation:

- i) lawyers should not be involved in the complaints process to minimise costs.
- ii) complaints should be dealt with in 21 day and decisions should be made within 7 days.
- iii) complaint process for neighbours should specified.

Reason: to ensure the complaint process is efficient and available to everyone.

Issue: complaints involving contravention of other laws should be dealt with by the Commissioner.

Recommendation: amend section 6.2 to state that the Commissioner deals with all complaints with the assistance of police, Tribunal or council reports as required.

Issue: Section 7 Compliance and Enforcement is difficult to interpret, decision reviews are limited and the Code should be clear that parties and anti-social behaviour can be subject to disciplinary action.

Recommendation: provide a plain language version of the Code, clarify clauses 7.1.2 and 7.1.8, allow complainants to request a review of a decision where the Commissioner dismisses a complaint and advise complainants when a guest or host requests the Secretary review disciplinary action. The Code should clearly state that a strike may be recorded against a host or host's premises for the use of STRA for parties and anti-social behaviour.

Issue: listing guests on an exclusion register.

Recommendation: industry can develop and maintain this register if required.

Reason: listing guests on an exclusion register is unlikely to ensure that STRA are not used as party houses, while this might deal with the existing guests causing problems, it does not deal with the next guest. There are too many guests booking accommodation for this to be useful. However, similar to licensed premises, industry may wish to ensure they know if guests have caused trouble at other premises as part of their vetting process. This register would not need to be made public, resolving privacy issues.

Issue: STRA industry participants excluded from Code of Conduct.

Recommendation: clarify that if an industry participant operates both STRA and other visitor accommodation, the Code applies to the industry participant in relation to the STRA operations.

Issue: fees and cost recovery.

Recommendation: There should be a mechanism for councils to recover costs of compliance activity.

Reason: Administration and enforcement of the Code should not only be cost neutral for the State Government but also for councils.

Issue: industry led property register.

Recommendation: The Commissioner should maintain the property register and in addition to host details, including mobile phone numbers, property details, permitted length of stay and any strikes recorded, the number of bedrooms and maximum guests should also be included. Listing STRA on the register should be a mandatory requirement to operate and this should be included in the draft SEPP provisions.

Reason: industry led regulation generally does not have a good track record and community confidence is required for this. If this is to be considered it must be clear who is responsible

for the property register and what happens and to whom if the property register is not created and kept up to date.

FIRE SAFETY STANDARD

Issue 1: With the proposed modifications to 1a dwellings, this will be the installation of additional smoke alarms which are required to be interlinked and evacuation lighting which is activated by the smoke alarms.

There is currently no requirement under the Environmental Planning & Assessment Regulation 2000, (the Regulation) for an Annual Fire Safety Statement (AFSS) to be submitted for a Class 1a dwelling, therefore there is no annual requirement for any assessment to be conducted of the essential fire safety measures (EFSM). As the proposed measures are a significant upgrade in the EFSM in a Class 1a and are more reflective of the EFSM found in a Class 1b, and a Class 1b requires the submission of an AFSS.

Recommendation: To ensure the additional EFSM installed in a Class 1a are maintained to their relevant minimum standard of performance, a fire safety schedule for the premises should be created to allow the submission of AFSS to Council & Fire & Rescue NSW to allow the building owner to meet their legal obligation as identified in the Regulation, Division 6, Clause 182 (1).

Issue 2: There is no current regulatory mechanism requiring the owner of a Class 1a to have EFSM assessed and maintained annually and submit an AFSS to Council & Fire & Rescue NSW.

Recommendation: Owners of Class 1a premises used for short term rental accommodation are required to submit an installation certificate certified by a Competent Fire Safety Practitioner (CFSP) to Council to allow for the creation of a fire safety schedule & AFSS.

Recommendation: Creation of a new Class of premises, i.e. a Class 1c, which is used for STRA and is an exempt change of use within the SEPP.

Issue 3: Class 1a premises may be used for STRA when the EFSM as specified in the standard have not been installed.

Recommendation: Owners of Class 1a premises must produce evidence to the Commissioner that their premises have been assessed and meet the fire safety requirements, prior to them being accepted onto the STRA Register and able to operate.

Issue 4: Existing AFSS will have to be upgraded to include additional EFSM as required to be installed by the standard.

Recommendation: Building owners are required to provide an updated fire safety certificate with an updated fire safety schedule to Council & Fire & Rescue NSW to allow the fire safety schedule & AFSS to be updated.

Recommendation: The current NSW Dept of Planning Fire Safety Statement is amended at Section 6 to upgrade the CFSP table to include an additional clause to confirm each CFSP has inspected the building in accordance with the STRA for fire safety standard, and Section 7 (AFSS declaration) to have provision for an additional clause identifying the EFSM required in premises being used for STRA, have been assessed in accordance with the STRA Fire Safety Standard.

Recommendation: Creation of a new Class of premises, i.e. a Class 2a or Class 4a, which is used for STRA and is an exempt change of use within the SEPP.

Issue 5: Class 2 or 4 premises may be used for STRA when the essential fire safety measures as specified in the standard have not been installed.

Recommendation: Owners of Class 2 or 4 premises must produce evidence to the Commissioner that their premises have been assessed and meet the fire safety requirements, prior to them being accepted onto the STRA Register and able to operate.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 5:41 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run, council submission

Submitted on Wed, 11/09/2019 - 17:40

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Patricia

Last name

McCarthy

Name withheld

No

Info

Email

pmccarthy@ncc.nsw.gov.au

Suburb/Town & Postcode

Newcastle 2300

Submission file

[city-of-newcastle-submission-stra.pdf](#)

Submission

See attached City of Newcastle submission.

I agree to the above statement

Yes

From: Alisa Nicholson <anicholson@cityofsydney.nsw.gov.au>
Sent: Tuesday, 24 September 2019 4:59 PM
To: DPE PS STHL Mailbox
Cc: Andrew Thomas; Peter Failes
Subject: City of Sydney FINAL submission (letter and response to discussion paper) on New regulatory framework for STRA released August 2019
Attachments: CoS submission to DPIE - new regulatory framework for Short-term Rental Accommodation - Sept 2019.pdf; CoS response to DPIE - discussion paper questions for Short-term Rental Accommodation - Sept 2019.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Dear Tom

Please see attached City of Sydney **FINAL** submission (letter and response to discussion paper questions) on the new regulatory framework for short-term rental accommodation.

Should you wish to speak with a Council officer about the above, please contact Andrew Thomas, Executive Manager Development, on 9265 9333 or at athomas@cityofsydney.nsw.gov.au

Regards
Alisa

Alisa Nicholson
Executive Assistant to Graham Jahn AM, Director
City Planning Development & Transport



Telephone: +612 9265 9823
cityofsydney.nsw.gov.au

From: Peter Failes <PFailes@cityofsydney.nsw.gov.au>
Sent: Wednesday, 11 September 2019 5:50 PM
To: DPE PS STHL Mailbox <STHL@planning.nsw.gov.au>
Subject: City of Sydney draft submission (submission letter and response to discussion paper questions) on New regulatory framework for STRA released August 2019

Hi Tom,

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Could you please only publish on the Department's website the final submission (not this draft) when that is submitted.

Please return an acknowledgement of the email receipt.

Peter Failes
Senior Specialist Planner
Strategic Planning & Urban Design



Telephone: +612 9265 9426
cityofsydney.nsw.gov.au

From: Thomas Partalis <Thomas.Partalis@planning.nsw.gov.au> **On Behalf Of** DPE PS STHL Mailbox
Sent: Tuesday, 3 September 2019 4:02 PM
To: Peter Failes <PFailes@cityofsydney.nsw.gov.au>
Subject: RE: Request for extension

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Thanks
Tom

Short-term Rental Accommodation (STRA) Team

Housing Policy | Policy and Strategy

GPO Box 39, Sydney NSW 2001

E: sth@planning.nsw.gov.au

W: <http://www.planning.nsw.gov.au/STHL>



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Sent: Tuesday, 3 September 2019 2:36 PM

To: DPE PS STHL Mailbox <STHL@planning.nsw.gov.au>

Subject: Request for extension

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Senior Specialist Planner
Strategic Planning & Urban Design



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Tom

Short-term Rental Accommodation (STRA) Team

Housing Policy | Policy and Strategy
GPO Box 39, Sydney NSW 2001

E: sth1@planning.nsw.gov.au

W: <http://www.planning.nsw.gov.au/STHL>



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Tom

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GPO Box 39, Sydney NSW 2001

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Sent: Tuesday, 24 September 2019 4:59 PM
To: DPE PS STHL Mailbox
Cc: Andrew Thomas; Peter Failes
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Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

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Regards
Alisa

Alisa Nicholson
Executive Assistant to Graham Jahn AM, Director
City Planning Development & Transport



Telephone: +612 9265 9823
cityofsydney.nsw.gov.au

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From: Clair Jennifer <clairjennifer@icloud.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Clair Jennifer
23 Norton St
Leichhardt, Nsw 2040

From: Claire Davis <davisce@tpg.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Claire Davis
82 Del Rio Dr
Copacabana, Nsw 2251

From: Clair Jennifer <clairjennifer@icloud.com>
Sent: Friday, 6 September 2019 5:41 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

From: Clara Southwell <smiggle.me@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Clara Southwell
2 Coomba Rd
Coomba Park, Nsw 2428

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 9:06 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Tue, 10/09/2019 - 21:05

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Clare

Last name

Roden

Name withheld

No

Info

Email

rodenclare@gmail.com

Suburb/Town & Postcode

Callala Bay, 2540

Submission

The use of BAL zones to exclude existing holiday homes unfairly disadvantages rural & remote area holiday homes with very limited other accommodation options with ripple effects that will impact jobs &

the local economy, with further effects on the property prices & future rates of properties in the area

-The limitation of guests per bedroom is neither fair or equitable as not all houses are the same.

-The current system is not broken so don't try to fix it for rural & remote area's that had holiday homes prior to the sharing economy with no problems

I agree to the above statement

Yes

From: Clare rushby <clarerushby@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Clare rushby
299 Riverbank Rd
Pimlico, Nsw 2478

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Monday, 26 August 2019 8:55 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Mon, 26/08/2019 - 08:54

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Clarissa

Last name

Watson

Name withheld

No

Info

Email

ckswatson@gmail.com

Suburb/Town & Postcode

Wattamolla 2535

Submission

Dear Sirs/Mesdames

RE Short Term Rental Accommodation Reforms

Lessons can be learned from areas here and abroad that are overwhelmed and devalued by unlimited hoards of tourists, and tragedies that have resulted.

For instance, Iceland, which has become a popular tourist destination, is currently considering caps on tourist numbers to conserve the very qualities that the tourists wish to experience, and to maintain a quality of life for its citizens who are calling on their government for relief from the tourism influx. Last year in Greece tourists were killed while fleeing along unfamiliar roads during bushfires.

In deciding caps on numbers of rental accommodation in any area in NSW the following factors are important:

- * the nature of the area. Biodiverse areas, where the natural qualities are the tourism draw card, need to have less traffic and less tourist accommodation (short term rental accommodation) in order to preserve the safety of the wildlife and the environment. Natural areas need to be preserved for wildlife to move unimpeded and quietly through the landscape.

- * the ratio of tourist accommodation to permanent accommodation in any rural area is vital for safety. Where tourist accommodation outnumbers the permanent residents' accommodation there will be less fire fighting volunteers in the event of bushfire, so more probability of tragedy, especially with large numbers of people unfamiliar with the country roads and without personal fire plans. Caps on numbers of rental accommodation need to be imposed to maintain safety of residents and of the tourists. The bushfire tragedy of trapped tourists in Greece last year could very easily be replicated in rural tourism areas here.

- * the amenity of permanent residents in any area should be considered especially as tourists in rental accommodation in the country are unaware of how far sound travels in country areas, especially in valleys which act as amphitheatres. Often the rental accommodation will be used for loud parties which disturbs not only neighbours in small towns but also in rural areas.

Please consider allowing councils to set caps on the numbers and locations of short term rental accommodation based on these considerations.

Yours Sincerely

Clarissa Watson

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 12:08 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Sylvia submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 12:08

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

clarry

Last name

Quirk

Name withheld

No

Info

Email

info@valerytrails.com.au

Suburb/Town & Postcode

Sapphire Beach Front Estates/Coffs Harbour 2450

Submission

Did submit but wrong zone , It is R2 Not R1. This estate is low housing and neighbours operating business as A and B without any controls.Excessive noise ,overcrowding and traffic congestion.

Estate DA did not consider such activities and is not designrd for such a small estate. Many owners purchased based on this and are now faced with unlawfull business operators.This affects our life style ,impacts on health and impacts on value of our properties.We have had to police and sometimes faced with aggressive replies.

It should never be allowed in existing R2 zones ,this ignoring of whats allowed or not , would deemed to be false fake information for owners /purchasers.

This is a new estate , old R2 yes for change if the area has not been used or totally cleared and then re Zoned

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 7:05 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 19:04

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Clarry

Last name

Quirk

Name withheld

No

Info

Email

info@valerytrails.com.au

Suburb/Town & Postcode

Sapphire Beach Front Estates/Coffs Harbour 2450

Submission

We are concerned about our life style ,health and investment in our retirement property built at the above address .We did so as It was Zoned R1 low density.

Have had to endure times when an investment neighbour built a property designed as a business, viz Air B and B with unruly ,vulgar over crowded guests.

Attempts to discuss with the owner and letting agent a form of control management was futile.

Coffs Council was approached as short term rentals was unlawful and advised awaiting the new rulings.

Our concerns are .

Business in a R1 Zone not permissable .

We live in a private small estate, with limited resources, parking .

One beach access catering for residents only..

The estate was not designed for large numbers of vehicles , creating safety issues and nuisance.

No in house management control.Negative financial impact on our investments

I agree to the above statement

Yes

From: clint allan <clintrallan@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Specifically, I want to comment on the following:

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
clint allan
106 Brighton Blvd
North Bondi, Nsw 2026

From: Clint Priest <clint.priest@icloud.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Clint Priest
3 Pantowara St
Balcolyn, Nsw 2264

From: Clive Cunningham <clivec9@gmail.com>
Sent: Tuesday, 20 August 2019 8:35 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

Clive Cunningham

From: Clive Cunningham <clivec9@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because of several reasons:

- a love of travel and meeting people from all around the world, in my back yard;
- Providing family friendly accommodation not only for travellers, but for families relocating, renovating and simply wanting a house rather than an apartment or hotel; and
- flexibility to rent our spare space or have extended family stay with us.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Clive Cunningham
84 Innes Rd
Manly Vale, Nsw 2093

From: Clive Dickens <clive@dickens1.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I need the income to supplement growing family expenses

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I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

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Thank you for reading my submission.

Regards,
Clive Dickens
Stollard St
Catherine Hill Bay, Nsw 2281

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 7:44 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 07:44

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Clive

Last name

Smith

Name withheld

No

Info

Email

payot@ozemail.com.au

Suburb/Town & Postcode

Milsons Point. Sydney 2061

Submission

I am the chairman of an apartment building in Milsons Point, . The population density in Milsons Point is one of the highest in Sydney and makes our area particularly vulnerable to the problems associated with short-term letting and the tourist market.

I have several areas of acute concern with the short-term letting package proposed by the NSW Government:

1. Preservation of Owners' Rights:

Residential apartment buildings in mixed use and commercial zones with express prohibitions or limitations on short term letting must have their by-laws respected and preserved. There can be no over-riding policy reason which dictates limitations on the right of apartment owners to collectively decide whether or not to permit short-term letting where this is the clear desire of the democratic majority.

2. Collective Cost of Permitted Short-term Letting

Residential schemes must have authority to levy charges and fees on Hosts conducting short-term letting. The disproportionate cost to owners and owners' corporations from STRA operations (e.g. wear and tear of lifts, gyms, garbage and other utility areas as well as administration and management costs) means they are effectively subsidising those running STRA businesses. Security arrangements in individual buildings must not be compromised. The Hosts should also be required to advise the Owners Corporation of intent to let their property on a short-term basis and to pay any extra insurance costs levied on the building.

3. Preservation of Local Government Oversight

Local Councils must have the ability to set and apply zoning restrictions to meet their strategic planning objectives. They should be involved in designing and be part of the compliance and enforcement function of any registration system.

4. Fire Safety Standards:

The only way to ensure that mandatory fire safety standards are met is for STRA in residential strata schemes to be classed as "complying development" (not "exempt development") which allows for inspection by Local Council or a private certifier. In addition:

- (a) Fire safety standards should be more onerous for short-term holiday visitors in high-rise apartment buildings as the threat to life of all residents is increased significantly.
- (b) Fire standards applicable to residential apartment buildings do not address the fire risks of cooking, BBQ's or smoking on balconies which are common problems with short stay visitors unfamiliar with by-laws or local customs.
- (c) Fire safety in residential strata schemes must not be left to self-regulating platforms or amateur hosts as it poses an unacceptable risk to all residents.
- (d) Fire and Rescue NSW should have direct access to Register data such as how many STRA apartments are listed in a single high-rise building to enable accurate assessment in emergency situations.

5. Effective Registration:

An independent, publicly funded registration system is essential to identify STRA properties, the owner/host, their agent or nominated representative as well as having data on address, location, intensity, volume, days of availability, days of occupation, number of rooms, etc. in order to develop a profile and analysis of the STRA industry. Other major cities such as New York, San Francisco, Barcelona, Paris, Toronto and Vancouver, who have experienced this industry, are now devising or implementing legislation to strictly regulate its operation. At the very least, NSW should have controls in place BEFORE allowing STRAs to operate in apartment buildings as well as enforceable and fast-acting conflict resolution processes.

Given the disparate issues involved with the regulation of AirBnB, Stayz and the like, the Milsons Point

Community Group regards as essential the establishment of a Register run by either Government, local Councils or a neutral platform, with powers that are time-sensitive, practically enforceable and of real utility to residential strata schemes. This Register must be necessary pre-requisite to any new regulatory framework. STRA can transform homes into hotel rooms and neighbours should not be obliged to give up their right to quiet enjoyment with bland reassurances about conflict resolution. Such a Register has been found to be helpful in somewhat alleviating these problems in cities overseas.

6. Host's Registration Obligations:

There must be enforceable obligations for Hosts to register the premises before it is used for STRA purposes. Penalties should apply for unregistered premises. The Host should identify all platforms on which their property is listed, identify days of availability and report nights of occupations. Additionally, there must be a legal obligation for Platforms and agents not to list an unregistered residential dwelling for STRA. Again, there should be no change in planning laws in residential apartment buildings until the Register is in place.

7. By-Law Enforcement:

In cases where a strata scheme has a by-law prohibiting STRA, it must not be possible for this to be circumvented by any person who is not an actual owner being registered as a host. In the case of residential tenants, there must be evidence that the landlord has expressly permitted the conduct of STRA by the lessee. STRA in strata buildings must require a complying certificate. This should be part of the registration process as it is essential data for regulatory oversight and enforcement.

8. 180 Day Cap:

The proposed 180 day cap is unacceptable and excessive by world standards. It makes a mockery of the original intention that the caps were to be an economic lever to drive apartments back into the domestic residential market.

The rapid growth in short-term letting in recent years has had significant impact on apartment buildings as well as residents on areas such as amenity, strata costs and individual safety. Such growth has clearly outpaced regulation and owner's corporations should be given greater ability to manage these impacts. Under no circumstances should this industry be self-regulated.

Clive Smith

I agree to the above statement

Yes

COFFS HARBOUR CITY COUNCIL



Your ref:
Our ref:

11 September 2019

Attention: Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000

Dear Sir or Madam

Short Term Rental Accommodation Reforms

On behalf of Coffs Harbour City Council, please find attached a staff submission to the Short Term Rental Accommodation Reforms.

Coffs Harbour City Council thanks the NSW government for the opportunity to provide feedback on these reforms.

For further information please contact Jackson Pfister on 02 6648 4662.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Sharon Smith', is written over a light blue wavy line.

Sharon Smith
Section Leader Local Planning

Coffs Harbour City Council Staff Submission to *Short Term Rental Accommodation: A new regulatory framework Discussion Paper* – August 2019

The following staff comments are provided as a submission on behalf of Coffs Harbour City Council to the *Short Term Rental Accommodation: A new regulatory framework Discussion Paper* (NSW Planning Industry and Environment (DPIE) August 2019).

Council's objective is to ensure that the proposed regulatory framework delivers an appropriate balance between supporting the value and local economic benefits of Short-Term Rental Accommodation (STRA) on a regional scale, whilst managing social and environmental impacts of the activity on local communities.

Regional Day Limits

The STRA Discussion Paper states that regional Councils will have the ability to 'nominate' different day limits for un-hosted STRA (no lower than 180 days) by writing to the Department. Coffs Harbour City Council is currently preparing a discussion paper to inform and invite community feedback on STRA, specifically opinions on day thresholds. As such Council is not yet in a position to nominate day thresholds for or within the Coffs Harbour Local Government Area (LGA).

Council believes that a simple and straightforward mechanism for varying the day threshold (no lower than 180 days) should be available to Councils following the commencement of the STRA planning framework. Further, this option should be able to be reviewed and varied by councils every 12 months so that this threshold limit can be updated in response to the needs of the local community.

Requests to modify day thresholds lower than 180 days limit should be made possible via a Planning Proposal – similar to the process outlined for Byron Shire Council.

Regulatory Framework

Coffs Harbour City Council supports, in principle, the NSW government's direction for new policy elements in relation to flood control lots and bushfire prone land. However, the interplay between the Code and the *Environmental Planning and Assessment Act 1979* has the potential to create confusion. Council believes that more clarity is required in relation to which regulatory body will be responsible for enforcing non-compliant exempt development.

In NSW, local government is required to address non-compliance with development standards for exempt and complying development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (i.e. development without consent). A similar process would clearly apply to exempt and complying development under draft *State Environmental Planning Policy (Short-term Rental Accommodation) 2019* (STRA SEPP), however the proposed framework appears to be framed as an agreement between State government and industry proponents – with the 'Commissioner' being the relevant determinant for any issues under the Code of Conduct ('the Code').

In addition, the framework is unclear in relation to compliance matters associated with the STRA Fire Safety Standards. While the regulation includes penalty provisions, they do not explicitly state who

will be responsible for enforcing them – though it is likely that this will be passed on to local government.

The Fire Safety Standards for STRA are not referenced in the draft exempt development standards. The draft Complying Development Certification process will address fire safety compliance, however Council is of the opinion that further consideration is needed to ensure that fire safety is included within the development standards applicable to the exempt development category.

21 Day Exemption

The 21 day exemption voids the value of implementing a day threshold and provides a loophole that can easily be manipulated in areas with established day thresholds. As such it increases the difficulty of effectively monitoring STRA. Un-hosted, entire property stays should not warrant this exemption.

The STRA Discussion Paper suggests that longer bookings tend to have fewer amenity impacts and support a mobile workforce. While there may be anecdotal merit to part of this claim, it still collects more revenue than long term rentals and arguably competes for the same stock. Bookings of this length are still permitted in hosted listings as exempt development 365 days a year. This type of stay is already available through share house arrangements via traditional lease arrangements or flexible sublease arrangements through platforms like flatmates.com.au.

Coffs Harbour City Council does not support a 21 day-stay exception and believes this should only be considered following both a 12 month review and after sufficient data has been collected to undertake an independent and comprehensive study on STRA.

Cost Recovery

The STRA Discussion Paper suggests that the new regulatory framework has been designed to recover costs associated with enforcement and administration of the Code. It also suggests that planning complaints made under the Code of Conduct will be referred to local councils to investigate.

In this regard, Coffs Harbour City Council is of the opinion that the NSW government needs to be transparent in relation to the mechanism to compensate councils for their involvement with managing such planning complaints. In addition, if local councils are to act as the point of resolution for STRA properties that do not comply with the proposed Fire Safety Standards and resolve issues for these properties, then the NSW government needs to be transparent in relation to the mechanism to compensate councils for their involvement.

Register

The success of the Code is dependent on transparent data from all STRA participants, particularly booking platforms. As mentioned above, it is suggested that complaints made to the Code will be referred to local councils to investigate. Without sufficient data available, this will be extremely difficult.

While booking platforms already collect a wide range of details on each listed property, host and guest, there are inconsistencies between data collected by different platforms. To ensure accuracy

of the data collected, provisions regarding the register should be included in both the STRA SEPP (development standards) and the Code, with penalties for failing to register or reporting misleading details. Existing data held by booking platforms can enable the first verification process with subsequent random audits to ensure accuracy of data. Participants should be required to register every two years to ensure the register stays up to date.

Experiences from other cities that have regulated STRA have identified several loopholes which can be addressed with a well-thought-out register. These loopholes surround the ease that properties, guests or hosts can avoid regulations like day thresholds or being blacklisted by simply creating a new profile or listing. This scenario can be resolved by requiring identification to uniquely identify each STRA participant and listed property.

There is potential for the register to also distinguish between principal place of residence and investment properties. Such a feature is integral in establishing the likelihood that a host will be present and also offers useful insight into how STRA is being used in the housing market throughout NSW.

While STRA booking platforms provide an indirect contribution to the NSW economy, they arguably do not provide a direct contribution in the same way as the traditional accommodation sector (i.e. employment, taxes or infrastructure and development). The industry led register provides the opportunity for STRA platforms to make some form of direct contribution by subsidising part of the cost for hosts to register. This would limit the reluctance for hosts to register and ensure that the details are kept up to date. Participants should be required to register on the industry led register by STRA booking platforms before they are able to accept any bookings. Provisions and penalties in the Code should be included for both hosts and booking platforms to ensure the register is enforced.

Coffs Harbour City Council supports the requirements established in the Code to notify adjoining property owners with the intent to undertake STRA and provide signage, but does not believe that the public needs access to the full register. Booking dates and basic information may however be useful for neighbours to use as an informal notification tool.

Commencement of Regulatory Framework

Coffs Harbour City Council recommends that the regulatory framework be commenced together with the proposed register. Ultimately, the Code will not be able to be effectively enforced until the register is established.

Annual Review and Ongoing Research

Overall, Coffs Harbour City Council considers that the NSW Government has adopted a 'soft' approach on regulating STRA. Considering various approaches trialled around the world to date, this may prove to be effective. However, a twelve-month review is crucial to determining the effectiveness of the proposed regulatory framework. This review should be accompanied by (or followed by) a review on the impacts of STRA and the policy framework on the housing market changes, particularly availability and affordability. This review should include detailed econometric modelling to test these impacts, supported by transparent and up-to-date data collection from the STRA industry. The NSW Government should commit funding for ongoing research and monitoring

beyond the initial review and ensure local impacts and changes to the housing markets are undertaken every three years to inform future policy decisions.

Clarification on certain matters in the proposed STRA SEPP

The inclusion of STRA provisions in a standalone SEPP presents a more user-friendly approach that will likely resonate with the everyday user. Certain provisions within the STRA SEPP, however, require further clarification and refinement, as outlined in the table below:

| STRA SEPP | |
|----------------|---|
| Provision | Comment |
| 4 (2) (b) | The provision states that, <i>"if it were used predominantly as a place of residence..."</i> How is the principal place of residence to be determined? At present there is no threshold for determining the predominant use. Given the NSW government's proposal to allow STRA to operate 365 days by default in regional NSW, further clarity is required. Council believes that relevant information on the principal place of residence should be collected as part of a register, and a threshold of at least 190 days (>50%/year) should determine principal place of residence. |
| 9 (2) (c) (i); | Clarification as to the requirement for a current Fire Safety Certificate. How will this be monitored for exempt development? What are the means to administer and ensure compliance of this provision – or any of the STRA Fire Safety standards for that matter? |
| 10 (2) (d) | Should this also apply to the original consent for the erection of the building? |
| 11 (b) | For this clause to have any relevance, it needs to be integrated into the register. |
| 13 (1) (d-f) | Further clarity on the wording of provisions (d), (e) and (f) would be beneficial. |
| 13 (1) (f) | This provision is somewhat unclear and it may need to be slightly reworded. Additionally, Council questions how this provision will be determined? Is it to be compliant at the date of construction, approval or time of lodgement of CDC? |
| 13 (g) | This provision refers to land within Zone RU5 Rural Village only. It should be extended to land within Zone R5 Large Lot Residential, RU1 Primary Production and RU2 Rural Landscape. |

From: Colin Newman <colnewman@netspace.net.au>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

the relatively low tariff we charge allows many travelers to enjoy our region at a reasonable cost. We host many overseas guests who enjoy and appreciate staying and mixing with locals.

We suggest tourist activities, shopping and dining experiences which they might otherwise miss. Airbnb hosts while remaining affordable can continue to contribute to the traveler's overall experience.

Airbnb is not just a sharing community it is also a caring community. If we are not bound by restrictive rules and regulations we do hope that we can continue Airbnb hosting.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means

there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Colin Newman
46 Jonas Absalom Dr
Port Macquarie, Nsw 2444

From: Colin Shears <colshear@hotmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Colin Shears
29 Yaralla Cres
Thornleigh, Nsw 2120

From: Colin Walker <cfwalker@bigpond.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Colin Walker
59 Hollingworth St
Port Macquarie, Nsw 2444

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 7:40 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 19:40

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Colleen

Last name

Abela

Name withheld

No

Info

Email

patison11@bigpond.com

Suburb/Town & Postcode

Rouse Hill 2155

Submission

I strongly support the right of a Body Corporate to decide whether or not short-term letting is allowed in their complex. Short-term letting should not be allowed if the majority of owners oppose it.

Short -term letting in a residential building often causes issues of noise, security and damage. It is very hard to police, because the tenants are often gone before anything can be done, and then new ones arrive who often cause the same problems.

The potential for damage is great, as many of these short-term tenants have little consideration for the other residents. It often causes great expense to the other residents to fix issues, and may mean greater insurance premiums and higher levies.

The problem is greater in small apartment blocks, where short-term letting can have a greater impact on existing residents.

People buy into apartment blocks knowing what the short-term letting rule is. The Government should not over-rule the wishes of the majority of owners.

I agree to the above statement

Yes

From: Colleen Dooley <colleen@gentleawakenings.com.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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.

Byron Bay is a highly sought after destination and I provide a choice of venue to stay that meets the needs of visitors, especially families and groups.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Colleen Dooley
20 Cumbebin Park
Byron Bay, Nsw 2481



**Committee
for
Sydney**

Level 27
680 George Street
Sydney NSW 2000
Australia

T: 02 9927 6515
E: committee@sydney.org.au

ABN: 30 332 296 773

Sandy Chappel
A/Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry
and Environment
GPO Box 39
Sydney NSW 2000

11 September 2019

Dear Ms Chappel,

On behalf of the Committee for Sydney, I would like to provide the following comments in relation to the draft instruments and Regulations in relation to short term letting industry in NSW.

As way of background, please find **enclosed**, a copy of our submission dated October 2017 – 'Smart Regulation for Short Term Holiday Letting'.

The Committee relies on the information contained in our original submission to inform this review together with the following additional comments.

We would like to specifically comment on the proposed fire alarm provisions set out in Table 2 of the Short-term Rental Accommodation – A new regulatory framework: Discussion Paper'.

The current NSW legislative requirement for smoke alarms in houses and accommodation buildings state that all NSW residents are to have at least one working smoke alarm installed on each level of the premises. These premises include owner-occupied homes, rental properties, relocatable homes, caravans, moveable dwellings or any other residential building where people sleep.

The Committee further notes that the 'March 2006 Department of Planning's Factsheet' states that a fire alarm must comply with AS 3786-1993, being hard-wired or non-removeable battery with a minimum life expectancy of 10 years at the owners choice.

Neither the current regulations or the Department's factsheets require the installation of a lighting system in hallways that is activated by a smoke alarm system or that the systems be interconnected. The Committees suggests that this is unfairly imposing a higher standard on a premises where there has not been a change in its permissible use. As a result, this may have a chilling effect on the short-term rental accommodation sector. Any safety measures should be consistently applied whether the premises are owner-occupied or rented on a long or short-term basis.

Similarly, the Committee suggests that additional requirements for flood and bushfire prone land will unfairly impose a higher standard on a premises where there has not

been a change in its permissible use. As a result, this may have a detrimental effect on the short-term rental accommodation sector. The Committee believes that safety requirements are paramount to ensure the well being of all citizens in NSW. However, we suggest that additional requirements should not be placed upon premises based on a particular length of time spent in any particular premises.

Kind regards,



Gabriel Metcalf
CEO
Committee for Sydney

About the Committee for Sydney

The Committee for Sydney is an independent think tank and champion for the whole of Sydney, providing thought leadership beyond the electoral cycle. Our aim is the enhancement of the economic, social, cultural and environmental conditions that make Sydney a competitive and liveable global city.

Smart Regulation for Short Term Holiday Letting

Submission to the NSW Department of
Planning & Environment

October 2017



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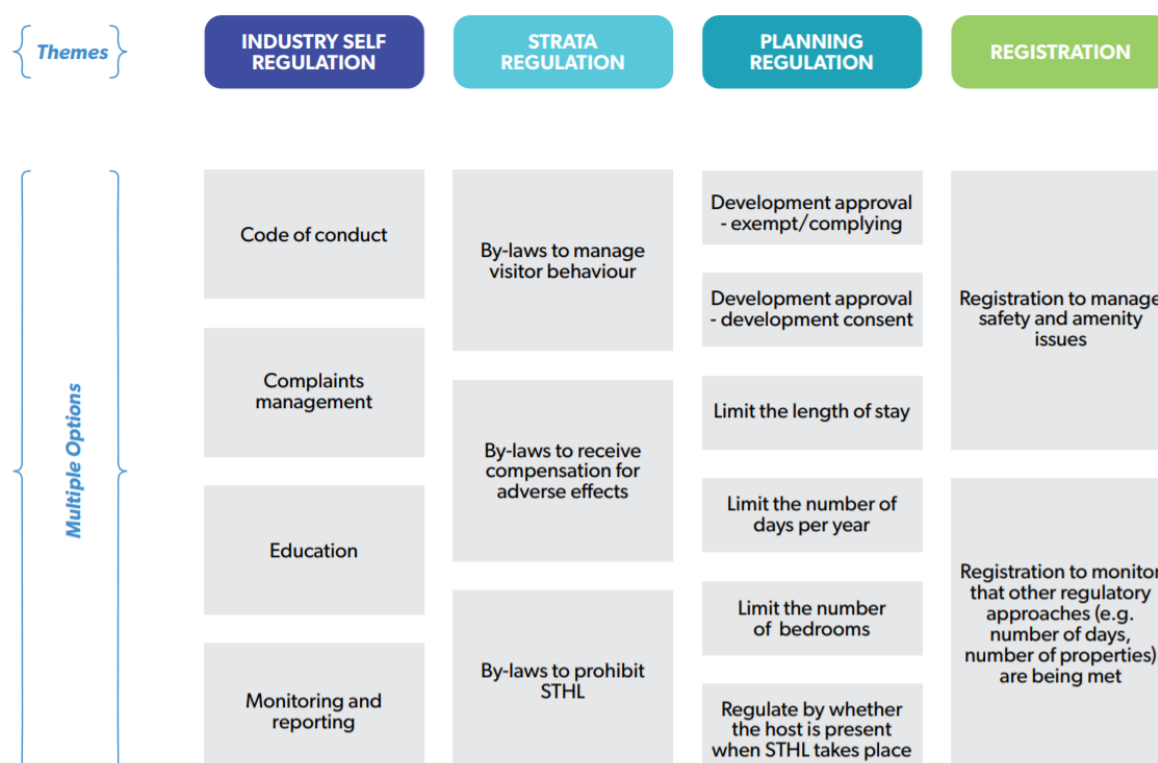
Introduction

The Committee for Sydney (CfS) welcomes the opportunity to respond to the Short-Term Holiday Letting Options Paper. The CfS praises the NSW Government for undertaking consultation to ensure that state regulations are fit-for-purpose and appropriately responsive to an evolving STHL market. The CfS is hopeful that the NSW Government's response to this Paper will strike an appropriate balance between the need to protect tenancy rights, maintain the supply of homes available for rent while also securing the benefits of innovation within the short-term holiday letting (STHL) sector.

The 2016 NSW Legislative Assembly Committee inquiry into this matter correctly identified that there is a scarcity of data regarding the impact of AirBnB and other emerging STHL providers on local communities.¹ Furthermore, an examination of the limited data available has failed to identify any immediate negative consequences arising from the recent expansion of the STHL sector. As such, CfS is of the view that a case has not been yet made for changing the current regulatory settings but that the NSW Government should continue to monitor the sector while working to build a deeper evidence base.

Categories of reform

The Paper has presented a variety of options for possible reform. The proposals vary widely in scope, but broadly fall into four key themes of: industry self-regulation, strata reform, planning reform, and registration requirements.

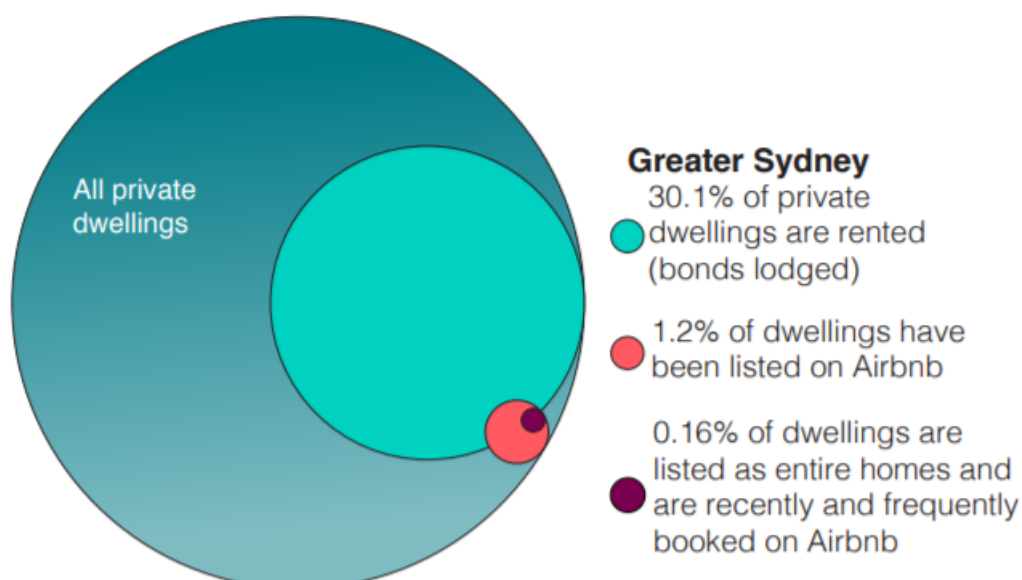


¹ NSW Government, Legislative Assembly Committee on Environment & Planning, *Adequacy of the Regulation of Short-Term Holiday letting In New South Wales*, Report 1/56 October 2016, <https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryReport/ReportAcrobat/6080/Final%20Report%20-%20Adequacy%20of%20the%20Regulation%20of%20Short-Term%20Holiday%20Letting%20in%20New%20South%20Wales.pdf>

Variations of these regulations have been trialled in various districts both within Australia and abroad. CfS cautions that every city is different, and that a regulatory framework suitable for an alternative city may not necessarily be suitable for Sydney. As such, the NSW Government's approach should be guided by a closer examination of local factors.

Evidence regarding the impact on local rents

CfS agrees with the Tenants' Union of New South Wales' contention that the STHL sector is unlikely to be driving up rents across Greater Sydney. Research by the Tenants' Union has confirmed that a surge in the number of AirBnB properties has not led to any notable decline in vacancy rates across the city. Evidence suggests that few AirBnB properties are currently leased as entire houses and on a high frequency basis. Many rentals are simply the leasing of housing when the hosts themselves are away, or the occasional leasing of 'spare rooms' in a house. The Tenants' Union has confirmed that just 0.16% of all dwellings are listed as entire homes and rented out on a frequent basis.² As such, this form of STHL stock represents such a small component of the housing market that it is unlikely to be a core factor in rental price changes.



The Grattan Institute has also released a report which disputes allegations that STHL is responsible for recent increases in rental costs. The Grattan Institute's report largely supported the contention of the Tenants' Union of NSW that AirBnB's share of housing stock was too low to influence rents.³

CfS agrees that as AirBnB represents such a small component of the overall rental market in Sydney, current growth in this sector is unlikely to have any material impacts on rent.

CfS notes however that Australia continues to have some of the weakest tenancy laws in the world. Strengthening renter rights and abolishing no grounds terminations should nonetheless be pursued to make it more difficult to evict long term tenants to repurpose a dwelling for STHL purposes.

² Tenants' Union of New South Wales, *Airbnb and Renting in Sydney*, March 2017, <https://files.tenants.org.au/policy/2017-Airbnb-in-Sydney.pdf>

³ Grattan Institute, Minifie J., *Peer-to-Peer Pressure: Policy for the sharing economy*, April 2016, <https://grattan.edu.au/wp-content/uploads/2016/04/871-Peer-to-peer-pressure.pdf>

Relevance to Government strategies

Airbnb guests are already a significant driver of the tourism economy, with a total contribution to New South Wales' GSP of \$512 million in 2015-16. The growth in STHL offerings is well placed to assist with the federal Government's *Tourism 2020* strategy, which identified that 20,000 new capital city rooms would need to be developed to meet visitor demand.⁴ STHL properties also tend to be distributed across capital cities and regional areas, and between the CBD and metropolitan areas. This may assist in achieving another key area of strategic focus in *Tourism 2020*: improving regional dispersal.

The growth in STHL offerings should also assist the NSW Government with its own *Visitor Economy Industry Action Plan*.⁵ Although STHL offerings were not considered in the original taskforce report or in the government's response, platforms like Airbnb can help achieve the Plan's targets for increased accommodation supply. This is especially true with regards to the targets for regional areas. According to Airbnb data, around 8,600 unique listings booked in 2015-16 in New South Wales were outside the Greater Sydney area, out of a total 30,900.

The wider geographic dispersal of STHL accommodation relative to the traditional hotel industry is also likely to result in a greater dispersal of tourism spending. The CfS will soon release a strategy to bolster Sydney's 'Night-Time Economy'. This report will emphasise the need to ensure an approach that is not overly CBD centric, while noting that more localised strategies are needed to ensure that Sydney's suburbs are able to develop their own late-night economies. These objectives are well supported by the growing number of accommodation options that are located outside the traditional hotel hubs. The suburban dispersal of STHL makes it more likely that tourism dollars will be spent in suburban restaurants, bars, and other night-time venues.

The addition of the "local experiences" feature on AirBnB should also expand tourism spending in the suburbs, as visitors connect with activities that are closer to their place of stay. Such an outcome would be unlikely to occur under a CBD centric hotel model of tourism accommodation.

The potential for STHL to support both the *Tourism 2020* strategy and the NSW Government's *Visitor Economy Action Plan* is one of the core reason why the CfS is promoting an approach that avoids unnecessary regulation that could stifle growth within the STHL sector.

Accepted and rejected reforms

Self-Regulation

CfS believes that enhanced self-regulation represents the most appropriate avenue for improvement given that a case has not yet been made for stronger regulatory reform. Possible options for reform include:

- Working with industry to encourage the development of modern, voluntary code-of-conducts
- Strengthening Complaint Management Mechanisms
- More thorough Monitoring & Reporting Frameworks

The CfS does not identify any immediate barriers to the implementation of these reforms.

⁴ Australian Government, Austrade, *Tourism 2020*, December 11, <http://www.tourism.australia.com/content/dam/assets/document/1/6/w/u/3/2002107.pdf>

⁵ NSW Government, Department of Industry, *Visitor Economy Industry Action Plan*, June 2012, https://www.industry.nsw.gov.au/_data/assets/pdf_file/0008/53684/VET_finalreport_20120810.pdf

Strata Reform

The NSW Legislative Assembly inquiry recommended that the NSW Government further examine whether to amend the Strata Schemes Management Act to provide owners' corporations with greater powers to manage and potentially limit the operation of STHL properties within their building.

The CfS agrees with the NSW Government's response to the Legislative Assembly inquiry that the most appropriate time for an examination of Strata Laws is at the next planned review in five years' time.

Should the NSW Government determine that an earlier review is warranted, then reform should be limited to measures that seek only to protect amenity and reduce nuisance behaviour. Granting owners corporations' the power to block or severely restrict the development of STHL within a building would represent an unnecessary degree of regulatory overreach, and would likely undermine the potential benefits associated with an expanding and innovative STHL market.

Regulation through the Planning System

The CfS believes that the scarcity of available data regarding the impacts of STHL on local communities makes it difficult to justify reform to the current planning framework at this stage. Should the NSW Government seek to enact planning reform, then the scope of those reforms should be limited as described.

One potential area of worthwhile reform might involve an attempt to standardise regulation across LEPs. Few LEPs in NSW currently refer specifically to STHL, but of those that do, many use different definitions of what constitutes STHL and have different thresholds for when STHL requires development consent. Some LEPs attempt to restrict the sector by imposing a maximum number of consecutive days that STHL can occur, or a maximum number of bedrooms allowed for STHL. Other LEPs set thresholds for days and bedrooms beyond which a more detailed level of approval from council is required.

The CfS believes that encouraging a shift towards a standardised terminology would be worthwhile, as would a more consistent approach regarding development consent. The CfS is opposed however to any expansion in the number of LEPs which attempt to overtly restrict the use of STHLs. Specifically, the CfS has not been persuaded of the benefits of LEPs which attempt to restrict:

- The number of total days per year that a room or dwelling can be rented out
- The number of consecutive days that a room or dwelling can be rented out
- The maximum number of bedrooms that can be rented out
- The ability of landlords to rent out a property that they themselves do not live in

The CfS also remains unconvinced of the need to enforce a mandatory Code of Conduct on the industry at-this-time. The CfS notes that the largest provider in the industry, AirBnB, already has its own Code of Conduct and is working actively to ensure that self-regulation is effective at addressing concerns raised by members of the public.

Registration or Licensing

The CfS is unconvinced of the need to introduce a mandatory registration or licensing scheme for the STHL industry at this stage. Mandatory registration programs would need to be supplemented with a compliance program, both to enforce registration and to ensure that any accompanying requirements are met. Such a program would represent a substantive and costly increase in red-tape. This outcome is undesirable given the lack of any identifiable negative outcome arising from recent growth in the STHL sector.

Concluding comments

Regulating disruptive tech-based models is not easy and views differ across the community as to how to ensure such new business models operate in the public interest. Existing business models are being challenged by new entrants to markets such as AirBnB or indeed Uber. We believe on current evidence that the NSW Government approach provides the right balance and that regulatory reform is not justified. However, our analysis is determined by evidence and if the evidence of benign public impact were to change our view may change. That is also the approach correctly being taken by the NSW Government.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:57 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 16:55

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Committee for Sydney

Last name

Committee for Sydney

Name withheld

Yes

Info

Email

Committee@sydney.org.au

Suburb/Town & Postcode

Sydney 2000

Submission file

[cfs-submission-to-the-nsw-department-of-planning-on-short-term-holiday-letting-in-nsw.pdf](#)

Submission

Please see the attached document.

I agree to the above statement

Yes

From: conchita breadner <conchita.breadner@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
conchita breadner
2-10 Jenkins St
Collaroy, Nsw 2097

From: conrad vanecek <conrad@jewelphotography.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
conrad vanecek
34 Purser Ave
Castle Hill, Nsw 2154

From: Constance Fitzgerald <fitzgeraldconstance6@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Constance Fitzgerald
217 Burns Bay Rd
Lane Cove West, Nsw 2066

Enquiries Alex Adkins
Office Cooma
Your Ref STRA Reforms

11 September 2019

Director of Housing Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2000
Attn: Director, Housing and Infrastructure Policy

Dear Sir/Madam

Subject: Short Term Rental Accommodation Reforms

Thank you for the opportunity to comment on the draft short term rental accommodation (STRA) reforms. Council would like to highlight its previous submission and the unique position of our Local Government Area which we consider to be disproportionately impacted by the use of STRA.

Council would specifically like to raise the impact of STRA on the Township of Jindabyne. Jindabyne is located in close proximity to the major NSW ski resorts of Perisher, Thredbo and Charlotte Pass. Jindabyne has a permanent population of approximately 3,000 people which swells to approximately 15,000 in winter.

The township will play a significant role in the implementation of direction 3 of the South East and Tablelands Regional Plan 2036 (Develop the Snowy Mountains into Australia's premier year-round alpine destination). The NSW Government has invested \$2.4million in the preparation of a masterplan for Jindabyne. The 'Go Jindabyne' Masterplan is considering amongst other issues, demographic elements of Jindabyne including STRA impact on the housing market.

Information provided through the Go Jindabyne Masterplan project shows that approximately 30% of all dwellings in Jindabyne are used solely for the purpose of STRA¹, and that the majority of these properties are investment properties owned by people residing in either Sydney or Canberra.

In 2018, data shows that 18,730 people used Airbnb and HomeAway platforms to book short term accommodation in the Snowy River Region, 95% of these were booking entire homes². Of the Jindabyne properties listed on Airbnb 69% are booked for less than 90 days per year and 95% were booked for less than 180 days³.

Below is an extract from the draft City Plan Jindabyne Housing and Demographics report 2019 as a part of the Go Jindabyne Masterplan process which found STRA is having a disproportionate impact on the Jindabyne housing market.

¹ City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 5.2 pg. 88

² City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 6.6 pg. 99

³ City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 4.8.4 pg. 72

“This conclusion reinforces that short-term accommodation comes at the expense of certainty for prospective tenants such as permanent residents, for whom long-term housing may be more difficult to secure, particularly in areas where seasonal rental properties are higher than usual.

The impacts of Airbnb on rental supply in large cities such as Sydney and Melbourne tend to be offset by the significant increase in the construction of dwellings over recent years. However as outlined in the historical dwelling approval data, Jindabyne has seen a relatively minor increase in the number of dwellings being constructed, which is insufficient to offset the high demand for rental properties, in particular during key seasonal periods.”

It should also be noted that STRA investment could be at the expense of investment in tourist and/or visitor accommodation due to a number of elements including cheaper rates, and more lenient fire and disabled access requirements. This could lead to an under provision in tourist and visitor accommodation products which have greater social benefits than STRA.

STRA accommodation makes up 41% of accommodation utilised by domestic visitors to Jindabyne, in comparison hotels make up 32%⁴.

The cost of dwellings in Jindabyne over the past 5-years has increased by approximately \$242,000⁵. This has been due, in part, to the rising investment in properties for the purpose of STRA. As shown in figure 1 below, the median house price in Jindabyne is now not considered affordable to people on a moderate income.

Figure 1 – Dwelling affordability in the Snowy Monaro⁶



As property prices have increased, so have rental prices and increasingly long term rental stock is being taken off the market in preference of STRA. As such, action is required from both Local and State Government, although the ability to only restrict STRA to a minimum

⁴ City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 4.11 pg. 83

⁵ Snowy Monaro Region Planning and Land use Discussion Paper 2019

⁶ Housing .id – Snowy Monaro Affordability and Availability

of 180 days is not considered adequate. As outlined above, 95% of STRA dwellings were booked for less than 180 days. As was highlighted in Council's earlier submission, regulating the number of 'available days' for STRA does not guarantee that premises would be available for longer-term accommodation in off-peak periods.

I reiterate Council's previous submission which outlined that STRA could be regulated by land zone rather than by the number of available days. This may limit land use conflict in Jindabyne where residents often complain about STRA accommodation being used as 'winter party houses'.

Further, Council is under-resourced to monitor compliance of existing regulations and these proposed reforms will potentially add a significant burden to Council. The transient nature of STRA makes it almost impossible to monitor compliance without the ability to monitor STRA platforms on a 24/7 basis. While the Office of Fair Trading may absorb some of this compliance burden, Council will still be first port of call in the complaints process. The regional nature of our LGA brings concerns that the Office of Fair Trading may not see the Snowy Monaro Region as a priority leaving the compliance burden wholly with Council.

Council supports the changes in the draft reforms relating to flood and bushfire prone land. The changes appear sensible in regards to the dangers posed by bushfire and floodwaters.

Council is supportive of the fire safety standards (FSS) proposed as part of the regulation for STRA however the following points should be considered to improve the effectiveness of the fire safety measures to be included in these dwellings.

- The requirement for the fire safety standards should be referenced in the SEPP so proponents have an understanding of all requirements to undertake STRA.
- There is no regulatory oversight that the additional fire safety requirements set out in the FSS will be installed to the specified standards because (in most cases) it is exempt development.
- There is no ongoing maintenance mechanism to ensure the fire safety provisions installed in these dwellings are being maintained to the standards specified in the FSS. This is based on the premise that some of the buildings referred to can be a class 1A structure.

There should be a clear understanding of what compliance responsibilities sit with which State Government agencies and what compliance burdens sit with Council.

Council holds a number of concerns with the Draft Code of Conduct. The Draft Code of Conduct outlines requirements for booking platforms to advertise STRA properties. The Draft Code of Conduct excludes 'tourist and visitor accommodation' within the meaning prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*. It should be noted a large number of STRA currently in operation in Jindabyne was granted consent as a holiday dwelling under the *Snowy River Local Environmental Plan 1997*.

Many of these holiday dwellings operate with existing use rights and would not comply with proposed STRA regulations as they have more than two beds per bedroom. Holiday dwellings would not be excluded from the code of conduct as they are not defined as 'tourist and visitor accommodation' and as such could be undertaking a lawful use under the *Environmental Planning and Assessment Act 1979* but would be non-compliant with the code of conduct outlined by the draft *Fair Trading Regulation 2019* Amendment.

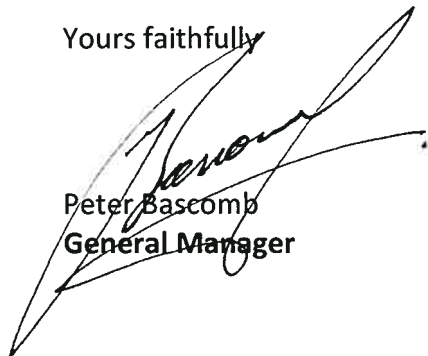
Snowy Monaro Regional Council holds significant concerns in relation to the draft reforms in their lack of ability to be adapted to the needs and demographics of local areas. A 'one

size fits all' approach is not appropriate to meet the differing community expectations in non-metropolitan areas. Council would like to further reinforce the unique impact STRA has on Jindabyne and would like to see further consideration of this significant issue before these reforms are implemented.

Further discussions may be required between Council and DPIE's Housing Policy and Go Jindabyne Masterplan teams to address these significant concerns.

Should you have any queries regarding this submission please contact Council's Strategic Planning Department on (02) 6455 1907.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Bascomb', is written over the typed name and title. The signature is stylized with a large, sweeping initial 'P'.

Peter Bascomb
General Manager

From: Coral Jones <bcozitis@icloud.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I enjoy meeting new people and supporting them to enjoy our local area, and this in turn helps me to keep a beautiful property that's a joy to share.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Coral Jones
Myocum
Myocum, Nsw 2481

From: Corinne Banbury <rod@4ucrm.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on 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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Corinne Banbury
9 Eric St
Bundeena, Nsw 2230

From: Courtney Peate <courtneypeate@hotmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Courtney Peate
240 Duranbah Rd
Duranbah, Nsw 2487

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 7:10 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 19:10

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Craig

Last name

Chapman

Name withheld

No

Info

Email

craigchapman64@gmail.com

Suburb/Town & Postcode

Casuarina 2487

Submission

The STRA should be introduced soonest as it has been mooted for years & the industry has grown & needs security to ensure that housing prices do not drop any further & the benefits it brings to the community & economy.

A review of the STRA regulatory framework 12 months after it commences will ensure that unintended consequences can be dealt with.

I agree to the above statement

Yes

From: Craig Hallinan <craig.hallinan@me.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it helps to provide income in my retirement. As I am self funded and not on the pension, every bit helps. If it becomes difficult to host then I will apply for the pension.

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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Thank you for reading my submission.

Regards,
Craig Hallinan
26 Hunter St
Stockton, Nsw 2295

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Friday, 23 August 2019 9:59 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Fri, 23/08/2019 - 09:58

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Craig

Last name

McIntosh

Name withheld

No

Info

Email

craig@holidayscollection.com.au

Suburb/Town & Postcode

2534

Submission

Hello,

I am the owner of The Holidays Collection and South Coast Holidays. We manage a combined 250 properties from Kiama to Jervis Bay, and in the Southern Highlands. My key comments are as follows:

1. restricting a property to 12 guests is unfair. We have numerous properties that sleep 14 or 16 or 19 that NEVER have any problem guests or issues that affect neighbours (some are acreage properties). 12 seems to be a very arbitrary number and would disadvantage many property owners unfairly
2. we like the system of a black list register for guests and properties but in this day and age of INSTANT BOOKING, the system will only work if Airbnb, Homeaway, TripAdvisor, Booking.com etc are forced to integrate their systems in real time to check a guest or property at the time of booking. Forget about agents or homeowners looking up on a separate register! That will not work and is an outmoded solution. It has to be integrated / instant / real time
3. how will you get around a rogue guest booking in another name or via a friend? Rogue guests will be able to evade the system, but a property owner will be black listed for 5 years
4. what if a property sells or changes management company, or is refurbished and repriced? Can the 5 year ban be lifted. A house often attracts the wrong guests if it is in poor condition or cheap
5. the appeal process for a home owner must be very clearly set out. You will open the door for very vindictive owners using the 5 year black list register to unfairly target neighbours who they don't like. I could give you examples of where some neighbours have heard about this legislation and are already doing what they can to nit pick over any issue that will build a case to attempt to have their neighbour's property alienated. And many of my owners will not sit back and take that - they will use every legal right possible to protect their property rights / investment income. I think you are grossly under estimating how many vindictive actions will spring up

Regards, Craig McIntosh

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Tuesday, 3 September 2019 5:06 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Tue, 03/09/2019 - 17:05

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

CRAIG

Last name

REID

Name withheld

No

Info

Email

craig@professionalholidayhomes.com

Suburb/Town & Postcode

Denistone

Submission

As a holiday rental property manager of 35 properties in the Jervis Bay area I wish to make a few points:

1. The proposed maximum of 2 guests per bedroom is too restrictive and highly punitive. Many of our

properties have tri-bunks or two sets of bunks in a room. The proposed changes do not take into account the size of property or of the size of rooms. Why should a hotel room be allowed to have 4 or 6 guests (in a single room) but a larger holiday home is restricted? A couple with a young baby cannot sleep in the same room as their child - this is ridiculous.

2. The requirements to meet bushfire regulations would be financially prohibitive to owners and would force many owners out of the industry. This would have a major impact on towns that rely on tourism. A more sensible option would be that STR's in bushfire areas must clearly disclose this in their advertising and have a bushfire evacuation plan clearly displayed at the property.

3. Why would restrictions be placed on short-term accommodation providers and the same rules not placed on long-term rentals? - particularly with regard to fire safety.

4. We support having an industry that has professional standards and a clear framework in place in order to eliminate unprofessional operators

5. We hope that the process to add guests to an exclusion register is a straightforward one as currently guests that cause damage or issues at properties often escape punishment due to the protection of the booking platforms

6. The restriction of 180 nights on properties in the Blue Mountains would be extremely damaging to tourism in this area and should be abolished

7. The maximum number of guests set at 12 is too low. This will force properties out of business, particularly those catering for events. We have a property that has 7 bedrooms and sleeps 28 guests that would be forced out of business.

8. We believe that properties that are a specific distance from others e.g. 0.5km should be exempt due to their being no possibility of noise

9. Property managers should be supported throughout the changeover process by a designated government body including free legal advice on the changes and a specific account manager that we can receive support from

10. The changes should be supported by significant investment in technology in order to reduce manual processes (e.g. guest exclusion register portal)

Please feel free to contact me should you require further input.

I agree to the above statement

Yes

From: Craig Stamp <stampy888@bigpond.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Craig Stamp
54 Geraldton Dr
Redhead, Nsw 2290

From: Craig Vinfield <craigvinfield@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because it supplements my income

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Thank you for reading my submission.

Regards,
Craig Vinfield
Meadows Close
Bangalow, Nsw 2479

Submission to Code of Conduct for short-term-rental accommodation

Dailan Pugh, September 2019

For decades the Byron community has articulated a desire for a low-key sustainable tourism industry based on Byron's unique environment and distinctive culture, while minimising social and economic impacts on residents. As well as overloaded infrastructure and congestion at key localities, the principal impact on residents has been the alarming spread of holiday letting into residential areas.

As houses and garages have been converted into rental accommodation, firstly owner-occupiers declined and then long-term renters. These are progressively being replaced with short-term and holiday letting. With this comes loss of community as long-term residents decline, traffic congestion on residential streets not designed for the high densities and loss of garages, increased contamination of recycling, and occasional bouts of outrageous behavior including noise and parties.

This has been accompanied with significant increased use and degradation of natural areas used for recreation by residents. The partying culture associated with many visitors, particularly beach doofs, has been a major problem.

The community amenity has been considerably reduced by holiday letting, and the impacts are increasing.

It is requested that this problem not be worsened. Over 17 years ago the option of rezoning some limited residential areas for holiday letting, while continuing to prohibit it in most residential areas, was regarded as a compromise solution. Regrettably this recommendation has met years of obfuscation. I urge the adoption of this approach. It is essential for residential amenity that holiday letting be prohibited in most residential areas.

In 2002 NSW Tourism ("Byron Shire Tourism Management. An Options Paper for Consideration") identified that tourism was having significant impacts on the Byron community by causing traffic congestion and reducing residential amenity, and that this, in turn, was negatively affecting tourism. They identified an urgent need to make the industry sustainable by addressing community impacts. They warned that Byron was approaching a stagnation stage as a tourist destination because the level of mass tourism was outgrowing infrastructure capacity and *"the quality of life for residents, the very ambience the visitor comes to see, is compromised"*. They emphasized that tourism could either be rejuvenated or decline depending upon what action Byron Shire Council took.

NSW Tourism identified 7 key issues *"fundamental to the future move towards a sustainable tourism industry"*, including limiting the impacts of tourist accommodation on residential amenity:

- 1) *Opportunities for managing and potentially limiting the type and extent of further tourism product, in particular accommodation, within Byron Bay;*
- 5) *Addressing the issue of short-term rental accommodation for tourists, being a currently unregulated activity with acknowledged social impacts;*

NSW Tourism identifies as amongst Byron weaknesses are *"Perception of negative social impacts including crime and safety issues"*, *"The tourism/resident conflict"* and *"Lack of planning and direction with respect to tourism"*. Amongst its opportunities are *"Planning controls for tourism to be incorporated as part of councils LEP review"*.

NSW Tourism considered that failure to establish new planning controls to limit the location and extent of tourist accommodation within Byron Bay would result in a “*decrease in social amenity and increase of some currently experienced negative impacts of tourism upon the resident population, including traffic congestion, high volumes of people in the town, noise impacts, crime and safety issues*”.

Specific recommendations included identifying specific precincts within residential areas for holiday letting. Establishment of precincts for low key tourism accommodation were proposed for Bangalow, Brunswick Heads, Suffolk Park and rural areas.

In 2008 Southern Cross University's "Byron Shire Tourism Management, an Options Paper for Consideration" identified relevant issues as:

Ensure on-going strategic planning and a coordinated approach to the management of tourism
Resolve the holiday-letting issue
Develop effective planning and development controls that protect the natural environment and maintain low scale and appropriate tourism development
Respect and protect residential amenity and community values
Consider the need for affordable housing and the availability of permanent rental properties

The Consultation Report notes that values identified by community and environment groups included:

- *Understanding that tourism industry must not impact on resident amenity*
- *Not detracting from the opportunity of amenity of residents*
- *Respect for existing residents*

The 2008 Byron Shire Management Plan identified the need to deal with the holiday letting issue as a key issue that needed to be resolved, noting:

It is further recommended that the issue of holiday-letting in residential areas should be resolved as part of the planning process for the new LEP that is currently underway.

Byron Shire Council has been in a dither over holiday letting for decades. Allowing holiday-letting throughout residential areas will simply compound the already significant community and environmental impacts. Having precincts to which short-term holiday letting is restricted is the only way to maintain and restore residential amenity to the balance of residential areas.

In 2002 NSW Tourism identified that “*a tourist paying for the privilege of visiting the area is a fundamental issue*”. One of the few recommendations of NSW Tourism adopted was the imposition of a differential rate, so that now businesses in Byron pay twice the rates of residents. Though now unapproved holiday lets are widespread throughout residential zones. Air BnB properties In Byron shire have jumped from 1,172 in 2016 to 3,306 in August this year. These are commercial properties and should be regulated and paying commercial rates.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 11:30 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 11:28

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Dailan

Last name

Pugh

Name withheld

No

Info

Email

dailan@tpg.com.au

Suburb/Town & Postcode

2481

Submission file

[submission-to-code-of-conduct-for-short-term-holiday-letting.pdf](#)

Submission

attached

I agree to the above statement

Yes

From: DAINA BYRNE <dainabyrne@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
DAINA BYRNE
2 Langley Ave
Cremorne, Nsw 2090

From: Dalia Bonefacic <dahliab@yahoo.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Dalia Bonefacic
45-55 Virginia St
Rosehill, Nsw 2142

From: Dallas Brady <dallasbrd@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Dallas Brady
70 Phillip Dr
South West Rocks, Nsw 2431

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Saturday, 31 August 2019 3:37 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Sat, 31/08/2019 - 15:37

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Dallas

Last name

Griffin

Name withheld

No

Info

Email

Dallas_griffin@bigpond.com

Suburb/Town & Postcode

Pymont

Submission

I write as an owner occupier of a strata apartment. We bought our home with the understanding that all apartments are occupied by owners or lessees with a minimum 6 months lease. Now you want to change the zonings to allow people to rent out their apartments by the night for up to half of each year.

I don't think this is fair to owners in strata buildings who do not wish to have short term letting in their buildings. I think that the strata committees should have the right to restrict short term letting if the majority of owners vote accordingly. We are responsible for the management and maintenance of our buildings and should not have to deal with added wear and tear expense and anti social behaviour of un-screened short tenants.

I don't think you can make one law to cover all types of housing in NSW and short term letting may be suitable and acceptable in some areas or building types but I definitely do not think it should be mandatory in strata buildings if the majority of owners do not wish to allow it.

Please consider that apartment owners should have the right to a peaceful home and also to abide by By Laws which have been formulated and approved by owners. That should include the right to determine whether Short Term letting is accepted in their Strata Building.

I agree to the above statement

Yes

From: Damian Cox <coxdnt@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Damian Cox
114 Pioneer Dr
Jindera, Nsw 2642

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 11:40 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 11:39

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Damien

Last name

Antico

Name withheld

No

Info

Email

damienantico@yahoo.com.au

Suburb/Town & Postcode

Ewingsdale Byron Bay 2481

Submission

I am writing in support of STHL in BYRON BAY not because it's a good thing but the town has to live with the concept as it brings money to the town. This revenue does not stay with us here as most of the town itself is now an investor town. The properties owned by investors 65% are all for holiday letting and therefore the money for rent leaves town.

We accept that beaurocrats in Macquarie St. have taken our community away and now we are left with visitors and no soul but that is the way of the future and that is why I support the policy.

There is no need to restrict or define a number of days as the weather will dictate rental returns.

It is hard to wind back the clock so why try.

Good luck and you sent my family like so many other legal operators out of business so you don't care anyway.

Now we have nothing.

I agree to the above statement

Yes

From: Damon gregson <damon.gregson@essentialenergy.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Damon gregson
29 Macwood Rd
Smiths Lake, Nsw 2428

From: Damon O'Connor <damon@enterline.com.au>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Thank you for reading my submission.

Regards,
Damon O'Connor
Banzai St
Kingscliff, Nsw 2487

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 6 September 2019 1:56 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Fri, 06/09/2019 - 13:55

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Dan

Last name

Croft

Name withheld

No

Info

Email

dan.croft@pmhc.nsw.gov.au

Suburb/Town & Postcode

2444

Submission

Dear Sir/Madam

Thank you for the opportunity to comment on the proposed legislative framework for regulating short-term rental accommodation (STRA) in NSW. Providing clarity for all stakeholders on the extent and nature of STRA that is permitted as exempt or complying development under the proposed State Environmental Planning Policy is supported. The following comments are provided for your consideration in finalising the legislation:

- STRA is proposed to be permitted for rural workers' dwellings - this seems inconsistent with the intention of this land use.
- Clause 13(1)(d) requires the land to be bushfire prone in order to carry out complying development. This seems strange as it would exclude complying development on land that is not bushfire prone. It would make more sense for it to say that if the dwelling is located on bushfire prone land subclauses (e), (f), (g), and (h) apply.
- From a systems/register perspective Council has often found that with State Registers (e.g. Combustible Cladding, Swimming Pool Fencing, Companion Animals, Food) there is no ability for investigating officers to record complaints or manage compliance workflow from the State Register. This then requires Council's to keep their own separate registers and records. A more dynamic approach to State registers is considered necessary to efficiently and effectively implement the proposed legislation.

Regards

Dan Croft

Group Manager Development Assessment

Development & Environment

Port Macquarie-Hastings Council

I agree to the above statement

Yes

From: Dan Heslop <danheslop@bigpond.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because the income provided allows me to go to university, something I previously was bit in a position to do.

I also love sharing my home with people from around Australia and the world under the controlled yet informal and relaxed Airbnb business model. I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

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Thank you for reading my submission.

Regards,
Dan Heslop
17 Lake St
Wentworth Falls, Nsw 2782

From: Dana Lightbody <danalightbody@hotmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because renting my home does not cover the mortgage.

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Thank you for reading my submission.

Regards,
Dana Lightbody
56 Cowles Rd
Mosman, Nsw 2088

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 5:59 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 17:58

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Danelle

Last name

Wuehr

Name withheld

No

Info

Email

danelle.wuehr@gmail.com

Suburb/Town & Postcode

2481

Submission

Short term holiday letting is undermining our community. We need to have housing for people to live here year round - these people contribute to the community through volunteering, working and just caring about where they call home.

Short term holiday lets should be restricted so that they can only rent full time if the owner lives onsite. Unfortunately without the owner onsite group bookings in large houses often end up being way too noisy for the residents around them.

Holiday makers also generally can't be bothered to understand our recycling requirements in the shire and so don't bother to separate any of their waste.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 6 September 2019 4:11 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Fri, 06/09/2019 - 16:10

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Daniel

Last name

Maurice

Name withheld

No

Info

Email

djmaurice@msn.com

Suburb/Town & Postcode

Glebe 2037

Submission

I strongly support the Owners Corporation Network's comments on the Department's STRA draft code of conduct.

In addition I believe that EVERY owners corporation should have the right, by say a 2/3 majority vote, to pass a by-law refusing to allow short term letting in their specific strata.

Alternatively if this is not agreed to by the Department then EVERY owners corporation should have the right to impose higher levies on owners engaged in short-term letting, reflecting that such owners are imposing higher maintenance and security costs on fellow owners while receiving personal financial benefits though this short-term letting NOT shared with their fellow owners.

I agree to the above statement

Yes

From: Daniel skillen <rockytopsdalety@outlook.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Daniel skillen
5 Barnes St
Dalgety, Nsw 2628

From: Daniel Terry <dterrydb@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Daniel Terry
172 Fisher Rd N
Cromer, Nsw 2099

From: Daniel Troy <danieltroy2000@yahoo.com>
Sent: Tuesday, 10 September 2019 7:46 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: recorded and not sent to DCS, recorded in DPIE subs register

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Thank you for reading my submission.

Regards,
Daniel Troy
14 Church St Goulburn
Goulburn, Nsw 2580

From: Daniel Wallace-Crabbe <wallacecrabbe@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I have a spare room and I need to support myself as a struggling musician in Sydney.

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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Thank you for reading my submission.

Regards,
Daniel Wallace-Crabbe
140 Shepherd St
Darlington, Nsw 2008

From: Daniela McPherson <daniela.mcpherson@yahoo.com.au>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we have the space to welcome people and it gives me an opportunity to work very flexible while the kids are still young.

I also consult locals opening their family home to guests while they are away on holidays. This generates jobs for local cleaners & photographers and business opportunities for local restaurants and shops, which would not exist with an empty home.

I am also using Airbnb as a guest, because I don't want to go to a hotel with my kids and tell them to be quiet all the time. I want to enjoy the space only another home can give me when I am on a holiday.

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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Thank you for reading my submission.

Regards,
Daniela McPherson
1 Solander Rd
Avoca Beach, Nsw 2251

From: Danielle Helms <dannyella@aol.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Danielle Helms
2 South St
Edgecliff, Nsw 2027

From: Danielle Jackson <danielletheajackson@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

Wage growth has been stagnant for years, especially for the standard worker (unless you are a CEO). Yet the cost of living and inflation continue to rise. The rising discrepancy between flat wages and higher costs of living means your average Aussie worker needs to make extra dollars on the side to survive. Targeting the standard Joe Bloggs on the street isn't fair. Why aren't Apple and High Net Worth individuals (who are frequently revealed to pay zero or low tax, eg: James Packer) being targeted?

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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Thank you for reading my submission.

Regards,
Danielle Jackson
6 Short St
Bethungra, Nsw 2590

From: danielle lewand <dlewand@hotmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because...

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Thank you for reading my submission.

Regards,
danielle lewand
95 S Pacific Cres
Ulladulla, Nsw 2539

From: Daphne Nott <daphne.nott1@gmail.com>
Sent: Thursday, 5 September 2019 11:05 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

--

Kind regards,

Daphne Nott

From: Daphne Nott <daphne.nott1@bigpond.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Thank you for reading my submission.

Regards,
Daphne Nott
19 Old Pacific Highway
Raleigh, Nsw 2454

From: Darren Brown <darren.brown@naviro.com.au>
Sent: Thursday, 5 September 2019 11:56 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

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From: darren brown <misterbrownie@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
darren brown
19 Duke St
Forestville, Nsw 2087

From: dave Clark <atomicpa@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
dave Clark
36 Hewlett St
Bronte, Nsw 2024

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Saturday, 7 September 2019 4:50 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sat, 07/09/2019 - 16:49

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David and Bronwyn

Last name

Wilson

Name withheld

No

Info

Email

bronniewilson@hotmail.com

Suburb/Town & Postcode

North Sydney 2060

Submission

We very much object to any changes in laws/regulations that will make it legal for strata Owners or occupants to conduct short term letting. We consider it grossly unfair and wrong that the apartment we purchased in good faith as our home, under the regulations that existed at the time of purchase, could be threatened by a revolving door of unknown itinerants in our building, many in party mode. Moreover the increased costs incurred in common property maintenance, cleaning costs, security costs, fire safety costs, insurance increase costs, rubbish disposal and more will be passed onto us via increased strata levies. The friendly ambience in our building will change as more strangers come and go. It is outrageous to us that this government cannot see how wrong and de stabilising this legislation's ramifications could be. We have already experienced "hot bedding" in our small apartment block. This was horrendous with people coming and going at all hours, keys left in letterboxes, people climbing in through the gym windows at night to gain access, strangers using our gym showers on a regular basis while locking owners out of the gym- even sleeping in there, and smoking in the building that permeated throughout. We successfully stopped this and have introduced a by law to prevent leases under six months, and now we read that the NSW government is proposing changes to Planning Laws to permit and encourage airbnb and others to operate openly and to override our by laws and our wishes as long term owner-occupiers. We are most unhappy with these proposals and would not be voting for a government that sought to override and legislate against the best interests of owner occupiers In strata schemes.

I agree to the above statement

Yes

From: David Arnold <davidarnold.coffs@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Specifically, I want to comment on the following:

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Thank you for reading my submission.

Regards,
David Arnold
95A James Small Dr
Korora, Nsw 2450

From: David Berry <daveberry80@gmail.com>
Sent: Wednesday, 21 August 2019 8:26 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Dear Minister,

The idea of restricting only two people to a room seems very unnecessary. Families often have more than two children who like to stay in the same room. Some of my best childhood memories are of holidays where I was able to 'bunk' in with friends, cousins and the like. To try and put in place restrictions on this would be absolute kill joy, have no impact on the safety, lead to a loss of revenue for tourism as a whole - Australians will just go abroad for holidays and fewer foreigners will come to Australia where they don't have to holiday under a nanny state - what is wrong with us??? A more appropriate measure might be to only allow the number of people to sleep in rooms for the number of beds that are available.

Regards
David Berry

On 21 Aug 2019, at 7:57 pm, David Berry <daveberry80@gmail.com> wrote:

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

David Berry
Phone: +61 407 370 372
[Email: daveberry80@gmail.com](mailto:daveberry80@gmail.com)

From: David Berry <daveberry80@gmail.com>
Sent: Wednesday, 21 August 2019 7:57 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

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Thank you reading my submission.

David Berry
Phone: +61 407 370 372
[Email: daveberry80@gmail.com](mailto:daveberry80@gmail.com)

From: David Black <dblack50@optusnet.com.au>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
David Black
182A Flood St
Leichhardt, Nsw 2040

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 1:29 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 13:28

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Carland

Name withheld

No

Info

Email

david@aresdev.com.au

Suburb/Town & Postcode

MILSONS POINT 2061

Submission

We live in a twelve storey apartment building in Milsons Point.

I have several areas of acute concern with the short-term letting package proposed by the NSW Government:

1. Preservation of Owners' Rights:

Residential apartment buildings in mixed use and commercial zones with express prohibitions or limitations on short term letting must have their by-laws respected and preserved. There can be no over-riding policy reason which dictates limitations on the right of apartment owners to collectively decide whether or not to permit short-term-rental accommodation (STRA) where this is the clear desire of the democratic majority.

2. Collective Cost of Permitted Short-term Letting

Residential schemes must have authority to levy charges and fees on owners/tenants (Hosts) conducting short-term letting. The disproportionate cost to owners and owners' corporations from STRA operations (e.g. wear and tear of lifts, gyms, garbage and other utility areas as well as administration and management costs) means they are effectively subsidising those running STRA businesses. Security arrangements in our buildings must not be compromised. The Hosts should also be required to advise the Owners Corporation of intent to let their property on a short-term basis and to pay any extra insurance costs levied on the building.

3. Preservation of Local Government Oversight

Local Councils must have the ability to set and apply zoning restrictions to meet their strategic planning objectives. They should be involved in designing and be part of the compliance and enforcement function of any registration system.

4. Fire Safety Standards:

The only way to ensure that mandatory fire safety standards are met is for STRA operations in residential strata schemes to be classed as "complying development" (not "exempt development") which allows for inspection by Local Council or a private certifier. In addition:

- (a) Fire safety standards should be more onerous for short-term holiday visitors in high-rise apartment buildings as the threat to life of all residents is increased significantly.
- (b) Fire standards applicable to residential apartment buildings do not address the fire risks of cooking, BBQ's or smoking on balconies which are common problems with short stay visitors unfamiliar with by-laws or local customs.
- (c) Fire safety in residential strata schemes must not be left to self-regulating platforms or amateur Hosts as it poses an unacceptable risk to all residents.
- (d) Fire and Rescue NSW should have direct access to Register data such as the number of apartments listed for STRA in a high-rise building to enable accurate assessment in emergency situations.

5. Effective Registration:

An independent, publicly funded registration system is essential to identify STRA properties, the Host, the agent or nominated representative as well as having data on address, location, intensity, volume, days of availability, days of occupation, number of rooms, etc. in order to develop a profile and analysis of the STRA industry. Other major cities such as New York, San Francisco, Barcelona, Paris, Toronto and Vancouver, who have experienced this industry, are now devising or implementing legislation to strictly regulate its operation. At the very least, NSW should have controls in place BEFORE allowing STRA in

apartment buildings as well as enforceable and fast-acting conflict resolution processes.

Given the disparate issues involved with the regulation of AirBnB, Stayz and the like, it is essential that a Register is established, managed by either the NSW Government, local Councils or an independent body, with powers that are time-sensitive, practically enforceable and of real utility to residential strata schemes. This Register must be necessary pre-requisite to any new regulatory framework. STRA transforms homes into hotel rooms and neighbours should not be obliged to give up their right to quiet enjoyment with bland reassurances about conflict resolution. Such a Register has been found to be helpful in somewhat alleviating these problems in cities overseas.

6. Host's Registration Obligations:

There must be enforceable obligations for Hosts to register the premises before it is used for STRA purposes. Penalties should apply for unregistered premises. The Host should identify all platforms on which their property is listed, identify days of availability and report nights of occupations. Additionally, there must be a legal obligation for Platforms and agents not to list an unregistered residential dwelling for STRA. Again, there should be no change in planning laws in residential apartment buildings until the Register is in place.

7. By-Law Enforcement:

Our strata scheme has a by-law prohibiting STRA. It must not be possible for this to be circumvented by any person who is not an actual owner being registered as a Host. In the case of residential tenants, there must be evidence that the landlord has expressly permitted the conduct of STRA by the lessee. STRA in strata buildings must require a complying certificate. This should be part of the registration process as it is essential data for regulatory oversight and enforcement.

8. 180 Day Cap:

The proposed 180 day cap is unacceptable and excessive by world standards. It makes a mockery of the original intention that the caps were to be an economic lever to drive apartments back into the domestic residential market.

The rapid growth in STRA in recent years has had significant impact on apartment buildings as well as residents on areas such as amenity, strata costs and individual safety. Such growth has clearly outpaced regulation and owner's corporations should be given greater ability to manage these impacts. Under no circumstances should this industry be self-regulated.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 10:35 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 10:35

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Coyne

Name withheld

No

Info

Email

dhc143@gmail.com

Suburb/Town & Postcode

Coorabell

Submission

hello,

i am a 17 year resident of the byron shire. i have enjoyed the area since the mid-seventies. over the

years one of the most significant changes has been the upward spiral of the rental market. i know people who began to speculate on real estate since the 70's, buying properties and renting them out long term. this had a somewhat neutral trending effect on affordability. now the trend towards AirBnB has changed everything. just in my neighbourhood alone, many many properties are now listed on holiday rental sites, and in town and closer to the beach it is even more prevalent. this has destroyed the amenities of many neighbourhoods, made it impossible to find long term rentals at reasonable prices driving many long standing citizens out of the area, and changed the feeling of the shire at large.

i believe this is one of the most important issues to be dealt with and brought under control if our shire is going to survive as a place to live, rather than just a place to come and party, go to festivals, and helicopter in for the weekend.

please stand up for our town and our shire and find a way to limit this cancer to our possible enjoyment of our homes, which is very much under threat at present.

thank you.

D. Coyne

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 4:26 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 04:25

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

DAY

Name withheld

No

Info

Email

dave_hockley_day@hotmail.com

Suburb/Town & Postcode

COFFS HARBOUR JETTY

Submission

As an owner/occupier in a residential apartment building, I object to the fact that council/government can override the wishes of our strata committee when it comes to short-term holiday letting. As residents we are not on holiday. We have jobs, families and need to get a good night's sleep. Non-resident owners can currently let their property for single-night stays, and are not present to control their guests. In addition to noise, building security is an issue as we there is almost no vetting completed over guests.

Should the strata committee vote to allow short-term lets, or the owner be present in the property to address issues overnight I have no objection. It is simply undemocratic and unfair not to allow us control over our own building and its use.

I agree to the above statement

Yes

From: David Felgar <david@limelightraustralia.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
David Felgar
127 Bondi Rd
Bondi, Nsw 2026

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 4:34 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Dom submission, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 16:34

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Foster

Name withheld

No

Info

Email

david-foster@bigpond.com

Suburb/Town & Postcode

Breakfast Point

Submission

General Comments.

The STRA industry like Uber overstates the benefits and manipulates the regulations for their own

benefit.

The following comments are directed at the Strata section of the industry.

Participants must be registered and that information made available to Local Councils, the Taxation Office, Strata Managers and Owners Corporations

My primary concern relates to the definition and use of Host. Where the host is not the owner of the lot, the host must provide written approval from the owner. The reason for this is that an Owners Corporation will seek compensation from the owner if they cannot get it from the tenant or host. If the owner is unaware their property is being used for STRA it makes recovery of damages difficult and costly.

Nothing in the documentation addresses the fact that most Strata Committees take considerable time to act due to factors such as being volunteers, time between meetings etc. Their needs to be provision for information being made available at least to Strata Managers regarding details of useage, contact details for guests etc so action can be taken against them when required. Unless this can be done quickly the guest has long gone.

The owner and host are responsible for the conduct of guest and must make guests aware of all By-Laws. A Strata Committee is responsible for enforcing Strata, Precinct and Community-By Laws and must be given the means to do so. In your documentation you state in Contravention of By-Laws 6.2.5 the complaintis only accepted if the Tribunal has already made orders for a financial penalty. This is a very long winded procedure and the guest is most probably long gone.

I support the tightening of fire requirements. STRA is a commercial operation and requirements for fire, registration and insurance should be the same as hotels and motels. I would note that few apartments would meet the proposed fire requirements. Many have smoke alarms near but not in bedrooms, few are linked or have escape lighting capabilities. Modifying these instillation would require owner and Owners Corporation approval.

I do not support the exemption for bookings over 21 days. In apartment living we do not like high turn over. Provision should be made to allow rental leases made through and managed by Real Estate Agents for ant rental in excess of 21 days. Otherwise you could have a rolling arrangement with little control over the host actually doing a rental for almost the whole year.

Comments on Draft Code Of Conduct.

Record Keeping Requirements. Owners and Hosts must also keep full records

Obligations

owners/Hosts must also have Landlord Insurance

Information of Guest

Also to be provided to the Lot Owner, Strata Manager, Building Manager.

Obligation to neighbours

Add details of each rental to Strata Manger

5.5.6 Add damage to Common Property

5.6 Facilitators

Must have owners written approval

Contravention of By-Laws

6.2.5 Most Strata issues are contraventions of By-Laws. This section needs to be revised and toughened up.

Discussion Paper

1. Generally ok. Exception change to 21 day or longer bookings. Reason reflects industry position not residents concerns. No justification for excluding it from day count as you have no control over who comes into your building.

2. Yes there are a number of issues which need to be discussed with Strata Representatives.

3. Excellent idea
4. No . Proper registration procedures required. Owners and guests need better protection from unscrupulous hosts. Insufficient protection of Common Property issues.
5. More complete information on owner, host, platform organisations, agents, facilitators, host or owners doing their own arrangements, protections in place for guests to prevent them being ripped off.
6. No Ignores owners and hosts not ensuring guests are fully aware of By-Law requirements the guests and their friends must comply with. Tighten the obligation on hosts to look after the guests and not try and put this onto Owners Corporations or Building Managers.
7. No the Industry must pay for a rapid intervention process. Registration and an individual booking fee for each booking could fund this.
8. The owner of the property must be aware STRA is being undertaken and give their approval in writing as part of the registration process. Contravention of By-Laws and damage to common property are the 2 most common problems in strata properties.
9. These are commercial activities therefore privacy is a secondary aspect. How can you prohibit a banned host or guest unless you have the information
10. Yes
11. No. Should be made clearer. Points etc don't mean anything. State it in Dollars.
- 12 No. Make anyone offering to provide accommodation services included and liable.
13. Same reason. Doesn't matter if they are large or small they must be required to conform to the code and requirements.
14. Yes if they are required to comply with existing regulations or laws
15. None.
16. Yes satisfactory provided an owner has to give any non owner written approval to be a host or facilitator.
17. All hosts should be charged a booking fee for each booking which would be used solely to administer the cost of administering industry and enforcing the code.
18. Only hosts to pay. Only actual cost to be passed on to guest - user pays
19. Don't understand how the penalties work. Fraudulent or criminal activity should be heavy penalties.
- 20 Registration needs to be taken out of the industry hands and handled by a government authority. The industry can provide the data (which must be compulsory with each booking) but the regulation and enforcement must be by an independent authority.
21. Hey the industry is trying to undercut the accommodation industry by avoiding having to comply with requirements. Sorry but you cant have it both ways. If you want to be in the STRA industry you have to pay your share of the costs.
22. Total control integrated with the taxation department.
23. The shonks and the manipulators acting only from greed will not want to be involved if the tax department is aware of their activities. Genuine hosts will accept it to be a cost of running a business. Initially there may be some reduction in the number of available rentals but that will recover with time. The conventional rental market will benefit from less disruption
24. Putting in place substantial penalties for not complying fully with registration and code procedures.
25. That would be a matter for the new authority to determine.
26. The host for not registering and the Platform, Agency, Facilitator for promoting or using an unregistered property.
27. All information required for the authority to undertake legal action against host, platform, agent or facilitator.
28. Host register property. Platform(s) or persons promoting property to register they are promoting that registered property. Authority to cross check details agree.

29. Total Control whether it be a central organisation or a regional organisation dealing with properties in their local area.

30. Yes. The name of the property owner and the host should be available as should the name of any platform agent or facilitator promoting the property. People should be able to know who they are dealing with.

31. Yes Monthly and in the case of Strata Properties also to the local council, Strata Manager and Owners Corporation as it affects common property useage, fire and insurance issues.

32. Yes. It is a commercial activity. Also a register if banned hosts and guests should be available.

Kind regards

David Foster

0417420694

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Department of Planning,
Industry and Environment <no-reply@planning.nsw.gov.au>
Sent: Saturday, 17 August 2019 4:10 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Cc: DPE PS ePlanning Mailbox
Subject: Have your say on Short Term Rental Accommodation

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Sat, 17/08/2019 - 16:10

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Goodman

Name withheld

No

Info

Email

david.goodman2011@gmail.com

Suburb/Town & Postcode

Bellevue Hill 2023

Submission

The problem with Short Stay rentals with absent owners, is that the renters may disturb the other residents. They may also increase the risk profile of the building and jeopardise insurance, and add to the cost of premiums.

The fact that renters conduct might breach the Strata By laws is of no assistance, as the enforcement procedures are so cumbersome and complex and time consuming that enforcement is generally not possible without expensive legal advice. There may well be a right, but for all practical purposes, it is a right without a remedy.

Short term rentals are a business, conducted in residential properties. There needs to be proper and well resourced licensing and monitoring and enforcement-which will never happen.

I agree to the above statement

Yes

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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

Submission to NSW Planning re short term letting

by David Green, Treasurer of 2 strata owners corporations in Ultimo and Haymarket, Sydney

in response to - <https://www.planning.nsw.gov.au/Policy-and-Legislation/Under-review-and-new-Policy-and-Legislation/Short-term-holiday-letting>

As an inner-city resident/owner in a residential strata complex in Ultimo, and investor/owner of a rental unit in a high-rise residential strata complex in Haymarket, Sydney CBD, I have observed quite a lot of short-term letting in inner Sydney.

Most short-term (airbnb?) lettings purporting to be by an **owner**, were in fact by a **tenant** who was **illegally subletting** in breach of the terms of the standard NSW residential lease to not sublet without the knowledge or **written consent of the owner**.

Not only were they illegal sublets, but they were often **illegally overcrowding** in breach of fire safety and council maximums of 2 adults per bedroom. This lowers the quality of life for overcrowded sub-tenants, giving them the false impression that the person they pay rent to is in fact the owner, when in fact they are usually NOT the owner, and don't care about things like maintenance of the property or keeping it clean, or ensuring tenants don't disturb the neighbours trying to sleep at night, and puts at risk the lives of innocent visitors and neighbours in the event of fire.

Not only were they illegal sublets and illegal overcrowding, but most short-term letting units I have seen in inner Sydney are controlled by **non-Australians** on **visitor (?working) visas** running **multiple** such properties as a **business** – intending to **avoid tax** on any such income.

I found my rental unit illegally sublet by a Korean visitor who never lived there had put 6 beds in my 2 bedroom unit – after termination, I found my next German tenant did the same – took **\$3000 in cash** bonds from 6 German backpackers, then flew to **spend it in Bali** on a luxury holiday.

Airbnb as a multi-billion-dollar US corporation has been encouraging its members and supporters to promote the idea that airbnb is **simply helping poor pensioners pay for their living expenses**.

My observations are very different - **airbnb takes the money (back to the US or a tax haven)**, but seeks to **avoid responsibility** for any problems resulting from illegal sublets illegally overcrowding by tax-avoiding business people.

I have seen 6 middle-aged Canadians with their suitcases – tired after a 14 hour flight – who had arrived at their inner-Sydney 'airbnb' to be met by a building committee member who simply said 'no airbnb in this building!' and directed them to leave. When they called to explain the problem, their **airbnb 'host' simply hung up on them** and never responded again. I then spent an hour with this unhappy group standing in a local park trying to find alternative accommodation around New Years Eve in Sydney. After an hour with no joy I had to leave them – abandoned, distraught, vulnerable, disappointed, saddened by their **Welcome to Sydney** Australia.

I tend to pay attention to **Noise** – standard NSW **Strata Bylaw 1 [the most important]** – Noise includes 'must not create any noise ... likely to **interfere with the peaceful enjoyment** of ... another ... person'

In the strata complex where I live I have seen **multiple illegal sublets overcrowded** with **noisy short-term backpackers** from **Europe** or **South America** who then sit on the balcony (for better mobile signal and to 'not disturb' their unrelated housemates!!!) **after midnight** to **call their friends and family in very different time zones**. **Disturbing the Peace** and **sleep** of **multiple neighbours** – in our case 80 bedrooms facing the common courtyard so **up to 160 people sleep disturbed**.

As a result of this, I have been involved in arranging **two unit evictions** in our strata complex – in one case a local man was using a minibus to transfer overseas visitors to and between multiple local properties he was renting and then illegally subletting. I advised the tax office of the multiple properties I had found this man to be running with estimated profits in his pocket being around \$87kpa so they could correlate this with his declared taxable income.

When the Sheriff arrived at 830am one morning, I soon saw 8 people with luggage hastily removed, sitting stunned in our courtyard like ‘**what just happened ... ?!**’ - as **despite multiple written warnings about noise disturbance** over 6 months to the dodgy illegal overcrowding ‘head tenant’, **he never told his illegal subtenants anything** about it, so the first they knew was a knock on their door waking them up and telling them they had 20 minutes to get all their stuff and get out with a locked door behind them. Later inspection of the empty **3 bedroom** unit found **12 beds**.

Just scurrilous behaviour from a guy who **cared nothing for the neighbours or his sub-tenants – he only cared about money in his pocket** so had them paying rent for the next two weeks, despite knowing they were about to be evicted the next day, and didn’t tell them anything about it, so he’d have a ready captive group of 8 to minibus to the next place he lied about to rent out to house them in to continue his illegal practice and disturb some new neighbours.

In another case, despite multiple notices and warnings, a young Spanish-speaking female continued her habit of **loud voice partying and screaming with laughter at 1am** after she came back from her ?restaurant work – **Disturbing the Peace and waking up sleeping neighbours**. After ignoring a third warning from the agent, that tenancy was terminated, and the departing never-lived-there head tenant didn’t bother to remove the furniture, which the next tenants have not yet got around to moving off the balcony where it is stacked up in an unsightly pile.

So – my point – please ignore airbnb’s carefully marketed self-interested promotions suggesting they are bringing tourist dollars to NSW and making life wonderful for poor pensioners.

Airbnb is a self-interested US corporation paying probably almost no tax in Australia.
Short-term letting website/apps are **taking money from Australia** and **taking it overseas**.

Despite assumptions that short-term letting ‘hosts’ must pay tax in Australia (good luck with non-Australian ‘hosts’ on visitor visas getting cash in hand !) it looks to me like **airbnb does not pay tax in Australia**. They take a significant fee and percentage of each airbnb booking, yet do not appear to pay tax on those earnings in Australia. Does that sound fair ? Methinks not.

In my observations and experience in Sydney, **short-term letting hosts** are now largely **non-Australian visitors from overseas profiting** by running **multiple illegal sublets illegally** and **unsafely overcrowded** – for cash, with an intention to **avoid tax**, with a good chance that they might intend to **expatriate the profits overseas** at a **net loss to NSW** and Australians.

Illegally sublet illegally overcrowded illegal short-term lettings cause a continual **nightmare of sleep disturbances** for neighbours. **I now deal with noise disturbances almost every day** – including this morning another complaint about 11pm mobile phone call on the balcony by a European visitor **disturbing another neighbour’s sleep**.

Please allow residential strata owners corporations to prevent short-term letting

Thanking You in Anticipation,

David Green

Resident/owner in/Treasurer of a strata owners corporation, Ultimo

Investor/owner/Treasurer of a high-rise strata owners corporation, Haymarket

10th September 2019

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 2:59 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Sylvia submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 14:42

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Green

Name withheld

No

Info

Email

ultimobo@hotmail.com

Suburb/Town & Postcode

ULTIMO

Submission file

[submitted-to-nsw-planning-re-short-term-letting-legislation.pdf](#)

Submission

Short-term letting causes continual nightmares for shared residential environments.

Governments have a responsibility to facilitate pleasant residential environments.

For the sake of pleasant residential environments, please allow owners corporations to disallow short-term letting.

Thanking You in Anticipation,
David Green

I agree to the above statement

Yes

From: dcharris0204@gmail.com
Sent: Saturday, 7 September 2019 5:35 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

My property contributes significant tourist income to the Jervis Bay area, if you place restrictions you are therefore limiting the economic & cultural benefit of people visiting & discovering the area.

Yours Faithfully

David Harris



Virus-free. www.avg.com

From: David McAndrew <mcandrew.dkla@bigpond.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

Being Self Funded retirees (wife and myself), the small amount of additional income from being an Airbnb Host does help ends meet, let alone the opportunity to meet new People and show off our local area (Gunnedah).

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
David McAndrew
1888 Kelvin Rd
Kelvin, Nsw 2380

From: David-Mifsud <david-mifsud@optusnet.com.au>
Sent: Wednesday, 28 August 2019 8:14 AM
To: DPE PS STHL Mailbox
Subject: Re: Proposed regulations for Holiday rental in NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Regarding the proposed changes to the Short-term rental accommodation sector, I would like to convey my thoughts to you please.

As an owner of a holiday rental unit in Forster and a service apartment in Port Macquarie, I would like to think that not only am I a contributor to the tourism sector, the economic growth of NSW but also an employer of services contractors in NSW.

I do think that some regulation in the sector is necessary but please be careful in over regulating the industry by capturing all operators under the one umbrella. As you can appreciate the industry is diverse and ranges from the professional manager who looks after hotels motels, caravan parks and even serviced apartments (as is the case with my property in Port Macquarie), right through to the lower end where individuals (Mum & Dad investors) offer vacation rentals (as I do in Forster). I know from my own experience the operating of these is vastly different.

To put all of these into the one bucket would result in over regulation for our sector and make it untenable in many ways for smaller operators like myself (with regards to my Forster property), who offer modest accommodation, based on traditional family holiday experiences.

When I was growing up my parents used to take myself and my brothers on driving holidays around NSW. Sometimes we travel North, sometimes West and other times South. Dad would pack up the Holden; Mum would make cordial and sandwiches for the drive; and my brothers and I would constantly get elbows in the ribs as we sat on the vinyl seats for the next 6 to 8 hours to our destination. We would finally get to our destination, which Mum & Dad found in the NRMA Holiday guide, and make ourselves at home for the next 7 days having a terrific family holiday. It was the best of times in a time when families had much less disposable income.

It is based on these experiences that lead me to decide to buy a Holiday Unit in Forster. In some way I felt I owed it to others to have the opportunity to enjoy what I did as a youngster in the

70's & 80's. A comfortable unit, in a sleepy seaside town, where families could spend time together doing family things.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many small holiday homeowners like myself the income needed to make the property pay for itself. In fact, what it will do is destroy the simple holiday home rental market, as only the larger serviced apartment complexes, motels and hotels will be able to survive as they will have multiple rooms and scale, to offset the increased overhead and restrictions.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should ensure that any regulatory framework is diverse enough that it segregates the individually owned and operated properties from those that are centrally managed. There is no way Minister that my property in Forster should fall under the same regulatory framework applied to Wyndham Ramada or Best Western. If I am forced to, then the dream I have for others to experience the best family holidays in NSW will die and I will be forced to stop offering my unit to holiday renters. What that will do is drive the tourist to book into the larger complexes, who are mostly owned and operated by Trusts or companies who are Head Quartered overseas.

I fully appreciate we need to make sure the tourist and traveller have a minimum standard to expect, and hence why I support the Code of Conduct and registration.

It is really simple Minister, you need to have two frameworks, one for properties owned or managed by companies or trusts, and one framework for properties that are owned and operated by individuals. The former need to abide by a tough regulatory framework with all the bells and whistles (it is what I expect I would do in my Port Macquarie property), while the latter has a more lenient and practical framework which they must also abide to, while giving them opportunity and encouragement to aspire to a higher level, without taking away their simple offering.

Thank you for reading my submission and best of luck navigating through this tricky situation. If ever you decide you want to take the family for a traditional family holiday, let me know - my unit will be available to you.

Best regards

David Mifsud

7 Coolangatta Ave,
Burraneer, NSW, 2230

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Monday, 2 September 2019 2:36 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Mon, 02/09/2019 - 14:35

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Myers

Name withheld

No

Info

Email

dwmyers.46@gmail.com

Suburb/Town & Postcode

2481

Submission

Live in level 2 Residential, Airbnb all around me,more and more
Makes no decision what I say

I agree to the above statement

Yes

A submission in a response to the Discussion Paper on Short Term Rental Accommodation

I am submitting my comments as an owner of an apartment in a large strata plan that has approximately 20% of the apartments available for STRA and rising. I am also the owner of an apartment in Terrigal which is a short term rental property.

In this submission the numbered sections refer to the questions posed in the Discussion Paper.

Question 1.

The safety standards proposed, whilst being stringent, are necessary to ensure the safety of persons during an emergency in an environment they are not familiar with. I would suggest that all smoke/heat alarms, the ones in each bedroom and any in the dwelling that are already mandated by legislation, be interconnected. Also what constitutes a "hallway" needs to be clarified with regard to the provision of lighting linked to the alarm.

In a strata building the door that opens onto a shared corridor is common property, as far as I am aware none of these doors in most buildings would not meet the smoke seal requirement. The Owners Corporation would need to pass a Special Privilege bylaw granting the STRA operator consent to upgrade the door to meet the condition. This bylaw can only be requested by the owner of the lot in question.

If the property requires the addition of smoke detectors and the host is not the owner of the property permission to carry out the work would have to be sort.

As the requirements for a STRA property are more stringent than those in a purely residential building, separate certification and inspection should be mandatory

Question 3.

While I agree that 180 days as a maximum in specified areas is fair, however, I have concerns about how this may be enforced. As the governments aim seems to be that the STRA industry is primarily self regulating is it relying on booking platforms et al to refuse bookings that would cause the a booking to exceed the 180 day threshold. Given that a property can be listed on multiple platforms each and every booking must be scrutinised against a central register, in this case the proposed property register in real time in order to comply.

Question 4.

The definition of "host" as an industry participant needs to be refined to include the owner of a property where the property is being used by a renter

or permanent resident for STRA. I know of cases where the lessee of a property is engaging in STRA activity unbeknown to the owner of the property. This also has implications which will be alluded to in subsequent answers.

Question 6.

An addition to the specific obligations of the host is to provide the owners corporation with the details of each booking, including; name, number of guests, length of stay and contact details. This information is vital for ensuring safety and security in the strata scheme. Just as a hotel requires guests to check in so to should a strata scheme. Should there be an emergency that requires evacuation of the building it is essential that authorities have a register of who is potentially in the building.

Further I would advocate that owners corporations have the power to regulate STRA activities within their buildings by granting special privilege bylaws to conduct STRA. Note, I fully expect that by granting the special privilege the owners corporation would be fully compensated for administration costs and for the wear and tear in common areas resulting from increased activity not normally incurred in a purely residential building.

Such a bylaw would ensure that the lot complies with the regulations and conditions proposed. It would thwart those "hosts" who rent apartments, set them up for STRA without complying with the of the legislation. It would also catch those participants who setup and market through their own websites or use social media platforms such as We-chat.

I am concerned that people renting apartments for the sole purpose of STRA may try and avoid their obligations by claiming that it is a "hosted" arrangement, rather than an "un-hosted" one. I know of one operation where a number of apartments have been rented in different names, in order to claim that each is the principal place of residence for the lessee, when in fact they live elsewhere.

Question 24.

In my view the establishment of a property register is of the utmost importance. Ultimately it is the owner of a property who decides how their property is to be used. Hosts, be they owners, renters or permanent residents come and go, whereas the property is either compliant with the regulations or not. If the conduct of a host causes them to be placed on the exclusion register it does not alter the fact that the property can be used for STRA by another host.

While the bulk of the information can be obtained from the major industry participants, there are those cases where properties are advertised independently. As I stated previously owners corporations are in a prime position to ensure compliance.

Question 26.

Any penalty imposed for failure to register a property should be borne by the owner of the property.

Question 27.

The owner of the property should be included on the register as the property are inextricably linked and ultimately compliance rests with the owner.

Question 28.

Booking platforms et al should notify their clients of the need to register, and for those that fall outside these channels a public awareness campaign.

Question 31.

Information should be available to government and local councils as it is valuable information that can aid in community planning decisions. Also some councils, Central Coast Council is one, levy owners of STRA properties to fund tourism infrastructure. I am sure they would like to know if some owners are slipping through the cracks.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 12:47 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Sylvia submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 12:45

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Palmer

Name withheld

No

Info

Email

dmpalmer@me.com

Suburb/Town & Postcode

Sydney 2000

Submission file

[stra-submissio.pdf](#)

Submission

See attached file

I agree to the above statement

Yes

From: David Phillips <dave@daves.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
David Phillips
113 Penguins Head Rd
Culburra Beach, Nsw 2540

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 6:40 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission, recorded in DPIE subs register

Submitted on Tue, 10/09/2019 - 18:39

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Predny

Name withheld

No

Info

Email

david.predny@gmail.com

Suburb/Town & Postcode

Sapphire Beach 2450

Submission

The draft policy creates enormous problems for residential communities. For example, I live in a Community Title development with medium density houses- several of which are operated exclusively

as short term holiday lettings - in other words , they are operating as BUSINESSES in a residential zoning. This creates problems with parking , noise and (sadly in many cases) anti social behavior. They are often “ party houses “ and the owners exercise no control over their tenant’s unruly behaviors. Other residents have been abused , threatened and spat on when , for example, they have asked the renter to move their cars which they have parked on the neighbor’s lawns and across driveways .

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Thursday, 12 September 2019 8:00 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, non Air BNB run

Submitted on Thu, 12/09/2019 - 07:59

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Ransom

Name withheld

No

Info

Email

davidransom@journalist.cim

Suburb/Town & Postcode

Wangi Wangi

Submission

The problem is obvious, the solution difficult.

There is little doubt that Australia, like many communities the world over , is being impacted by what amounts to mini-motels springing up in urban areas. The associated problems are manifold - constant noise from revellers not just from AirB&B occupiers but friends and visitors, parking and traffic congestion , the constant noise of next door comings- and- goings as one group of AirB&B visitors replaces another. This is tailored to create hostility, and detract from our reputation for being a welcoming and friendly people. As well legitimate accommodation houses are suffering from unfair competition as are prospective long-term renters looking for affordable accommodation.

As for the solution.

Strict conditions are one thing, policing them another. To work, the legislation must come with strict penalties and regular spot checks.

How strict the conditions - whatever it takes to prevent someone establishing a mini hotel in a residential area.

I agree to the above statement

Yes

From: David Saffioti <david.saffioti@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

I don't oppose the legislation! Going by what a house costs in other parts of Australia it is already at least twice as expensive as it should be in Sydney and you need to do more to stop the housing market being a Ponzi scheme - That means all forms of investment in housing be it local or international. Denmark (Copenhagen) are the leaders here. Have a look at their legislation.

Thank you for reading my submission.

Regards,
David Saffioti
81 Courallie Ave
Homebush West, Nsw 2140

From: David Shanley <davideshanley@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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Thank you for reading my submission.

Regards,
David Shanley
45 Wrightson Ave
Bar Beach, Nsw 2300

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 2:50 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: rob submission 2.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 14:49

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

David

Last name

Shaw

Name withheld

No

Info

Email

dshaw_201@yahoo.com.au

Suburb/Town & Postcode

Sydney

Submission

Hi

I am making this submission as Chairman of the strata Committee for the Trafalgar Apt building at 361 -

363 Kent Street Sydney.

Our concern is with the monitoring and control of the fire safety requirements. It would be helpful if the legislation allowed for the following

1/ All short term rental apts be required to be registered with building management. This would then allow us to incorporate a check on the new fires safety requirements for those designated short term rent apts, when our annual fire safety audit is undertaken by our external fire safety provider.

2/ We further propose that the legislation provide for the requirement that all registered short term stay apts, produce to building management a fire safety sign off document issued by a certified fire safety provider. This will in the first instance satisfy the fire safety concerns, with our annual fire safety audit providing ongoing confirmation of fire safety compliance

I agree to the above statement

Yes

From: David Smith <david@bijengum.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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- Mandate smoke alarms – either battery operated or hard-wired
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Code of Conduct

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Thank you for reading my submission.

Regards,
David Smith
71 Abbotts Lane Ladysmith NSW
Ladysmith, Nsw 2652

From: David Twyford <dtwyford1@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it pays the bills like rates and maintenance.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Environmental Planning and Assessment (STRA) Regulation 2019

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Thank you for reading my submission.

Regards,
David Twyford
1094 Tathra-Bermagui Rd
Tanja, Nsw 2550

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 10:27 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 22:27

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

David

Last name

Winspear

Name withheld

No

Info

Email

davidswinspear@gmail.com

Suburb/Town & Postcode

davidswinspear@gmail.com

Submission

To whom it may concern,

I broadly support the reforms, however I have one proposal which is that the cap on the max number of nights a property be advertised be limited to Sydney Metro and not include tourist areas in greater Sydney such as the upper blue mountains. My rationale is that these tourist regions rely heavily on tourists being able to source short term rental accommodation and that the cap will decrease supply and be at risk of adversely impacting the local economy. Alternatively, you could provide councils in those regions the flexibility to provide individual exemptions.

Thank you

David

I agree to the above statement

Yes

From: Dean Young <wwpoint808@gmail.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

This is Dean Young. I'm a father of two children. It has been 9 years since I moved to Sydney. Here are a few thoughts about the coming State Environment Planning Policy (Short-term rental accommodation 2019). Please take some time to read this letter. And it will be much appreciated!

The first time I heard about airbnb was from my friend Zack. I was planning to travel around Europe and had a struggle of finding a place to stay. After he told me about this app, I then checked properties in Sydney. I was surprised that so many properties were listed around my location. After I went back from my trip, I started to think about the possibility of posting my apartment on airbnb. The short-term rental was actually something I wanted to try one year ago. Because I tell you why. Because long-term rental wouldn't perform well anymore in Sydney. For the past 9 years, god knows how many residential buildings were being built throughout Sydney. Long-term rental returns wouldn't increase because of the high pressure of competition. For those who bought the residential apartment in Sydney in recent years like me, long-term rental returns wouldn't even cover the monthly mortgage. The worst situation was last year, long-term rental returns even dropped. In this case, I had to try short-term rental to achieve more returns.

After I have tried airbnb for half a year, I calculated my returns were around 5% higher than long-term rental returns. I then started to manage my other two apartments as well. Now I have 3 listings, and my returns continuously went up to 18% higher than long-term returns. I could then use this method to support my family and my two children. Honestly, most of my income has come from airbnb now. If the Policy of 180 days was officially made, I wouldn't be able to live and support my children. And think about it, not just me, my cleaner also my friend Ray will lose her cleaning job as well. What would happen to her family then?

Please take my concerns into consideration and please evaluate the situation by facts, I think some countries are not suitable for airbnb, but definitely not Australia especially not Sydney. Large tour population will bring plenty of tourists to Australia, house owners need another option when long-term rental doesn't perform well, and mostly I pay tax for short-term rental income. It should be considered as full reasonable. Please

Regards,
Dean Young
Wentworth Ave
Haymarket, NSW 2000

From: Deanne Barrett <byronhinterlandviews@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Deanne Barrett
137 Stewarts Rd
Clunes, Nsw 2480

From: deb.mitch.logan <deb.mitch.logan@gmail.com>
Sent: Thursday, 5 September 2019 9:37 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Sent from my SAMSUNG Galaxy S7 on the Telstra Mobile Network

From: Debbie Knapman <deb.knapman@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Debbie Knapman
301 Cooringle Rd
Nubba, Nsw 2587

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 2:03 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 14:03

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Deborah

Last name

Erickson

Name withheld

No

Info

Email

e2@verizon.net

Suburb/Town & Postcode

Wombarra, 2515

Submission

This is well done! Congratulations.

I especially like the Draft of Conduct for short-term Rental accommodation Industry. In the 3 places we have lived, the short-term rental guests believe they can be on Holiday until the early morning hours, even though most councils have noise ordinances that supposedly stop loud noise around 10:00 PM on weekdays and midnight on holidays and weekends.

What I would like you to consider is adding to the host's responsibility about making sure section 5.5.2 is upheld : Somewhere put in the hosts are responsible to alert guests about 5.5.2 . and hosts are responsible for their guest or guests behavior.

Thanks again for a thorough document.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 8:56 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 20:55

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Deborah

Last name

Hayward

Name withheld

No

Info

Email

haywarddeb@gmail.com

Suburb/Town & Postcode

Broken Head

Submission

I would like to voice my objection to the renting of homes in Byron Shire for holiday accommodation. I feel this activity is destroying our community. Residential areas should remain so and holiday letting should not be permitted within residential areas.

House prices and rents have escalated to an unaffordable level for people that work and live in the community.

People without a connection to the area, apart from owning a home for holiday letting, are destroying the community purely for profit.

I agree to the above statement

Yes

From: Deborah Vlastaras <vlstar@tsn.cc>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

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- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Deborah Vlastaras
144 Alice St
Grafton, Nsw 2460

From: Deborah Wells <stay@mistyvalleyblackheath.com.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

The Airbnb host community depends on hosting as an economic lifeline to help us pay bills. It allows my partner and me to pay for private health cover so we are not a drain on the public health system. We are of pensionable age but because of our hosting, we receive only a small part-pension therefore we cost the Government very little in age support.

I also recommend local cafes, restaurants and shops so small businesses get a boost from local tourism.

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Thank you for reading my submission.

Regards,
Deborah Wells
69 Bettington Rd
Blackheath, Nsw 2785

Submissions on Short-Term Rental Accommodation

I have lived in Arcadia Vale within the Council area of Lake Macquarie for the past 28 years. This area is a lakeside residential suburb with a strong sense of community.

In recent times I have become aware of an increasing number of houses in the local area being purchased and then let out as STRA usually by a purchaser who resides outside of the local community. The owners of these properties are not interested in the local community and buy with the sole purpose to make money.

I have witnessed firsthand the stress and heartache caused to neighbours of these STRA and I am concerned that our residential community has the potential to be converted into a town full of unhosted party houses filled with transient guests who care nothing for the local area.

Cities all over the world are now recognising the impact STRA is having on local housing markets and local communities. For instance, in Paris many of the schools have been forced to close due to local residents being priced out of the market by STRA. Is this something we want to happen in Sydney and our Regional and country towns?

Maximum Occupancy

The maximum occupancy of guests should be limited to 6 persons and no visitors in R2 low density residential areas. It needs to be remembered that these houses are in residential areas, not holiday resorts. A maximum occupancy of 12 guests and no restrictions on visitors, with a turnover every few days is not conducive to residential living and peaceful enjoyment of one's home. Any more than 6 persons, by the very nature of the number of people will introduce noise and disruption to everyday residential living and introduce "party conditions".

Bookings at STRA should require the names and details of all guests intending to stay at the property as well as day visitors.

This limit could be increased on application in relation to homes in rural areas where the impact on neighbouring properties would not be so great.

Number of Days

The 180 Day lower limit allows a STRA to operate every weekend and school/public holiday period. If the limit is designed to create periods where neighbours can be free of activities at the STRA, then the 180 days limit is ineffective. Local Councils should have the freedom to set a lower limit, and this limit should be low enough to ensure neighbours are allowed some significant respite from STRA, especially in areas that are not traditionally tourist/holiday towns. Even the City of London, England only has a 90-day limit. In New York City State law prevents renting out apartments in most buildings for less than 30 days unless the hosts live permanently in the same space.

60 days should be the maximum number of days a property can be used for STRA. This is more than enough to cover holiday periods and enable home owners to rent out their homes while on holidays and travelling. There should be no exemption for longer periods of 21 days and each day should count towards the yearly cap.

Exempt or Complying Development

Every STRA should be complying development. Properties should be independently inspected and certified for the following:-

1. That the appropriate fire and safety standards have been met;
2. Health & Hygiene standards should also be included (as per hotel standards) to ensure safety of guests
3. That there is sufficient, adequate and accessible on-site parking to accommodate the guests;
4. Houses used as STRA must erect privacy screens and noise minimising structures to lessen the impact on neighbouring properties; and
5. That the property is registered.

Each STRA needs to be registered and the host given a licence number. Each Torrens Title STRA should have a sign erected outside the property stating the following:-

1. The registration number of the short-term rental;
2. A 24 hour contact number;
3. The maximum occupancy allowed on the premises at any one time.

Torrens Title STRA affect more than just the neighbouring property. Un-hosted short-term rental houses impact many neighbouring houses not only houses directly bordering the subject premises.

Exclusion Register

There appears to be little or no personal contact with hosts of un-hosted short term rentals. Access is usually by way of a lock box or a code on entry.

How then can an exclusion register can be policed?

How, will the exclusion register be enforced if visitors are permitted onto the property?

The booking may be made in the name of the one person who is not on the exclusion register and the remaining guests may be all excluded. Even if every guest staying or visiting a short-term rental was registered as an occupant with official identification and checked against the register how would that be policed? How will underage guests be policed from not booking the premises? For example, "schoolies".

Self-Regulation

It is a conflict of interest for the industry to self-regulate the short-term rental regulations. This has already been proven with the current failure of the Building Industry to self-regulate. The register should be administered and enforced by the respective Councils and State Government. This is like putting the foxes in charge of the hen house. Access to this register should be made available to the public without impacting on privacy laws.

There should also be a levy imposed on hosts to support the administration and costs of short-term rentals sufficient to cover the costs of the complaints process and registration.

Inspections of the property should be conducted by Council Officers to ensure compliance, again paid for by the Hosts.

Complaints System

It should not be for the neighbours to police the STRA. The only way this can be avoided and complaints minimised is to have an on-site host. The onus should not be placed on the neighbour to collect evidence, potentially place themselves in a dangerous situation and make a complaint because their home-life is being disturbed.

If un-hosted STRA are going to be permitted, then it should be mandatory that a representative be located within a reasonable short distance of the property to attend when issues are identified by nearby residents. It is therefore imperative that adequate signage is displayed in front of the property to identify it as a STRA and provide contact numbers.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 4:06 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Dom submission, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 16:03

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Debra

Last name

Boswell

Name withheld

No

Info

Email

debbozy@gmail.com

Suburb/Town & Postcode

Arcadia Vale 2283

Submission file

[submission-on-short-term-rental-accommodation-regulations.pdf](#)

Submission

Please see my submission in the attached document.

I agree to the above statement

Yes

From: Debra Logan <deb.mitch.logan@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Debra Logan
4 Hughes Ln
Marrangaroo, Nsw 2790

From: Debra Scriven <debrascriven@icloud.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Debra Scriven
15 Thompsons Rd
Pokolbin, Nsw 2320

From: Deidre Ellard <deidre@ellardlimousines.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I love meeting interesting people from all over the world.
I have been offering holiday houses on the beautiful south coast for over 15 years.
This has been a very successful and enjoyable way of funding retirement.

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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Thank you for reading my submission.

Regards,
Deidre Ellard
220 Woodhill Mountain Rd
Broughton Vale, Nsw 2535

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 10:47 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Tue, 10/09/2019 - 22:46

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Delamay

Last name

Patron

Name withheld

No

Info

Email

yoga.rhythms@yahoo.com

Suburb/Town & Postcode

2481

Submission

Please don't do this.

I agree to the above statement

Yes

From: Dennis Ellis <dennisellis19@bigpond.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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In my circumstances, my guests are often inconvenienced by noisy long term tenants next door, whereas I have not had one complaint from the long term tenants about my guests who stay there from 2 to 30 days.

Rather than punishing all Airbnb'ers for the poor decisions made by some, why not have a '3 strikes and you're out' process. If there are 3 quantifiable complaints about an Airbnb property, then they should be stopped from hosting for 6 months. I am sure this would make Airbnb hosts more choosy about who they let into their properties.

Thank you for reading my submission.

Regards,
Dennis Ellis
140 Spit Rd
Mosman, Nsw 2088

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 3:58 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 15:57

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Derek

Last name

To

Name withheld

No

Info

Email

toddeko@hotmail.com

Suburb/Town & Postcode

Haymarket 2000

Submission

Att: Director, Housing and Infrastructure Policy,

Thank you for the opportunity to express my concerns regarding the draft policy and regulation for STRA. I only find out the request for submission today. My fast reading of the overview of the subject matters revealed that the ultimately affected people like permanent residents and owners corporations were omitted in this consultative process for the draft policy and regulations. While the Owners Corporation Network was consulted, the grass-root level has been ignored. My concerns are as follows: -

1. The members of an owners corporation(OC) are volunteers, most of whom have no expertise in running a building operating by modern technology in electronic, mechanic, hydraulic, and digital systems. They rely on their strata manager and/or building manager to make the building functioning efficiently. Budgeting for both administration and capital works require hiring consultants to forecast expenditure over 10 or more years. STRA is the last thing the OC members would like to take on board. Our building cannot control the traffic of STRA clients, we have to engage two concierges to maintain safety and decorum in our buildings with little success.
2. The framework is based on the registration of a number of days allowed for STRA and the complaints received and recorded on the Register. A system based on complaints to control the efficacy of the operation will never work well because the framework lacks intrinsic controls, accountability, and transparency.
3. The industry-led register has just thrown the cat among the pigeons. How closely and often are the STRA industry and the regulator going to work with the OC?
4. How are the OCs work out how much to charge extra for the utilization of their amenities and common property - extra electricity, water, security, gym, atrium, garden, and BBQ? We had a drunken STRA person damaged our front door wall, which needed a replacement with the whole column repainted.
5. In the situation mentioned 4 above, claiming insurance will increase our premium. Our insurance premium is already very high due to the combustible cladding on our building. We have given all permanent residents and owners notice of fire precautionary action. With the coming and going of STRA clients, how can OC control this traffic of these holidaymakers?
6. Another missing link in this equation is the insurers. OC in the disclosure statement declares it is a residential building with no commercial interest. By allowing STRA, it means a commercial business in place. There is a conflict of interest in legislations covering the insurance and the reality of STRA. OCs are caught in the middle through no faults of their own. How can this be?
7. Our building wasn't built to cater to the high traffic of STRA business, as a result our lifts are constantly out of order due to high usage, causing a fortune for repairs not to mention the inconvenience.
8. Some of the STRA clients defied gravity climbing our trees and plants in our atrium to reach other owners and residents' balconies, resulting in an emergency call for security. How to control this sort of behaviour and identify the culprit?
9. Please don't pass all these troubles to OCs, they have their worries in terms of what is going on with the building industry, let alone this STRA industry, which is only thriving at the expense of hotelling and service apartment industry. Residential schemes cannot afford to subsidize the STRA industry at any level.
10. Self-regulation of the STRA industry will never work. Just look at the residential building industry. What a mess they have made!

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 8:32 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 20:31

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Derek

Last name

Graham

Name withheld

No

Info

Email

deegee736@gmail.com

Suburb/Town & Postcode

Cabarita 2137

Submission

Background - opening paragraph Lines 4/5. I am outraged that the Government is being so disingenuous as to say that "it has heard that STRA can cause problems.....". It must have been obvious to anyone from the outset that the forced disruption of life in stratas would not be acceptable to the majority of strata residents.

Integrated Policy Framework - It should be mandatory for STRA hosts to be provided with or to obtain details of the salient parts of the Code of Conduct required of them. They or their agents should also be obliged to give a copy of the Code of Conduct expected of anyone taking up short term accommodation. Guests should also be required to leave a deposit (say \$100) with the host/agent to cover possible loss of keys security tags etc and there are plenty of these. An owners' corporation spends enough time on revising security systems because of careless (or unlucky) owners let alone casual visitors.

Registration system- This should be wholly at the expense of the so-called industry and should be kept by an organisation independent of that industry. It is not clear how it will deal with the cases where there are multiple letting agents and this must be clarified. Before the first occasion on which there is to be letting activity a host should be required to notify the owners' corporation :-

- (a) that STRA letting is proposed
- (b) producing evidence of insurance cover
- (c) producing evidence that smoke alarms have been fitted to bedrooms which are the subject of STRA. NB This shouldn't be a problem because smoke alarms will be fitted to common property and the Strata Schemes Management Act requires the prior permission of the owners' corporation for such installations
- (d) in writing that he/she is aware of a host's responsibilities and that he /she has fact sheets to be given to guests regarding their responsibilities.

Once an owners' corporation is satisfied on all the above points it could notify the register accordingly (it would be necessary to produce a procedure for this).

The Register should be open for inspection by owners' corporations to be sure that a host is acting in accordance with the previously stated plans. This new system pays scant regard to the privacy of strata residents who do not act as STRA hosts so hosts do not deserve special treatment. After all property sale prices are publicly available. Presumably the ATO would be able to see the Register. I may have missed it but I have not noticed any attempt to inform hosts of their tax obligations.

Provision must be made requiring tenants to receive written permission from the owners before being allowed to engage in STRA activity.

Unhosted STRA bookings of 21 days or more - This is a blatant attempt to permit lettings to exceed the 180 days limit in Greater Sydney and fertile minds will already have plans to exploit this egregious loophole. It must be cancelled

Another outrage is the way in which the Government has blithely ignored local councils' development plans re residential apartments.

The complaints system is inadequate to say the least. By the time a complaint is considered, if at all, any problem guests will have disappeared and hosts (in particular non-resident hosts) will disclaim knowledge of any problems. Never mind about two strikes etc any problem cases should be barred from

any future lettings. This complaints system is doomed to fail unless there are quicker means of dealing with complaints, preferably by having people readily available to visit premises where there are problems as in the case of noise-abatement inspectors. Perhaps they could be brought into the equation. Any costs of such "home visits" could be built into the costs paid by the industry in respect of the rights it has received to potentially intrude upon the peace and privacy of the majority of strata residents.

I agree to the above statement

Yes

From: Derek Young <derek@dantosa.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb for several reasons: 1/ it is a critical source of income for my family. Our main property is based in the Blue Mountains which has long been a popular tourism spot for Sydneysiders renting weekenders. Airbnb has been a key platform for developing our business. Our business has operated since 2012 and since it begun we have hosted over 5,000 guests bring much needed business to the Blue Mountains economy; 2/ it allows us to share our unique property with both international and domestic guests. Our business has grown steadily over the years allowing us to reinvest and improve the quality of the property and the landscape it is situated in; and 3/ we are avid supporters of the sharing economy. Hosting via Airbnb allows property owners to share their property flexibly and cost effectively. By sharing our property, we effectively make available to travellers our property's "spare capacity". This is a win for the environment. It means that our existing property is utilised by others and reduces the need for new, additional accommodation to be built in the fragile environment of The Blue Mountains, a World Heritage National Park.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Derek Young
76 Mort St
Katoomba, Nsw 2780

From: Despina Karlovasitis <info@innovatehair.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Despina Karlovasitis
70 Charlotte St
Campsie, Nsw 2194

From: Di Bannister <gbconstruct@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it provides choices for people traveling to our regional tourist area. Having cost homely accommodation close to town is another way for people to travel and be a part of a local community.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Di Bannister
3 Lake Rd
Port Macquarie, Nsw 2444

From: Di Wu <arniewu@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Di Wu
17-25 Wentworth Ave
Sydney, Nsw 2000

From: Diana James <dianajames6@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it is a pleasant very controlled way to rent out my part of my house for half of the year. I am retired and need to have an income to allow me to continue to live in my home in Byron Bay. AirBnB allows me to preapprove guests, set house rules and make sure my home is cared for, guests respect the neighbours and behave well.

I have previously rented long term through a real estate property manager and this was highly unsatisfactory as the house was damaged and the renters were not controlled. It was difficult to evict them even though the damage and disrespect of neighbours was obvious. My neighbours are really happy now the house is part rented on 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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Diana James
12 Ruskin St
Byron Bay, NSW 2481

From: Lizard Financial Solutions Pty Ltd <diana@lizardfinancial.com.au>
Sent: Thursday, 5 September 2019 9:19 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: Purple category

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Our SMSF has a property in Liverpool NSW (which would be considered Sydney metro) that is fully furnished and is available full-time on Stayz for short-term accommodation.

It is mostly rented to people who are staying with relatives undergoing treatment at Liverpool Hospital, or to people coming from interstate to work in the local area, often on government and large infrastructure projects. They prefer to stay somewhere with space and a full kitchen that they can prepare proper meals in, and a laundry that they can wash clothing in.

If you restrict us to only being able to rent it out for 180days a year, where would those people stay for the other 185 days?

If you restrict us to only being able to rent it out for 180days a year, what do we do with the property for the other 185 days? We cannot live in it because it is owned by SMSF. If the answer is to rent it on a long term basis what do we do with the furniture in the meantime?

I am not sure what you would be trying to achieve by restricting us? This seems like another layer of unnecessary regulation.

In relation to strata properties being able to ban short-term holiday letting ... this is also unfair to landlords – as landlords we now CANNOT ban people having pets within our property (so our properties become smelly, flea-ridden and attract noise complaints) but we are not allowed to have people there who can only stay for a short time who are typically very well behaved because they will be reviewed at the end of their stay and they want a good rating. Again, this does not make any sense to me.

We support the responses and submissions made by Stayz/HomeAway.

Thank you,

Diana Oakes

From: Diana Read <dee.read196@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

Please read the first 3 paragraphs of personal wording. As an Annandale Airbnb host I would like to appeal to you directly Jamie, by providing my feedback on the Government's proposed regulations. I have included personal details as well as relying on wording provided by Airbnb which I have read and with which I agree.

I host on Airbnb because I could not survive financially without it. I pride myself on being independent and secure. But mostly, I thrive on sharing my home with guests from all around the world. I have been welcomed in this way myself over a longish life and now can return the favour by living the way I see contributes to harmony in the world. In nearly 4 years of hosting, I have never had a negative experience and have maintained an unbroken Super Host status. Local businesses benefit through my suggestions to guests, people have a better, warmer experience of Sydney and Australia and I make just enough money to pay my bills - services and rates, and afford the cinema regularly (about \$12,000 a year)

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home. In fact it would make it impossible for me to continue and this would be very worrying. I am nearly 70 with a long life ahead, and existing on small savings, drawing from a small Super fund and a small UK Pension. And from here - Airbnb words help me underline my genuine concern for my future.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Diana Read
196 View St
Annandale, Nsw 2038

From: Diane Brooks <brooks2ndhand@gmail.com>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Diane Brooks
11 Shire Ave
Dubbo, Nsw 2830

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 1:43 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 13:43

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Diane

Last name

Hall

Name withheld

No

Info

Email

dianethall@aol.com

Suburb/Town & Postcode

Manly 2095

Submission

I want to protest at this proposed legislation. I live in the UK, am an Australian citizen by birth, pay taxes in your country and own an apartment in Manly which is used for holiday rentals when I am not staying

in it. I am cash poor and cannot afford to pay the mortgage if the holiday rental income is limited to 180 nights a year and you will be forcing me to sell my beloved Manly home which I use to visit my family in the area when I have saved up enough money every two years to come and see my children. It's disgraceful what you are proposing to do. Almost no one ever stays for longer than three weeks, who ever gave you the idea that that may make a suitable exception? We get some bookings for one week or more but three weeks is almost unheard of! The licensed agency that manages my property are very conscientious and there have never been any complaints as a result of the guests staying in my property because they are properly managed by professionals. Why can't you come up with some system to ensure anyone who manages these properties are qualified, trained and licensed to do so thereby minimising impact for other residents? To tell people they can only do rentals for 180 nights of the year rather than actually try to improve the management is such a poor approach that is going to totally ruin tourism in the city. Why haven't you come up with more sensible ideas? At the very least the 3 week exception needs to be taken down to 1 week to give us any hope of making this work still.

I agree to the above statement

Yes

From: Dina Boyling <dina@catchycrafts.com.au>
Sent: Sunday, 18 August 2019 6:47 AM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission

Many Thanks

Dina Boyling

.

From: Dinah Broers <dinah@ozemail.com.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I recognize that holiday makers come in all types and sizes and that not all holiday makers want to stay in a hotel. I am a host who allows guests to bring their animals with them on holiday. Lots of people want to have their pet dogs / cats with them rather than putting them into a kennel. I am able to provide that opportunity for them by hosting on 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. Hotels are not the only beneficiaries when other people are allowed to host paying guests.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW

Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Dinah Broers
6 Wyebo St
Merimbula, Nsw 2548

From: DL Tato <dltato@yahoo.com>
Sent: Tuesday, 10 September 2019 8:08 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: recorded in DPIE subs register, recorded and not sent to DCS

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
DL Tato
20 Bogan St
Parkes, Nsw 2870

From: Dobromila Galetova <galetova@yahoo.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Dobromila Galetova
9-11 Wascoe St
Leura, Nsw 2780

From: Dominika Gruia <dominikagruia@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Dominika Gruia
5 Northland Rd
Bellevue Hill, Nsw 2023

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 8:00 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 19:58

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Donald

Last name

Halliday

Name withheld

No

Info

Email

donkh@bigpond.net.au

Suburb/Town & Postcode

Sydney Olympic Park

Submission file

[submission-by-don-halliday-strata-resident.pdf](#)

Submission

Please see attached file for my submissions

Regards

Don

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 9:57 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 21:57

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Donald

Last name

Maughan

Name withheld

No

Info

Email

donaldmaughan@hotmail.com

Suburb/Town & Postcode

Suffolk park 2481

Submission

As president of the Suffolk park progress association I have witnessed the impact of short term holiday let (Sthl) in our community

Not only is it a disruption of the domestic harmony of neighbours , noise and parking as well as threatening interaction if a neighbour to a STHL approaches a late night party house to keep the noise down late at night.

I know of families who have severe personal problem because of being located in streets where STHL are located

When a house is purchased and turned into a STHL and the permanent resident who has been removed this adds to the fragmentation of the community loose volunteers, neighbour support, security

In short STHL is destroying our community and contributes nothing to the maintenance of community service

It must be limited

Donald

I agree to the above statement

Yes

From: Donald Recsei <don@actionmandirect.net>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Donald Recsei
10 Shelley Dr
Byron Bay, Nsw 2481

From: Donatella Parisini <info@donatella.com.au>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I am a single mum with 2 teens, already have 2 jobs but the council and life bills are unbearable, this is my way to survive, to have another income due to the higher life cost in Byron Bay. I work hard to maintain my property, to manage and to give a great service to my guests. The love I put into my place is recognised by the beautiful reviews I keep having and have DA approval in my property, I pay taxes insurance it's all open in the air in my books.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Donatella Parisini
154 Alcorn St
Suffolk Park, Nsw 2481

From: Donna Cross <donna.e.cross@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Donna Cross
9 Robert St
Forster, Nsw 2428

From: Donna Edwards <pdedwards1@bigpond.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Thank you for reading my submission.

Regards,
Donna Edwards
7 Waratah St
Swansea Heads, Nsw 2281

From: Donna Gallagher <donaleeg39@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
Donna Gallagher
Ocean View Dr
Central Coast, Nsw 2260

From: Donna Ross <katoomba1@yahoo.com.au>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it is a reliable source of income. I was commuting to Sydney, travelling 4 hours a day, before being made redundant. Now I do seasonal tax consulting, seasonal contract bookkeeping, contract cleaning and Airbnb hosting. Being able to host makes paying bills easier and also ensures that visitors to the area are hosted by someone who has an interest in making sure the guest has a good experience and is provided with detailed local knowledge about the best restaurants, pubs, entertainment and walks.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Donna Ross
18 Leichhardt St
Katoomba, Nsw 2780

From: Donna Schmid <donna2honour@hotmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Donna Schmid
56 Glencoe St
Sutherland, Nsw 2232

From: Donna Sife <donnajsife@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Donna Sife
34 Edinburgh Rd
Willoughby, Nsw 2068

From: Donna Zammit <donnazammit1@hotmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Donna Zammit
285 Boomerang Dr
Blueys Beach, Nsw 2428

From: Dorelle Pinch <dorellepinch@gmail.com>
Sent: Wednesday, 11 September 2019 4:18 PM
To: DPE PS STHL Mailbox
Cc: Dorelle Pinch
Subject: Dorelle Pinch Submission on Short Term, Rental Accommodation
Attachments: Dorelle Pinch Submission on STRA.docx

Categories: Rob submission 3.0, non Air BNB run

Please see attached submission on STRA which I was unable to send via the planning portal.

Could you please contact me on the above email address if you have any difficulties in opening it.

Regards,
Dorelle Pinch

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Friday, 30 August 2019 5:13 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Orange category, Purple category

Submitted on Fri, 30/08/2019 - 17:11

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Dorothea

Last name

Jones

Name withheld

Yes

Info

Email

dorotheajones@bigpond.com

Suburb/Town & Postcode

2481

Submission file

[190830-micasa-stra-submission.docx](#)

Submission

Hello

Please find attached my submission.

Regards

Mrs Dorothea Jones

I agree to the above statement

Yes

From: Dorothy Lau <dorothylau@hotmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because my house is located in a beautiful suburb and I wish to be able to invite people to visit my local area and provide a place for people to have a nice and relaxing family and friends gathering.

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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Thank you for reading my submission.

Regards,
Dorothy Lau
Liamena Ave
San Remo, Nsw 2262

From: Douglas Abdiel <abdieloug@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Douglas Abdiel
34 Chalmers St
Surry Hills, Nsw 2010

From: Douglas Macpherson <dougiesic@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Douglas Macpherson
64 Hargraves St
Blackheath, Nsw 2785

From: Judy Hyde <judy.hyde01@gmail.com>
Sent: Monday, 16 September 2019 11:20 AM
To: DPE PS STHL Mailbox
Cc: Paul Upham; Philip Bruce
Subject: Protection of Strata dwellers in NSW with STRA

Dear Sir/Madam,

I am writing with grave concerns about the proposed STRA (Short Term Rental Accommodation) Regulatory Framework Discussion Paper recently released for comment.

I live in a Strata building in Sydney and am deeply troubled by the changes the proposed regulations will make to my quality of life.

Strata buildings are most similar to Company Title buildings in that the separation of residents is a wall only, not a block of land. However, under the proposed regulations, Strata buildings do not have the same capacity to operate their buildings for the benefit of residents as those under Company Title. Company Title buildings are permitted to restrict STRA, whereas Strata buildings are not, and this is inequitable.

The shared property of Strata apartments are improved and maintained by the residents for their own use, not for that of STRA that places additional wear and tear and reduction in privacy, increase in garbage, and costs of providing access and concierge services to STRA people. STRA will increase the cost of living for other Strata residents as well as dramatically reduce amenity.

All other aspects of Strata life are determined via a 75% vote of residents. This is the condition under which residents bought into Strata dwellings.

Furthermore, it is self evident from recent problems within the building industry that self-regulation of housing industries is dangerous, and residents are left bearing the costs of the inherent failures of these systems. The cost of regulating STRA MUST be borne by the Government for the protection and safety of the public.

It is essential that Strata buildings are permitted to continue to regulate the management of their buildings according to the wishes of the residents,

Dr Judy Hyde

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 2:04 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 14:02

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Robert

Last name

Kooyman

Name withheld

No

Info

Email

robert.kooyman@mq.edu.au

Suburb/Town & Postcode

Myocum

Submission file

[kooyman_submission.docx](#)

Submission

Submission:

Dr. Robert M. Kooyman

Date: 08 September 2019

Subject: Short-term Rental Accommodation Reforms

In the Byron Shire area short-term rental accommodation is killing our towns and rural areas by destroying the social fabric of communities, and driving the rental market out of reach of locals. Our coastal and hinterland villages and rural areas have been bought up by absentee landholders who have no interest but profit. The consequence is that owner-occupiers and local residents are fast disappearing in the face of an aspirational market place that has no room for them.

The proposed policy on short-term rental accommodation overrides other legislation that supports residents. Making local residents second class citizens in their own towns and local areas, and sacrificed by Clause 7 (1) In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after this Policy, this Policy prevails to the extent of the inconsistency.

NSW is out of step with locations all over the world. Major towns and cities are placing restrictions on Air BnB and short-term rentals to prevent the destruction of local communities, but in NSW the state government appears ready to do business with anyone, and appear to have allowed the short term letting accommodation industry to write the rules.

The new legislation places a cap on days allowed for letting, where the host is not present, of 180 days per year or 365 days in regional areas. Byron was promised a 90 day limit in the run up to the last election but it is still to be approved and Council has to prove its case as to why Byron gets special treatment before it is approved. 90 days is still 45 weekends a year and, given weekend prices, this is likely not a deterrent to making owners return houses to the permanent rental market.

Unlimited days - no caps: Also, a loophole has appeared in the proposed regulation: a booking for 21 or more consecutive days will not count towards the limit when a host is not present. So a cap is not really a cap!! This means the true extent of short-term letting can never be monitored or measured. A host could add as many 21 day letting periods as they want for the rest of the year and it would not be counted in the annual total!

The state govt is also proposing an industry-led register to keep track of all short-term lets. It is expected to record the name of the host, the property's address, the duration of each booking and whether it complied with bylaws. The industry self-regulating? Really? This takes the power away from local councils to monitor non-compliance for their residents.

It is also known that a number of NSW MPs own short term rental properties, including the Deputy Premier. Politicians with clear conflicts of interest should not be allowed to vote on this issue.

The law supports residents - NSW Land and Environment Court has analysed case law on the definitions of "residential accommodation", "residential building", "residential flat building", "domicile" and "flats", and concluded that there must be "an element of permanence or residence for a considerable time, or having the character of a person's settled or usual abode" in order to constitute "residential buildings"; relying particularly on *North Sydney Municipal Council v Sydney Serviced Apartments Pty Ltd* (1990)21 NSWLR 532 and *Derring Lane Pty Ltd v Port Phillip City Council* (No 2) (1999) 108 LGERA 129.

I agree to the above statement

Yes

Submission:

Dr. Robert M. Kooyman

Date: 08 September 2019

Subject: Short-term Rental Accommodation Reforms

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NSW is out of step with locations all over the world. Major towns and cities are placing restrictions on Air BnB and short-term rentals to prevent the destruction of local communities, but in NSW the state government appears ready to do business with anyone, and appear to have allowed the short term letting accommodation industry to write the rules.

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From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 10:22 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 10:21

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Shaun

Last name

Reynolds

Name withheld

No

Info

Email

shaun.reynolds@dubbo.nsw.gov.au

Suburb/Town & Postcode

Dubbo

Submission file

[dubbo-regional-council-submission---short-term-rental-accommodation-reforms.pdf](#)

Submission

See attached submission on behalf of Dubbo Regional Council.

I agree to the above statement

Yes



9 September 2019

The Director
Housing Policy
Department of Planning Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

COUNCIL SUBMISSION – ‘SHORT-TERM RENTAL ACCOMMODATION’ REFORMS

Council welcomes the opportunity to provide comment in respect of the new regulations regarding ‘Short-term Rental Accommodation’ reforms. Council has previously provided a submission dated 31 October 2017.

By way of background, short-term rental of residential properties in the Dubbo Regional Council Local Government Area has not been problematic. However, increases in visitation to the region’s tourist facilities, and the housing impacts associated with the construction of major infrastructure projects such as renewable energy projects, have resulted in an increase in the take-up of ‘Short-term Rental Accommodation’ options, including the holiday letting of residential properties.

To facilitate ‘Short-term Rental Accommodation’, consideration needs to be given to the impact of such accommodation on established residential areas, including the amenity of permanent residents.

In addition, issues such as fire safety, disabled access and facilities need to be considered. These provisions are triggered under the Building Code of Australia in respect of ‘Short-term Rental Accommodation’ which may not be applied to the same level in respect of the residential accommodation that is being utilised for ‘Short-term Rental Accommodation’.

Below are Council’s itemised comments in respect of specific concerns, and primarily considers the draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019.

All communications to: **CHIEF EXECUTIVE OFFICER**

ABN 53 539 070 928

PO Box 81 Dubbo NSW 2830

T (02) 6801 4000 **F** (02) 6801 4259 **E** council@dubbo.nsw.gov.au

Civic Administration Building Church St Dubbo NSW 2830

W dubbo.nsw.gov.au

Regulation of 'Short-term Rental Accommodation'

It is considered that this type of accommodation should be specifically identified in legislation to provide clarity for Council and property owners. As a definition for such accommodation does not currently exist in the Standard Instrument Principal Local Environmental Plan (Standard Instrument), Council has defined such land uses as either *serviced apartments* or *bed and breakfast accommodation* which ordinarily require a Development Application or Complying Development Certificate. Council therefore requests an appropriate definition be included within the Standard Instrument and included in the Land Use Tables.

Draft SEPP (Short-term Rental Accommodation) 2019

The following comments are provided, directly regarding the draft SEPP:

Part 1(3)(a) the Policy supports the proposal as a 'home sharing activity'. It is unclear what this phrase actually means.

Part 1(4)(2) Definitions, provides no clarity on what 'short-term' or 'temporary' means, which is rather pertinent to this matter.

Part 1(4)(2) Definitions, states that 'short-term rental accommodation' includes 'rural worker's dwelling'. This type of accommodation is generally considered to be ancillary to the dwelling house and generally on isolated rural properties and can also be on a short-term basis. So the development could be 'short-term rental accommodation' in a dwelling that could be already occupied on a 'short term basis'? It should be further noted that many councils have specific requirements regarding 'rural worker's dwellings'.

Part 2(9)(2)(c)(ii) refers to fire safety measures proposed for a dwelling?

Part 3, given the maximum number of persons permitted in 'short-term rental accommodation' the question arises as to why aren't these premises simply classified as *boarding houses*, *bed and breakfast accommodation*, *motel accommodation* or *serviced apartments*.

Part 3(11)&(12) the only difference between 'hosted' and 'non-hosted' is the requirements regarding flooding and bush fire prone land. So in the standard R2 Low Density Residential zone, there would generally be no difference between 'hosted' and 'non-hosted'. There would be no control, guidance, supervision, maintenance, etc., of the property or the neighbourhood.

Part 3(13)(1)(h) makes an exception regarding the RU5 Village zone. It is unclear why this zone is particularly different from many other zones, which permit *dwellings*, such as R1, R2, etc.

Part 3(14)(1) refers to a 'professional engineer who specialises in hydraulic engineering'. There is no definition of a 'professional engineer' and what does 'specialise' mean?

Part 4 refers to development applications or complying development certificate applications made prior to the commencement of the SEPP, being determined as if the SEPP had not commenced. Given the SEPP doesn't currently exist, how would anyone make an application prior to its commencement?

Impacts associated with 'Short-term Rental Accommodation'

The use of residential accommodation for commercial purposes raises concerns about adverse impacts on residential amenity. By way of comparison, the Standard Instrument defines *home business*, *home industry* and *home occupation* and within these definitions identifies that they do not interfere with the amenity of the neighbourhood by reason of emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise.

Consideration should be given to similarly defining 'Short-term Rental Accommodation' to protect the residential amenity of the locality from being adversely impacted upon by what is effectively a commercial enterprise. It is also recommended any definition include requirements about servicing (cleaning) to ensure the dwelling and property in general is kept in reasonable condition in order to protect the amenity of the neighbourhood.

By having a definition that included such aspects, Council would then have the ability to deem the use of specific properties (problematic) to no longer conform to the definition of 'Short-term Rental Accommodation' and therefore potentially be prohibited development, or require some form of development consent.

In simple terms, Council sees the introduction of this form of land use as 'exempt' or 'complying development' as a method of land owners by-passing planning assessment processes and relevant considerations. The proposed draft legislation (SEPP), permits up to 12 persons within a dwelling and not require development consent. Effectively this could constitute a *boarding house*, *bed and breakfast accommodation*, *motel* or *serviced apartment* under the current Standard Instrument definitions. However, under the proposed legislation a landowner can effectively operate a quasi *boarding house*, *bed and breakfast accommodation*, *motel* or *serviced apartment* without requiring development consent.

Ordinarily, these land uses require development consent and the impacts on the locality can be assessed through the merit assessment of a Development Application. Through the proposed legislation, Council will no longer have the opportunity to assess such developments and their impacts, nor will the community have the opportunity to participate through the exhibition/notification process.

Maximum length of use

It is noted that the Discussion paper states that both hosted and un-hosted STRA will be exempt development for 365 days per calendar year in regional areas. With respect to un-hosted, Council has the opportunity to vary this to no less than 180 days with a written request.

Council requests that un-hosted STRA, to be undertaken as exempt development, be nominated as a maximum of 180 days per calendar year on commencement of the SEPP.

Development Assessment

It can be gleaned that the draft SEPP prefers 'Short-term Rental Accommodation' to be considered in the planning system as 'Exempt Development' or 'Complying Development'. Council considers that provisions to allow 'Short-term Rental Accommodation' as 'Exempt Development' should be for minor and low intensive uses only and not premises listed on a full-time basis, which could be deemed a commercial activity.

The draft SEPP does not provide any guidance as to whether 'Short term Rental Accommodation' can be considered as development with consent, and if so, any development standards around such. The draft SEPP doesn't even define what 'short-term' means.

Council recommends that the following criteria be adopted for when a Development Application is required:

- Full-time short-term holiday accommodation (i.e. use 365 days per year);
- Where no host is present onsite;
- Greater than four (4) bedrooms;
- Where there is a need to assess and consider environmental constraints (flooding, bush fire) and other associated issues in respect of access and facilities for persons with a disability and compliance with the Building Code of Australia; and
- Where fire safety measures are required or cannot be achieved under the Complying Development Certificate provisions.

Where a Development Application is required to be lodged, Council supports provisions for set criteria to be outlined to allow for determination of straight-forward proposals with minimal impacts. Set criteria may allow property owners to prepare a development application without the requirement to engage a consultant.

Building Code

It is recommended that the Department give further consideration to the relationship between the planning system and the Building Code of Australia (BCA) in respect of 'Short-term Rental Accommodation'. This includes the need to further clarify whether 'Short-term Rental Accommodation' necessitates a change in building classification under the BCA and whether this type of accommodation should require a new building classification to be incorporated into the BCA.

For instance, under current building provisions, *bed and breakfast accommodation* is classified as Class 1(b), which either requires a proponent to seek a Complying Development Certificate or development consent for a change in use from a residential dwelling. Currently, to enable 'Short-

term Rental Accommodation' to be considered as 'exempt development', the use would be required to be classified as Class 1(a) under the BCA. To ensure a consistent legislative framework, the BCA provisions need to be reviewed.

Self-regulation

It is considered that industry self-regulation would be part of a number of measures that could assist in the overall management of 'Short-term Rental Accommodation'. It is unclear however, as to how the industry would self-regulate and what powers, if any, would be given to property owners. It is also unclear as to what license or registration arrangements would exist.

One possible method of regulation could require property owners when they list a property with an accommodation provider, to provide notification of the payment of a registration fee with their respective local council. This registration fee could be used by councils to undertake compliance and other activities associated with 'Short-term Rental Accommodation'.

The above requirement could also assist councils, providing some ability to police the length of stay within the accommodation. Under the draft SEPP, certain localities are restricted in terms of the maximum use of a building for 'Short-term Rental Accommodation' purposes within a calendar year. However, there is no methodology around how or who is expected to police such a requirement. Consideration should be given around this.

It is noted that complaints, compliance and enforcement will sit with the Commissioner for Fair Trading. Council is usually the first point of contact with the community, however under the current proposal it would appear Council is not being notified of STRA uses and therefore would refer members of the community to Fair Trading. Given Council has a role in protecting the amenity of areas, in particular residential neighbourhoods, within the planning system, this has the potential to undermine Council's local planning controls.

Further to the above, can additional Local Government Areas nominate to be included on the list of areas where length of stay restrictions apply?

Bush fire prone land

Council considers that this proposal with respect to bush fire prone land is inconsistent with the existing planning framework, particularly noting approval requirements for bed and breakfast accommodation.

The provisions of the Exempt and Complying Developments Codes SEPP states that bed and breakfast accommodation cannot be complying development if it is located on bush fire prone land.

Additionally, Section 100B of the Rural Fires Act 1997 states that “a hotel, motel or other tourist accommodation” is considered a special fire protection purpose and therefore requires a bush fire safety authority. Pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act), any other form of commercial tourist accommodation, such as bed and breakfast accommodation, hotel or motel, would be Integrated Development and require referral to the NSW Rural Fire Service for assessment. Given un-hosted STRA is a form of tourist accommodation involving short stays with people of minimal knowledge of the area, it is considered inappropriate for STRA on bush fire prone land to not be assessed under Part 4 of the EP&A Act and be Integrated Development.

Conclusion

Council appreciates the opportunity to provide these comments in respect of the draft ‘Short-term Rental Accommodation’ reforms and looks forward to the results of this review.

If you require any further information or clarification regarding this submission, please do not hesitate to contact Council’s Statutory Planning Services Team Leader, Shaun Reynolds, during normal office hours on (02) 6801 4000.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Stephen Wallace', with a stylized, cursive script.

Stephen Wallace
Director Development and Environment

From: Bob Watson <thejettyterrace@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Bob Watson
327 Harbour Dr
Coffs Harbour, Nsw 2450

From: no-reply@planning.nsw.gov.au on behalf of Department of Planning,
Industry and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 15 August 2019 12:33 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Cc: DPE PS ePlanning Mailbox
Subject: Have your say on Short Term Rental Accommodation

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 15/08/2019 - 12:33

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Dylan

Last name

Furnell

Name withheld

No

Info

Email

dylan.furnell@oberon.nsw.gov.au

Suburb/Town & Postcode

Oberon 2787

Submission

1.

The general form and provisions of both the STRA SEPP and the Regulation are much easier to follow than the previous draft and reduce the grey areas. They also allow for more specific control of un-hosted and hosted accommodation.

2.

The new draft clears up a lot of the potential misinterpretation from the old draft. The way the policy is written is plain English and relatively easy to follow.

3.

One issue I have is how compliance would work with the 21 day bookings not counting toward total days? Will there be a requirement to report the number of days booked etc.? I cannot see an easy way to ensure compliance with the total days, especially when 21 day bookings are likely to make it a more complex equation.

4.

The general obligations for industry participants are fine.

5.

Occupancy days and numbers of occupants are the two obvious choices for reporting. Perhaps general opportunities for feedback from operators on how the code is impacting on their occupancy (eg. do they need to turn away large groups due to restrictions in place by the codes in areas where large groups wouldn't impact on amenity etc.?).

6.

From what I can see obligations for these parties are all reasonable and adequate.

7.

The complaints process is deemed adequate.

8.

Placing a guest on an exclusion register is unlikely to solve any issues as most likely they would be staying within a larger party in which another name could be used for future bookings. I think the strikes policy is likely to make hosts hold guests to a higher standard, making them potentially monitor their guests more closely which is a positive.

9.

Ideally the booking agency would remove or not allow accounts which are related to a person on the exclusion list. With proper identification checks it should not be hard to compare a name on the exclusion list and any account.

10.

The review process is clear and sufficient.

11.

Penalties seem to be reasonable.

12.

Clause 22B(1) captures the end to end property management services.

13.

None

14.

It is appropriate to exclude some uses.

15.

None.

16.

The appeal process is acceptable.

17.

The fee recovery is reasonable.

18.

The amount of properties and their occupancy rates is the appropriate way to proportion costs. This would allow the participants to easily pass on some or all of these costs to hosts etc. at a per property, per night flat rate fee.

19.

The amount is appropriate. Any less and penalties will not be worthwhile.

20-35.

No Answer.

I agree to the above statement

Yes

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 6:49 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 18:44

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Eacham

Last name

Curry

Name withheld

No

Info

Email

lpender@brickfielderge.com

Suburb/Town & Postcode

2000

Submission file

[stayz-submission-on-nsw-government-stra-regulatory-framework---11.09.2019.pdf](#)

Submission

Dear Director,

Please find attached a submission from Stayz on the NSW Government's short-term rental accommodation draft regulatory framework.

This submission provides a background to our company, Stayz, and presents our perspective on four of the features of the NSW Government's draft regulatory framework that we believe require further clarification and development, in particular the:

1. Draft planning instruments
2. Draft Code of Conduct for the Short-term Rental Accommodation Industry
3. Proposed industry-led STRA property register
4. Commencement timeframe and 12-month review of regulatory framework

In Appendix A we have summarised our responses to the questions posed in the Discussion Paper. In Appendix B we present recently commissioned data showing the STRA sector's size and economic contribution to NSW and its tourism regions for the 2017-18 financial year.

Our aim through this submission and in our further engagement with the NSW Government is to raise the policy and regulatory issues that require detailed attention and the solutions that we think are best suited to deliver on the Government's policy aims. In doing so, we have sought to provide value to your deliberations and a starting point for our further engagement with the Department and the NSW Government.

We look forward to hearing from you.

Kind regards,

Eacham Curry, Director of Government & Corporate Affairs at Stayz

I agree to the above statement

Yes

From: Eda Oncu <eda086@hotmail.com>
Sent: Thursday, 5 September 2019 9:20 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Regards,

Eda Oncu
Express Digital Signs

0415 366 064

From: Edi Biasutti <edibiasutti@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

I love meeting people from all over the world. I love the people who want to be in a home with local people not an impersonal hotel. I am one of these travellers who stay in Airbnb to enjoy the local experience. I as a local born and bred in Sydney offer a tourism experience tourists do not enjoy without Airbnb.

I have been an Airbnb host for 4 years. What about the BNB which has been going for years! No rules have been required Why the need to make it more difficult. Airbnb do this all over the world. People go through Airbnb because they want a home not a hotel. Don't make the changes to only attract business people. We pay our taxes.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Edi Biasutti
232 Unwins Bridge Rd
Sydenham, Nsw 2044

From: Edilza Plummer <jilleag@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

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I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

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Thank you for reading my submission.

Regards,
Edilza Plummer
30 Booker Bay Rd
Booker Bay, Nsw 2257

Apt. 906, Highgate
127 Kent Street
Sydney NSW 2000
September 25, 2019

Department of Planning, Industry and Environment
and Department of Customer Service

Dear Department,

Re: Regulations and a Code of Conduct for AirBnb

I am the owner of an apartment in 'Highgate' at 127 Kent Street, Sydney and am most disturbed at the implications of the draft Regulations and Code of Conduct for AirBnb and such schemes. I wish to offer my opinion that the proposed regulations neither recognise nor make allowances for the diverse range of vastly different residential types in NSW. Also, they do not sufficiently respect the rights of the majority of owners in a large strata development and their wishes as expressed through their elected owners' corporation and as discussed at residents' meetings.

Strata living requires many compromises and building by-laws are created to assist all owners and residents to live in a high degree of harmony. For example, in this building we have rules about rubbish disposal, pet ownership, use of common property and facilities, noise, building work, moving furniture in and out, and so on. These by-laws have been put in place in consultation with the strata owners and are amended from time to time as necessary through a continuing consultation process.

When an apartment is used as an AirBnb, the short-term residents neither know nor, in many cases, even care about the strata rules. When staying only a few days or weeks some have no interest being considerate to their neighbours – especially those who are elderly (as many are in this building including myself).

Some transient tenants are responsible but others, especially young tourists, often hold loud parties, fail to dispose of rubbish properly, travel in the lifts improperly clothed and with bare feet and generally degrade a well-run building. And if there is damage to common property, the costs of repairs and remediation have to be met by all the building's apartment owners – an entirely unfair but preventable imposition. I've heard of cases where once reputable apartment buildings have become, owing to AirBnb tenancies, like cheap hotels. This has caused misery to their residents who have made a substantial investment in what they hoped was to be a home not a hotel suite. Not only the amenity of their home has been compromised but so has their capital investment.

Every owner's corporation or body corporate must have the right to decide its own short-term letting arrangements. Some buildings may be fine with them but in a building such as Highgate letting policies, like all other policies regulating the building, MUST be decided by a resolution of the owners requiring at least 75% of those with voting eligibility. The regulations have to protect strata owners and residents with long-term tenancies.

Furthermore, self-regulation by the STRA industry will not work and should be regulated by an independent government body.

Yours sincerely,

(Dr) Edith Ziegler

From: Edith Ziegler <edith.ziegler@bigpond.com>
Sent: Wednesday, 25 September 2019 11:16 AM
To: DPE PS STHL Mailbox
Subject: STRA submission
Attachments: Letter re Regulation of Airb&bs, etc..pdf

Follow Up Flag: Follow up
Flag Status: Completed

The NSW Government has called for submissions regarding opinions on the new **Regulations and a Code of Conduct for AirBnb, etc.**

My admission is attached.

Yours sincerely,

Edith Ziegler

Apt. 906, Highgate
127 Kent Street
Sydney NSW 2000
61-2-92525135

From: Edward McGuiness <edwardmcguiness@hotmail.com>
Sent: Thursday, 5 September 2019 8:47 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

I have safely and successfully operated a home on the edge of the forest for 3 years, and now will be required to get an expensive DA just to continue operating the home for what it has been used for. I am worried that this process will expose me to NIMBY opposition. I would like to see the requirement for DA removed for Bushfire affected land.

Regards
Edward McGuiness
Otford, NSW

From: Edward Wong <edwon3281@bigpond.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because its more flexible as a landlord and provides for affordable holiday accommodation for NSW visitors and helps our tourism industry.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Thank you for reading my submission.

Regards,
Edward Wong
285 Pyrmont St
Ultimo, Nsw 2007

From: Edwina Bishop <weenbishop@hotmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Edwina Bishop
77 Clinton St
Orange, Nsw 2800

From: Edwina Burge <edwina.burge@outlook.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it allows me the flexibility to rent my property, capitalise on holiday season and be responsive to local needs.

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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Thank you for reading my submission.

Regards,
Edwina Burge
74 Cornelia Rd
Toongabbie, Nsw 2146

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Friday, 23 August 2019 12:46 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Fri, 23/08/2019 - 12:46

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Eileen

Last name

Davie

Name withheld

No

Info

Email

eednef@gmail.com

Suburb/Town & Postcode

Woollahra 2025

Submission

There is no doubt about it.STL is a wonderful thing in serviced apartments.Where is should be kept.

I agree to the above statement

Yes

From: EILEEN WATSON <nickeileenpearce@hotmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we live on a farm, are currently in drought, and haven't enough acreage to sustain us through farm only, but aren't allowed to subdivide either. So no win situation all round! It is very expensive to own and manage land and luckily we have accommodation on the farm that we can generate some income from. If we weren't able to do this we would not survive on the land.

There is also a shortage of accommodation in our area.

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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Regards,
EILEEN WATSON
6378 The Snowy River Way
Beloka, Nsw 2628

From: Elaine Ball <elainemball4@outlook.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Elaine Ball
9 Jerilderie St N
Tocumwal, Nsw 2714

From: Elaine Rogers <garynrogers@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Elaine Rogers
18 Peebles Rd
Fiddletown, Nsw 2159

From: Elaine Taylor <eta4175.et@gmail.com>
Sent: Sunday, 8 September 2019 4:26 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Regards

Elaine Taylor
Executive Assistant
RTT Consulting Pty Ltd

From: Elaine Taylor <eta4174.et@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Elaine Taylor
12 Teal Pl
Sussex Inlet, Nsw 2540

From: Eleni Isaias <eleniisaias65@gmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
Eleni Isaías
30 Norton St
Glebe, Nsw 2037

From: Elie Ayoub <elie@nexgen.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Elie Ayoub
287 Queen St
Concord West, Nsw 2138

From: Elise McSweeney <elisemcsweeney@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Elise McSweeney
33 Collingwood St
Manly, Nsw 2095

From: Elise Valentine <elise@seasaltproperty.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Elise Valentine
189 Ocean View Rd
Ettalong Beach, Nsw 2257

From: Elizabeth Escandor <elizabeth@becolinvestments.com>
Sent: Wednesday, 28 August 2019 1:21 AM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

Sincerely yours,

Elizabeth Escandor
Proprietor
Becol Investments
Phone: 0402092248

From: Elizabeth Gorringer <elizabethgorringe@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it helps me pay my rent and remain flexible in the use of spaces in my home.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Elizabeth Gorringer
58 Orpington St
Ashfield, Nsw 2131

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:42 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 16:41

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Elizabeth

Last name

Kerley

Name withheld

No

Info

Email

liz@templebyron.com

Suburb/Town & Postcode

Byron Bay

Submission

Byron Bay has become over run by tourists!

We need restrictions for short term rental - like Air BnB accomodation in Byron Bay, otherwise we will become like the Gold Coast - a party town!

Byron Bay needs locals living in this town to maintain the spirit of Byron Bay's community.

I agree to the above statement

Yes

From: Elizabeth Tomlinson <eliztom@me.com>
Sent: Thursday, 5 September 2019 9:15 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: Purple category

Dear Minister,

Short-term rental accommodation to allow self funded retirees an opportunity to make some extra money without having to need a government pension.

As a result, regulation for our rural sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As a self funded retiree, this is one of the few opportunities I have to continue to earn some income and not be dependent on government pensions. If you permit a reduction in day limits in regional areas, then I will need to rely on government funds for my survival.

Regards
Elizabeth Tomlinson
Byron Shire NSW

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 11:22 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 11:21

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Ella

Last name

Pike

Name withheld

No

Info

Email

info@beachesbyronbay.com.au

Suburb/Town & Postcode

2481

Submission

I disagree with the proposed law. The economy is Byron should be going to the local owners running hotels not hosts who are not living in Byron.

I agree to the above statement

Yes

From: Elle Louise <elleholidays@hotmail.com>
Sent: Thursday, 5 September 2019 2:10 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded and not sent to DCS, Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct, bans of Fair Trading excluded. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

From: Ellen Goh <ellenkgoh@hotmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Ellen Goh
8 Francine St
Seven Hills, Nsw 2147

From: Ellen Viccars <el_55@hotmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Regards,
Ellen Viccars
44 Vulcan St
Kingscliff, Nsw 2487

From: Elvis Merkaj <merkaj_elvis@yahoo.com.au>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
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Categories: Tom Submission, Air BNB run

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Elvis Merkaj
361 Sussex St
Sydney, Nsw 2000

From: Elyse Vella <elysevella@hotmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I am a single mum, I use the money to take my son to visit his dad's family interstate (his dad lives overseas) and to pay for his schooling.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired

- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

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Thank you for reading my submission.

Regards,
Elyse Vella
14 Oceano St
Copacabana, Nsw 2251

From: Emilia Veloso <emilouveloso@yahoo.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Emilia Veloso
4 Minnibah Circuit
Forster, Nsw 2428

From: Emily Angwin <emilykateangwin@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Emily Angwin
111 O'Shea Circuit
Cessnock, Nsw 2325

From: Emily Edwards <emily@emily-edwards.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Emily Edwards
115 Henrietta St
Waverley, Nsw 2024

From: Emily Woo <emilywoo2331@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Emily Woo
39 Hewitt Ave
Wahroonga, Nsw 2076

From: Emma Grover <emmajanagergrover@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Emma Grover
23 Killarney St
Mosman, Nsw 2088

From: Emma Snidall <esnidall@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Emma Snidall
44 Miriyan Dr
Kelso, Nsw 2795

From: Emma Taylor <em.trent@hotmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I host on Airbnb because...

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Emma Taylor
22 Oodgeroo Gardens
Byron Bay, Nsw 2481

From: Ephing Hua <ephhua888@gmail.com>
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To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Regards,
Ephing Hua
60 Lord St
Cabramatta West, Nsw 2166

From: Erik Bellendir <erik@bellendir.net>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Erik Bellendir
5 Abbott St
Coogee, Nsw 2034

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 2:39 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: rob submission 2.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 14:39

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Errol

Last name

McLachlan

Name withheld

No

Info

Email

errolmclachlan@hotmail.com

Suburb/Town & Postcode

2267

Submission

I have read the submission of Nicky Burgess and would endorse her sentiments. My wife and I have been personally impacted by the use of a property two houses from ours, and seen the effect it has had

on Nicky and her husband, Chris Cummins. We have also recently utilised such accommodation (travelling for 10 weeks through mainland Italy, Malta, Sicily, Sardinia, Corsica and southern France). We accept that STRA is here to stay and is a world-wide phenomenon, however it needs to be appropriately regulated and such regulation enforced.

The issues I feel must be adequately addressed are:

1. Number of days allowed per annum. A reasonable balance between an owner's right to income, guest utilisation of STRA and mitigation of potential impact on neighbouring residents would be 60 days. Most STRA will be weekend use, so such a limit would enable most weekends to be accessed for the owner and by guests. Periods outside the limit could be used for longer term letting by the owner, or personal use.
2. Number of guests allowed. We have witnessed very poor behaviour when a large number of guests (up to 12) used the property, and it caused disruption to the whole neighbourhood. Nicky and Chris were most severely impacted - regular use of the property for STRA purposes has had a noticeable affect on their health and well-being. We would submit that the number of guests be limited to six, including any visitors to the site while being used by the paying guests.
3. Parking. Off-street parking should be mandated to ensure no traffic issues arise.
4. Control of poor behaviour. A process of stepped penalties for proven poor behaviour should be introduced, with the final step involving a ban on guests using STRA. An owner should also face restriction on the ability to let their property if guest behaviour is unsatisfactory. Ideally, there should be an on-site presence either by the owner personally, or their representative. Otherwise neighbours will be required to access police support when their home-life is disrupted.

I agree to the above statement

Yes

From: ETCJXIA <etcjxia@gmail.com>
Sent: Sunday, 8 September 2019 10:03 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, recorded and not sent to DCS, Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Sent from my iPhone

From: Felicity Richards <Felicity.Richards@esc.nsw.gov.au>
Sent: Tuesday, 17 September 2019 3:32 PM
To: DPE PS STHL Mailbox
Cc: Elizabeth Rankin
Subject: Eurobodalla STRA Submission due Wednesday 18 September 2019
Attachments: Eurobodalla STRA Submission_FINAL.PDF

Categories: Tessa Submissions, council submission

Good Afternoon,

Please find attached Eurobodalla Shire Councils Short Term Rental Accommodation submission.

Eurobodalla was granted an extension to the submission process due Wednesday 18th September.

We look forward to the Departments response.

Regards

Felicity

Felicity Richards

Tourism and Planning Officer

Monday – Thursday

t 02 4474 1020



vulcan street moruya nsw 2537 | po box 99 moruya nsw 2537
www.esc.nsw.gov.au

Eurobodalla Shire Council acknowledges the traditional custodians of the land on which we work.

Please consider the environment before printing this email

This email and any files transmitted with it are intended solely for the use of the addressee(s) and may contain information which is confidential or privileged. If you receive this email and you are not the addressee (or responsible for the delivery of the email to the addressee), please disregard the contents of the email, delete the email and notify the author immediately.

From: Eva Staehelin <evastaehelin@activ8.net.au>
Sent: Tuesday, 10 September 2019 3:02 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: recorded in DPIE subs register, recorded and not sent to DCS, Purple category

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry, including the North Coast where I have a house in Red Rock. Red Rock has no commercial accommodation available except the caravan park and holiday makers have relied for years on privately owned houses made available as STRA.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct.

However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

I am a cattle farmer, if I didn't have the extra income from the STRA I could not keep my farm operating in tough times as we experience at present.

Kind regards,

Eva Staehelin

From: Evangelos Pappas <evpappas1@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Thank you for reading my submission.

Regards,
Evangelos Pappas
65-67 Coogee Bay Rd
Randwick, Nsw 2031

From: Ewan Isbister <ewanisbister@me.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Ewan Isbister
2 Edith St
Leichhardt, Nsw 2040

10 September 2019

Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO BOX 39
Sydney NSW 2000

Dear Director, Housing and Infrastructure Policy

RE: Feedback on the draft instruments and regulations for short-term-rental accommodation

The Exhibition and Event Association of Australasia (EEAA), provided a submission in response to the Short-Term Holiday Letting in NSW Options Paper in 2017, and to the Planning Framework Explanation of Intended Effect in 2018, advocating for the need for ample accommodation stock for the visitor economy in New South Wales.

The Members of our Association deliver trade and consumer exhibitions and their associated conferences in a diverse range of industry categories and are supported by our venue and supplier members. Accommodation continues to be a key component in enabling these events to flourish.

In reviewing the draft instruments and regulations that are currently on display, the EEAA would like to reiterate our support for the Short-Term Rental Accommodation sector and for sensible regulation which will not compromise the availability of accommodation stock through short-term accommodation suppliers.

We welcomed the NSW Government's decision in 2018 to endorse the state-wide permissibility of short-term rental accommodation and the number of days in which it can take place and we strongly encourage the Department to ensure any further policies implemented in New South Wales continue to maintain the economic and business benefits of short-term rental accommodation whilst managing the social and environmental impact.

Reforms should not compromise the availability of all types of accommodation stock for access by the business event sector, from traditional hotels, apartment hotels and also short stay accommodation. We strongly discourage an increase in red tape and onerous provisions that would impact supply and thereby restrict the choices available to visitors and also to our industry which makes considerable use of all types of accommodation.

Yours sincerely,



Joyce DiMascio
Chief Executive Officer, Exhibition and Events Association of Australasia

From: Ezmari El-Ali <ezmari.prinsloo@gmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Ezmari El-Ali
54 Angophora Dr
Rothbury, Nsw 2320

From: Fabio Mei <fabioimei007@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Fabio Mei
5 Old Bangalow Rd
Byron Bay, Nsw 2481

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Thursday, 12 September 2019 8:13 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, non Air BNB run

Submitted on Thu, 12/09/2019 - 08:12

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Faith

Last name

Harper

Name withheld

No

Info

Email

faith.healy.harper@gmail.com

Suburb/Town & Postcode

Suffolk Park 2481

Submission

I bought into a block of 7 units that are very close together with the understanding that it was residential only at 44 Armstrong st. 5 were owner occupied and 2 permanent rentals.

One woman who is on the strata committee started airbnb-ing a year ago. She moves out when airbnb moves in you can see her site Beach Villa Suffolk park she has one car space the overflow park on the street. The unit directly opposite me sold about 8 months ago to a person from Brisbane, he is also on the strata committee he now has the other airbnb women managing his property just for airbnb purposes again they don't use their garage if renters park on the street. So now I have to put up with a steady stream of strangers moving in and out plus laundry deliveries and cleaning people. What was once a nice place is now leaves me concerned about security, noise and privacy. If the owners live on site and want to rent a room I have no issue with that if they have adequate parking but turning a small residential block in holiday let's is unjust. Thank you Faith

I agree to the above statement

Yes

From: Fang Hsu <clairanita@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Fang Hsu
90 Forest Rd
Arncliffe, Nsw 2205

From: Farhad Bardeh <f.bardeh@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I cannot afford the rent by my own.

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Thank you for reading my submission.

Regards,
Farhad Bardeh
Havelock Ave
Coogee, Nsw 2034

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 5 September 2019 9:57 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Thu, 05/09/2019 - 09:56

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Fawaad

Last name

Mullick

Name withheld

No

Info

Email

fmullick@gmail.com

Suburb/Town & Postcode

Beecroft

Submission

Registration of all holiday rentals – We are supportive of compulsory and simple registration for all properties listed on a short-term rental accommodation platform. When implemented correctly in other

parts of the world, the registration of holiday rentals has proven to be a low-cost and effective way of informing the development of sensible rules for our growing sector.

Day caps – We remain opposed to the proposed day limits in Sydney and regional areas. Day caps for holiday rentals not only put the economic uplift associated with the tourism sector at risk, but also fail to address the three most consistently cited concerns about the industry, namely; housing affordability, availability and the impact on amenity.

Making sure the new planning rules have the right coverage – We support a regulatory approach that provides the best balance of consumer safety, community amenity and the contribution of the sector to the economy. For the NSW approach to work properly, it must treat all properties equally - whether hosted or unhosted, primary or secondary.

Exclusion of 21-day stays from applicable day cap – This proposal is inconsistent with other pieces of legislation, for example long-term rental is defined as an agreement lasting three-months or longer. We would rather that the government develop a clear definition of short-term rental accommodation and work from there.

Banning properties with 12 or more bedrooms – Given the small percentage of short-term rental properties that provided such an offering, this seems to be an arbitrary measure and we have requested more information about the case for this proposal.

If the Government is determined to implement this proposal, we believe the owners of properties that contain 12 or more bedrooms should have the power to apply to their local council for development approval to use their property as a short-term rental.

Limiting the number of guests allowed in a bedroom – We do not support this measure in its current form. This proposal is particularly problematic for people with close supervision needs, for example babies who sleep in cots, very young children who still sleep with their parents and people with special needs.

We are arguing for the current short-term rental code, which has worked well for eight years, to prevail on this matter. The current rules allow for two adults per bedroom, plus two for the household i.e. a two-bedroom property is allowed six people.

For properties that are specifically designed to cater for larger groups than what the above rule would allow, we believe that owners should have the power to apply to their local council for development approval to use their property as a short-term rental and cater a higher number of guests.

I agree to the above statement

Yes

From: Felicity Weaver <findfelicity@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it allows my family to afford holidays in other parts of Australia. I have rented it out twice so far, we had a extended family from Paddington NSW stay and an extended family from Melbourne during the school holidays. It allowed three generations to have a family holiday together in a way that is affordable for this area and in the comfort of a home not a hotel. It also meant that we could afford to take holidays within Australia too. With the cost of housing so expensive in Manly we have found it a great way to be able to afford to live here and still travel in school holidays.

We love the share economy, it makes sense to share assets with others. We also loan our car out in a share car system, rent with Airbnb ourselves and use share ride services.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW

Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Felicity Weaver
10 Iluka Ave
Manly, Nsw 2095

From: Fergus Mcwhirter <cfmcwhirter@exemail.com.au>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Fergus Mcwhirter
10 West St
Bermagui, Nsw 2546

From: Angela Kesby <angelakesby@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Thank you for reading my submission.

Regards,
Angela Kesby
1A Clement Pl
Rushcutters Bay, Nsw 2011

From: Fiona Banks <fmabanks@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I have a weekender in the Hinter Valley. Airbnb provides a great platform for me to rent out the cottage when I am not using it.

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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Thank you for reading my submission.

Regards,
Fiona Banks
1A Ashley St
Tamarama, Nsw 2026

From: Fiona Deegan <fiona@hostpartners.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I love having my own business and hosting for people. I am also a single Mum keeping a roof over my sons head. I work in an area with very little job opportunities and my business is something that gives back not only to my local community but to the area's tourism sector. Strict and frivolous restrictions are just not required, why would you ruin something that helps communities?? I just dont get this.

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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Thank you for reading my submission.

Regards,
Fiona Deegan
50 Bowral Rd
Mittagong, Nsw 2575

From: Fiona djatschenko <fionabruyn@bigpond.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Fiona djatschenko
12 Mort St
Katoomba, Nsw 2780

From: fiona djatschenko <fionabruyn@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because... i enjoy sharing my home with others

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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Regards,
fiona djatschenko
271 Martins Rd
Rydal, Nsw 2790

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Sent: Wednesday, 11 September 2019 2:20 PM
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Regards,
Fiona Ellis
69 Evans St
Freshwater, Nsw 2096

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Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Fiona Glasheen
10 Glengowrie Cl
Parkes, Nsw 2870

From: Fiona Lindgren <fionalindgren@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

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Thank you for reading my submission.

Regards,
Fiona Lindgren
116 Rosebank Rd
Corndale, Nsw 2480

From: Fiona Mak <fionamak66@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it allows me some extra income for our family and it most importantly gives my youngest son who is autistic the opportunity to meet people and learn to socialise. We have meet many interesting people whom he wouldn't have met without this platform.

I also find it incredulous that once again the government is dictating what we can and can't do.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Fiona Mak
15 Mountain Ash Ct
Medowie, NSW 2318

From: Fiona Melia <haircafe@optusnet.com.au>
Sent: Wednesday, 11 September 2019 2:23 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Regards,
Fiona Melia
2 Marine Parade
Merimbula, Nsw 2548

From: Fiona OMeara <fionaom23@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we have spent a lot of time working away from home and overseas and it allows our house to be used for short term rentals while we're away whilst still being available for us or our kids when we return.

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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Thank you for reading my submission.

Regards,
Fiona OMeara
41 Warrawee St
Sapphire Beach, Nsw 2450

From: Mark Whybro <Mark.Whybro@fire.nsw.gov.au>
Sent: Friday, 6 September 2019 10:26 AM
To: DPE PS STHL Mailbox
Cc: Executive CSD
Subject: FRNSW Submission to Short Term Rental Accommodation Discussion Paper

Good morning,

FRNSW has developed a submission for the Short Term Rental Accommodation inquiry, but it may not be through our approvals process by the deadline of COB 11 September 2019. I'd appreciate the opportunity to discuss with you the possibility of a short extension, just in case this extends past the due date. Best number is my mobile – please see below.

My thanks in advance for your consideration.

Kind regards



MARK WHYBRO
ASSISTANT COMMISSIONER
COMMUNITY SAFETY

T: (02) 9742 7316 M: 0438 602 869
E: mark.whybro@fire.nsw.gov.au
1 Amarina Ave, Greenacre, NSW 2190
Locked Mail Bag 12, Greenacre, NSW 2190
www.fire.nsw.gov.au



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This message has been scanned for viruses.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 11:51 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 11:50

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Peninsula Apartments Strata 63767

Last name

Fitzgerald Brian

Name withheld

No

Info

Email

fitzfam@bigpond.net.au

Suburb/Town & Postcode

12-25 Wentworth St Manly 2095

Submission

The Peninsula complex consists of 163 apartments, 16 retail Shops, Coles Supermarket & Northern Beaches Council car park.

We have an existing by-law which prohibits short term rental under 90 days which we understand may not be valid with the new regulations.

We note that the suggested new regulations may allow STRA, because of previous problems with short term renters we are against allowing STRA in our building.

However if the new regulations allow STRA we suggest it is restricted to owner residents WHO MUST RESIDE IN THE APARTMENT FOR AT LEAST 6 MONTHS OF THE YEAR.

The suggested fire regulations should be mandatory.

Also that regulations include that any additional costs incurred by the strata for administration, insurance, damage to common property etc due to STRA be the responsibility of the renting owner.

Our replies to your questions are below.

1. What is your view on the form of and provisions in the STRA SEPP, Regulation and Safety Standard?
2. Are there any elements of the draft instrument that are open to misinterpretation or require further clarification? ^[L]_[SEPP]
3. What are your views on new policy elements relating to days, flood control lots and bushfire prone land? ^[L]_[SEPP]

Answer

1. Seems adequate
2. I dont see any
- 3.No Comment

Table 2.

1. Seems adequate
2. I dont see any
3. 180 days for Sydney area if STRA letting is approved seems reasonable

Table 3. No comment

4. Are the general obligations for industry participants adequate? If not, what other general obligations should be considered? Why?

Seems ok

5. What types of STRA information will be useful for the Secretary to collect to inform the further improvement of the Code and the STRA regulatory framework? Why?

No comment

6. Are the specific obligations on booking platforms, letting agents, hosts, guests and facilitators in the Code adequate? If not, what other obligations should be considered for each of these industry participants? Why?

Answer

I cant see how the industry can possibly form a regulatory body to police STRA. The main proponents, Air BnB, Booking.com, Stay as etc are global companies & the industry is so fragmented I cant see that

they would want to waste their time with an organisation in NSW. Strata committees do not have the time or facilities to be involved.

The only way this would work is for a state government controlled organisation be formed, which the state government does not want or for local councils to do it funded by the owners of the rented premises. It is questionable whether councils would be interested.

Who is going to oversee the owners & guests obligations? Strata committees are voluntary & do not have the resources to carry out these duties.

7. Is the complaints process detailed in part 6 of the Code sufficient? If not, what other matters should be considered or set out in the process? Why?

Answer. Same as previous paras. Not practical unless a special government agency is formed to oversee & record all required details. How to overcome rogue operators who do not properly register?

8. Are the grounds for recording a strike fair and reasonable? What other matters (if any) should the Commissioner consider when deciding whether to record a strike? Why?

Answer

Same as previous paras. Who is going to be responsible to report non compliance to the secretary?

9. What are potential ways to facilitate industry participants' access to the exclusion register while limiting potential privacy impacts? What factors should be considered?

10. Is the review process clear and sufficient? What other matters (if any) should be considered? Why?

11. Are the proposed penalty notice offence and civil penalty provisions appropriate? What provisions should or should not be identified as penalty notice offence and/or civil penalty provisions? Why?

12. Does clause 22B(1) appropriately capture end to end property management services that specifically service STRA properties? Why or why not?

^[1]_{SEP} Seems OK ^[1]_{SEP}

13. What other organisations or persons should be prescribed classes of STRA industry participants (if any)? Why? ^[1]_{SEP}

No Comment

14. 14. Is it appropriate to exclude the STRA industry participants set out in clause ^{[1][1][1][1]}_{SEP SEP SEP SEP}

15. 22C? Why or why not? ^[1]_{SEP}

No as they are specifically covered by other regulations

^[1]_{SEP} 16. What other STRA operators (if any) should be excluded from being covered by the Code? Why?

^{[1][1][1][1]}_{SEP SEP SEP SEP}

No Comment

17. Which industry participants should contribute to the cost of administering and enforcing the Code? Why?

All who are in receipt of accommodation revenue or commissions

18. How should costs be apportioned across different STRA industry participants? Why?

A tax on all bookings. Administration?

19. Is the proposed penalty notice offence amount appropriate? Why or why not?

No comment

20. How can industry be organised to develop and manage the registration system?

Cant see how, it is too fragmented.

21. What would be the costs to industry in establishing and maintaining the register? How would industry propose to meet these costs?

No Comment

22. What role should the Government play in developing or overseeing the register, if any?

Can only see it working if government establishes the organisation

23.

24. Are there other outcomes a register should deliver?

No Comment

24. How can the approach ensure registration applies to all STRA operators, regardless of how the property is advertised for rent?

Almost impossible

25. What audit and verification processes would be needed to ensure accuracy of data?

26. Should there be separate or additional penalties for failure to register? If so, which industry participants should they be imposed on?

27. What information should the register collect? Why?

28. What role should different industry participants (e.g. hosts and booking platforms) play in the registration process?

29. What role should Government play in the registration process or providing information for the register?

Suggest it could only work if government run the register

30. Should any information on the register be made publicly available? If so, what information could be made available and why? Should be publicly available so that renters can ensure they are renting a complying residence.

31. Should industry be required to report registration information, including number of stays (days), to Government and/or local councils? If so, how frequently?

Why?

Looks like it would need a monthly or quarterly return similar to PAYG.

32. Should any information on the register be made publicly available? Why? ☐ ☐

Should be publicly available so that renters can ensure they are renting a complying residence.

33. How much lead time would industry need to develop and establish the proposed STRA property register? Please provide reasons.

☐ ☐ No Comment ☐ ☐

34. When should the STRA regulatory framework start? Please provide reasons.

☐ ☐ Sooner rather than later to get the industry into order

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 4:57 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 16:56

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Fleur

Last name

von Mengersen-Wells

Name withheld

No

Info

Email

pawells2871@gmail.com

Suburb/Town & Postcode

FORBES

Submission

My first question is - Is the advisory committee members a fair balance of the stakeholders?

Question 1. All holiday rentals should be subject to the new rules. I think Tasmania has led the way . If a

house or housing was approved for me to live in then the regulation should be completely adequate for guests. Smoke alarm regulation should meet the same standards as the housing regulations stipulate.

Question 2. Heat alarms for residences above garages sounds like a good idea

Question 3. as do the the ideas for bush fire prone land. Flood prone land is a huge variable. In my domestic area the statistics are every 50 years there may be a flood.

Question 4. I am supportive of compulsory simple registration. That has been achieved in South Australia and Tasmania. Registration which does not need to employ a fleet of public service workers at great cost to the STRA. The government does not have a great track record in the business world and has off loaded many great assets for a negligible price. eg: The department of land titles, Electricity, gas.

Question 5. The platforms have provided for a complaint section, plus local councils have implemented a voice for independent redress. For the commissioner of Fair trading to be another layer ... seems a wasted use of the commissions limited resources that we read so much about. I think I am talking reality here.

Question 6. I have been on the booking platform for 9 years. They seem adequate to me. My next door neighbours are also more than adequate. In that time I have had 2 complaints out of many bookings and have dealt with them to my neighbours satisfaction. My neighbours also tell me how much they enjoy speaking to my guests.

Question 7. Yes

Question 8. A Strike rate assessed by the platform or local council is fair and reasonable. A commissioner is a waste of a valuable resource for more important matters.

Question 9. That may be something to consult with the various platforms, Destination NSW and local council.

Question 10. Yes industry platform review and local council

Question 11. Let local council decide the penalties pertinent to their region. We must not slide into revenue raising.

Question 12. Yes

Question 13. The internet platforms, all other short term rental businesses and private hosts

Question 14. All should come under the same regulation. That way you don't have traditional stake holders trying to force other STRA people out to protect their own interests. Too much territorial argy bargy goes on in this world - look at how the medical world behaves eg: the college of surgeons.

Question 15. As outlined above. I believe in a level playing field and I believe free trade is an essential catalyst in a robust business world.

Question 16. The platforms and local council

Question 17. The small registration fee of all participants say \$100 should raise enough revenue.

Question 18. Equal fee per number of rentals

Question 19. Not sure - Let council decide.

Question 20. It's been done else where in the world and in other states, I am sure it is not rocket science

Question 21. I would say \$100/ unit of rental ie a fair and adequate algorithm

Question 22. Historically government does not have a very good record of good stewardship. Utilise someone that does.

Question 23. Data collection, tourist analysis, feedback from the community, information that leads to the development of sensible rule and governance.

Question 24. Registration with an independent holiday rental body. HRIA

Question 25. Same body as above

Question 26. Yes - \$200/ rental property

Question 27. Pass

Question 28. Consultation with the registering body eg: HRIA

Question 29. Input from Destination NSW and local councils

I am sorry I can't answer any more questions I have to get the submission in by the deadline 4 more minutes. Kind regards, I hope this has been a help I think the information should be publically available as I believe in transparency.

I agree to the above statement

Yes

From: Florence Lee <kamluenlee@gmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Florence Lee
9 Coronation Rd
Wentworth Falls, Nsw 2782

From: Sales (Forceboats) <sales@forceboats.com>
Sent: Tuesday, 20 August 2019 10:59 AM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.



Virus-free. www.avast.com

From: Frances Graham <frangraham2@bigpond.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it helps financially & allows a bit of discretionary spending . I also enjoy meeting people. As a guest I find Airbnb to be a much more personal experience than staying in a run of the mill hotel .

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

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- Respect the ancillary use of my home for home sharing

- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Frances Graham
165 Longueville Rd
Lane Cove, Nsw 2066

From: Francesca Niranjan <francesca@weddingwows.com.au>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Francesca Niranjani
13 Brighton Ave
Brighton-le-sands, Nsw 2216

From: Francesco Giordano <francescogior@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it's a great way to optimise my financial assets.

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Thank you for reading my submission.

Regards,
Francesco Giordano
543 Crown St
Surry Hills, Nsw 2010

From: Francine Gray <francine@graybuilt.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Francine Gray
14 Emerald St
Narrabeen, Nsw 2101

From: Frank Bonnor <fbonnor@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Frank Bonnor
18 Nukara Ave
Hardys Bay, Nsw 2257

From: Frank Dietrich <fjdietrich@icloud.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Thank you for reading my submission.

Regards,
Frank Dietrich
11 Appleton Ave
Weston, Nsw 2326

From: Frank Maly <frank@mortonparkfarm.com.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
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Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Frank Maly
198 Foxgrove Rd
Canyonleigh, Nsw 2577

Submission to short-term rental accommodation (STRA) - draft Code, draft amendment regulations and STRA property register

Short-term lettings of strata units are controversial because they are a major contributor to building disharmony. They can cause a number of problems within a strata building. It is well evident and reported that lot owners and tenants are frequently inconvenienced often severely by short-term lettings. Common problems range from excessive noise and other disruptions to amenity, excessive water and electrical use, damage to common property and obstruction of fire safety and other common property facilities.

Bill to amend the Strata Schemes Management Act 2015

The current law and proposed regulations do not provide effective solutions. The Bill passed on 14 August to amend the Strata Schemes Management Act 2015

- to allow owners' corporations (by a 75% majority vote) to make a by-law that prohibits the use of a lot for STRA where the lot is not the principal place of residence of the owner or tenant.

- a by-law cannot prevent the lot being used for STRA if the lot is the principal place of residence for the owner or tenant.

If that bill becomes regulation, it would put a distinct stressful situation on the owners who do not want to suffer the adverse impacts as a result of STRA.

Will the government compensate owners who have purchased an apartment unit in a building deemed long term residential in good faith?

STRA in Strata Building - Exempt Development

We strongly oppose that the proposed regulation: *When the host is present on site overnight: STRA can proceed as exempt development for 365 days per year, noting the hosts' ability to manage behaviour and impacts.*

How can we assume that the host can manage the behaviour and impacts from short-term lessees?

It is a risky assumption to formalise the proposed regulations. Based on my own experiences as a strata committee member, our Strata Committee often feels helpless on managing the behaviour and impacts issues caused by long term tenants even with the professional strata manager. Some issues would be never resolved and just awaited the tenants moving out.

Proposed Revised Regulations

The Government should include solutions to provide owners corporations greater powers to make and enforce by-laws dealing with the issues. It is understandable that each strata building is different. Hence, these issues can only be dealt with properly by way of by-laws specific to a particular building which the owners desire.

As the above proposed regulation to amend the Strata Schemes Management Act 2015 does not satisfy most strata owners' needs, I am proposing

1. That the Strata Schemes Management Act 2015 be amended to allow owners' corporations (by a majority vote) to make a by-law that prohibits entirely the use of a lot for STRA in the building.

or

2. That the Strata Schemes Management Act 2015 be amended to allow owners' corporations (by a majority vote) to make a by-law that approve the use of a lot for STRA; and
3. That the Strata Schemes Management Act 2015 be amended to allow owners' corporations (by a majority vote) to make a by-law that revoke the approval of the use of a lot for STRA after breaches of by-laws and related regulations.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 9:01 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Submitted on Wed, 11/09/2019 - 20:50

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Franki

Last name

Lee

Name withheld

No

Info

Email

franki.lee@optusnet.com.au

Suburb/Town & Postcode

Eastwood 2122

Submission file

[submission franki-lee.docx](#)

Submission

I would suggest that Government should include solutions to provide owners corporations greater powers to make and enforce by-laws dealing with the issues. It is understandable that each strata building is different. Hence, these issues can only be dealt with properly by way of by-laws specific to a particular building which the owners desire. I am proposing

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Other comments on STRA are found in the attached document.

I agree to the above statement

Yes

From: Franziska Adler <franziskamilenaadler@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Thank you for reading my submission.

Regards,
Franziska Adler
106 Brighton Blvd
North Bondi, Nsw 2026

STRATA PLAN No.38936

WARATAH APARTMENTS



71 Victoria Street

Potts Point, NSW 2011

Tel: (02) 9357 4444

Email: sp38936@71victoriast.com.au

Web: www.71victoriast.com.au

A.B.N. 23 066 186 362

Submission: Short Term Rental Accommodation – A new Regulatory Framework – Aug2019

Waratah Apartments is a large scheme of 175 apartments in Potts Point.

We are one of the very few large schemes that are self-managed, which means that we (our strata committee) really understand the details of what makes a strata scheme work and work effectively.

We are the winners of two recent awards:

- City of Sydney Smart Green Apartments Outstanding Committee award in 2018; and
- Strata Communities Association (SCA) Strata Community Environment and Engagement award in 2019.

Both of these awards were won against 'professional' strata managed buildings, reinforcing that as a self-managed scheme we do understand what our strata community stands for, what their priorities are and what it takes to manage a great building and can and do execute effectively.

Background to STRA in our building.

Our owners are very engaged (one of the contributing factors to us winning the SCA award) and they tell us they do not support STRA in any form. As Potts Point is very close to the City and Kings Cross, we are a prime target for the worst of STRA.

A prime example was last year in an adjoining building in a short term rented apartment, three people having sex on their balcony is full sight of some 40 apartments in our building, and their open behaviour described as objectionable. The police were called, but that was too late, the exhibition had played out its course.

We have had wild and noisy parties in our building with all sorts of underwear and glassware thrown onto common property.

We use a current by-law, which is based on City of Sydney planning laws and current rental agreements, to prohibit STRA in our building. We are vigilant in seeking out breaches of our by-laws. None of our owners participate in STRA and when we find the occasional tenanted apartment being sub-let for this purpose, we work with the letting agent to have it stopped.

This approach has allowed our building to be relatively free of STRA and we want to keep it that way.



Our owners simply want control of our living space. Our homes. We want to be free to determine what is the best for us who live here. It is certainly not for large international companies who are destroying accommodation in previously beautiful places like Barcelona and Venice, to make that decision on our behalf.

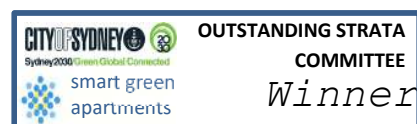
Additional STRA costs imposed on all owners. One of the many impacts will be a disproportionate cost to owners and the owners' corporations of these STRA operations (concierge workload, wear and tear on lifts, gyms and other utility areas, administration and management costs). Unless these are addressed, owner/occupiers and investors with residential tenants will be significantly subsidising the business models of those running STRA businesses.

Support for the OCN Submission.

Waratah is a member of OCN and we totally support their leadership in this ill-advised campaign by those companies to try to destroy Sydney as well. Of particular concern is the watering down of the original Explanation of Intended Effects (2018) by creating enormous loop-holes in the planning laws the current proposal contains.

Specifically, our support of OCN:

1. **Complying Development:** STRA in residential strata schemes must be classed as 'complying development' with inspection by Local Council or a private certifier, not 'exempt development'. This is the only way to ensure the mandatory fire safety standards are met. The complying certificate must be provided to the owners corporation along with notice of the intention to use the lot for STRA purposes before the premises is listed. Such mandatory fire standards must also be included on the Annual Fire Safety Statement (AFSS). All costs are to be met by the host/owner.
2. **Day Caps:** Un-hosted STRA must be capped at 60 days for the Greater Sydney Region to contain STRA to 'Home Sharing'. All STRA to count toward the cap. No exceptions.
3. **Development Consent Conditions:** Residential apartment buildings in mixed use and commercial zones with express prohibitions on short term letting must have their development consent conditions respected and preserved.
4. **The Register:** The planning law changes must not start without The Register, which must be run by Government or a neutral platform not operated or controlled by the short-term letting industry. The Register must include the days of occupation and all the platforms on which the premises is listed, Local Councils must be involved in designing the system. Local Councils and NSW Fire and Rescue must have access to the data.
5. **Host Obligation:** There must be an enforceable obligation for hosts to register their premises before it is listed and used for STRA purposes. This should be part of the complying development criteria, so it is clear the use of unregistered premises for STRA is illegal and penalties apply.
6. **Platform Obligation:** There must be a legal obligation for platforms and agents not to list any unregistered residential dwellings for STRA. International experience shows that without such an obligation, platforms will continue to list thousands of illegal apartments. Platforms must also have



an obligation to share data with State and Local Government. All listings and other advertising must clearly display the host's unique ID.

7. **Charges and Fees:** Residential strata schemes must have clear authority to levy additional charges and fees to additional wear and tear and costs whether STRA is hosted or un-hosted.

8. **Flexibility:** Local Councils must have flexibility to set a lower cap and apply zoning restrictions to meet their strategic planning objectives.

We have not answered the detailed questions on the submission but totally support the answers and positions as presented by the OCN in their comprehensive submission.

Yours Sincerely

Fred Tuckwell

Strata committee Chair, on behalf of the Owners SP No 38936.



From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 10:01 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register, Potential Duplicate

Submitted on Wed, 11/09/2019 - 09:56

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Fred

Last name

Tuckwell

Name withheld

No

Info

Email

sp38936@71victoriast.com.au

Suburb/Town & Postcode

Potts Point NSW 2011

Submission file

[waratah-stra-submission---update-11092019.docx](#)

Submission

Good Morning

Please accept the attached revised submission in place of the submission provided yesterday about 4.10 pm. That original submission contained an unfortunate typo that could be considered sexist and needed to be corrected, which has been done in the attached.

Please accept my apologies for the inconvenience.

Regards Fred Tuckwell

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 5:41 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 17:41

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Friederike

Last name

Binder

Name withheld

No

Info

Email

friederikebinder@hotmail.com

Suburb/Town & Postcode

2041

Submission

I do not want any airb&b or short term rentals at 2 Pearson St., Balmain East.
F. Binder

I agree to the above statement

Yes

From: Mark Whybro <Mark.Whybro@fire.nsw.gov.au>
Sent: Friday, 6 September 2019 10:26 AM
To: DPE PS STHL Mailbox
Cc: Executive CSD
Subject: FRNSW Submission to Short Term Rental Accommodation Discussion Paper

Follow Up Flag: Follow up
Flag Status: Completed

Good morning,

FRNSW has developed a submission for the Short Term Rental Accommodation inquiry, but it may not be through our approvals process by the deadline of COB 11 September 2019. I'd appreciate the opportunity to discuss with you the possibility of a short extension, just in case this extends past the due date. Best number is my mobile – please see below.

My thanks in advance for your consideration.

Kind regards



MARK WHYBRO
ASSISTANT COMMISSIONER
COMMUNITY SAFETY

T: (02) 9742 7316 M: 0438 602 869
E: mark.whybro@fire.nsw.gov.au
1 Amarina Ave, Greenacre, NSW 2190
Locked Mail Bag 12, Greenacre, NSW 2190
www.fire.nsw.gov.au



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This message has been scanned for viruses.

From: Tessa Parmeter
Sent: Wednesday, 11 September 2019 2:16 PM
To: Suzie Hatherly
Subject: FW: Email subs
Attachments: Holiday rental regulations for NSW Friday 1437.zip

From: Thomas Partalis <Thomas.Partalis@planning.nsw.gov.au>
Sent: Friday, 6 September 2019 2:40 PM
To: Short-Term Rental Accommodation, Code of Conduct <stracode@finance.nsw.gov.au>
Cc: Jasmin Chin <jasmin.chin@customerservice.nsw.gov.au>; Rob Thomas <rob.thomas@customerservice.nsw.gov.au>; Tessa Parmeter <Tessa.Parmeter@planning.nsw.gov.au>
Subject: Email subs

Hi all,

Please see attached for all email subs since Thursday morning.

Cheers,

Thomas Partalis
Graduate Policy Officer

Planning Policy | Department of Planning, Industry and Environment
T 02 8289 6849 | **E** thomas.partalis@planning.nsw.gov.au
Level 15, 320 Pitt Street, Sydney NSW 2001
www.dpie.nsw.gov.au



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Please consider the environment before printing this email.

From: Fyonn Wolf <fyonn_wolf@hotmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Fyonn Wolf
11 Kellett St
Potts Point, Nsw 2011

From: Gabriel McCarthy <gabriel.peter.mccarthy@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Gabriel McCarthy
122 W Botany St
Arncliffe, Nsw 2205

From: Gabriele Rummel <grummel@dodo.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I do not like to receive a pension.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Gabriele Rummel
83 Ethel St
Sanctuary Point, Nsw 2540

From: Gabby Shaw <smithslakeside@gmail.com>
Sent: Thursday, 5 September 2019 5:55 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister,

Short-term rental accommodation is important for home owners and for holiday-makers. I am both so I see both sides. I support the creation of a register of all holiday rental properties listed on a platform and the code of conduct.

However, I strongly believe the following should be restricted:

- number of bedrooms available in houses for short-term rentals. I don't believe a house with 6 or more bedrooms should be rented out without any special permissions. A B&B has to apply for a permit, as does any other motel or similar. I have a house in a regional town in NSW in Smiths Lake which is a 3 bedroom house. Our neighbours have an 8 bedroom house that is available for holiday rental for 16 people 365 days of the year and is rented 95% of the time. The owners never stay there it is an investment property only, so they benefit financially to the detriment of neighbours who are mostly permanent residents. The idea of renting your private residence out for holiday rentals occasionally is fine but it should reflect normal residential usage. This is a 100% commercial use of a property in a residential area. The owners have no idea what it is to live next to a house with 16 people staying in it who are on holidays almost every night of the year. It's devastating. And, when we rent our 3 bedroom house out from time to time, we get complaints from our tenants about the house next door as it ruins their holiday.

- number of nights per year a house can be rented for short-term rentals. This should be restricted to a maximum of 180 nights per year. It is entirely greedy and selfish for owners to want short-term holiday rentals all year around. If they need income they can get long-term tenants. It's purely greed that argues for full year short-term rentals as people make more money than permanent tenants. With long-term tenants, they are part of the community and much more respectful. In our current situation, the property manager tells us to call her if there are issues and there are issues all the time as there are new tenants in every week and we have to go through the same process. It becomes our responsibility to manage the neighbours property - the owners are never there and have no idea what it's like to live in the area. Some people who argue for no maximum night restriction say it will stifle tourism. That's not true at all, if you have a limit of say 180 nights then all houses can be available in busy seasons such as Xmas, Easter etc. During the off-season there is a massive over supply of holiday houses and there aren't enough tourists to book all the available houses.

As a responsible home-owner, community member, and occasional renter of my house for short-term rentals, I think it is critical to find a way to minimise disturbance on local communities and residence while still giving people the option to rent out their house from time to time.

Yours sincerely,

Gabrielle Shaw
ph: 0400 652018
30 Ski Cove St, Smiths Lake, NS, 2428

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 29 August 2019 10:49 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 29/08/2019 - 10:48

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

gail

Last name

stevenson

Name withheld

No

Info

Email

nonnimcguire@hotmail.com

Suburb/Town & Postcode

sydney

Submission

Good morning, I am an 80 yr. old pensioner who lives in a one bedroom unit and I do ABNB. Most Owners are particular abt. who is renting their property hence no party people wanted.

The tourists are a bonus for our economy

I am able to supplement my pension with this extra cash and that makes a huge difference to my living standard. If this changes I will be forced to rent .

There is another person in my building doing abnb and we have had no complaints.

I see no reason to change what is a help to the people that need it, pensioners.

G. Stevenson

I agree to the above statement

Yes

From: Gamini Iddawela <giddawela@me.com>
Sent: Monday, 16 September 2019 6:37 PM
To: DPE PS STHL Mailbox
Subject: Opinion on proposed STRA

Dear Sir/madam,

My wife and I are the owners of Unit 802/127 Kent Street, Millers Point, NSW 2000.

We bought this property for our retirement living having considered the mix of owner occupiers and investors and related outgoing for this building.

Whilst we are in support of new and affordable ways of providing short term accommodations by new age disrupters like AirBnb, it is very important that impact this may bring upon owner occupiers and longer term tenants of Strata properties. Strata living by nature is high density living which is likely to be adversely impacted by allowing short term stayers unless such lettings are properly managed and regulated. Recent constructions of Strata apartments in transport corridors and major town centres of NSW are occupied by multitude of citizens such as young families, professional couples and retirees. Allowing self regulated short term stayers in such properties will undoubtedly adversely impact the peaceful living of longer term stayers of these properties.

Therefore, taking the power away from Strata body corporation may leave the quiet enjoyment of the properties by longer term residents. The needs of the short term stayers and the way they look after common facilities such as gyms, meeting rooms, visitor parking and general wear and tare due to higher volumes of foot traffic to Strata buildings.

Therefore, we appeal you to allow Strata Committees to decide what measures they can adopt to their own buildings as the owners themselves can agree on their way forward with short term stays under AirBnB type arrangements.

Regards,

Gamini and Vasitthi Iddawela

0447219790

Sent from my iPad

From: Gareth O'Connor <gareth.oconnor@mulesoft.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I've been hosting on Airbnb for over six years and sharing my rental accommodation to cover part of my rent for close to 17 years. I host on Airbnb because I found it to be the most effective way of getting in good quality guests.

When I lost my job in 2017, it was the income from Airbnb that kept me able to pay a share of my rent while I borrowed money from others and used credit cards for the extra expenses.

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

People moving to NSW, visiting for such things as work or study opportunities at The University of Sydney, or work, study or visiting loved ones at Royal Prince Alfred Hospital, or tourists looking for an economical and local, safe place to stay use my home via Airbnb. Outside of Airbnb I've used Gumtree and Easy Room Mate. I've had guests and housemates stay for as long as a couple of years or one night, as they needed.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Thank you for reading my submission.

Regards,
Gareth O'Connor
16-22 Australia St
Camperdown, Nsw 2050

From: Garry Fetherston <garryfetherston@bigpond.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Garry Fetherston
180 Monet Dr
Montecollum, Nsw 2482

From: Garry Utterson <gpu05@hotmail.com>
Sent: Wednesday, 11 September 2019 2:13 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Garry Utterson
PO Box 6272 North Sydney
North Sydney, Nsw 2060

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 29 August 2019 4:54 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 29/08/2019 - 16:52

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Garth

Last name

Brien

Name withheld

No

Info

Email

garth.brien@gmail.com

Suburb/Town & Postcode

2479

Submission file

[stra.docx](#)

Submission

Please read the attached file for my submission

I agree to the above statement

Yes

From: Gary Ferguson <gaf3@bigpond.com>
Sent: Tuesday, 24 September 2019 11:31 AM
To: DPE PS STHL Mailbox
Cc: 'Paul Upham'
Subject: Short Term Rental

Follow Up Flag: Follow up
Flag Status: Completed

To whom it MUST be of Concern.

I am the owner of an apartment that currently has strict policies applicable to owners utilization of their properties restricting use for Short Term Accommodation.

I fully support and endorse the current policy, that effectively ensures that our building does not become a ""Resort""

The behavior metric of Short Term occupants, being Holiday Makers or Travelers are completely opposite to long term owner / normal occupancy behavior and therefore if permitted will create challenges to the long endorsed principal that " One must be allowed quite enjoyment of one's property"

Beyond the personal issues, the fair and reasonable sharing of the added management costs of a building places unfair burden on those not benefiting from commercial exploitation of the ""Common Property and Facilities"" paid by all contributing Strata members.

IF within a Strata holding a 75% + majority determine a policy, then THAT POLICY must be allowed to prevail. Externally generated laws or regulations MUST not over-ride existing rules.

In my specific circumstances, I have an apartment in a very well managed complex of over 200 units that prohibit Short Term Rentals. I am firmly of the opinion that should Short Term Rentals be forced upon the overwhelming wishes of unit holders their will be unfair loading of extra operating costs, and facility usage beyond design parameters which must result in a diminution in values.

We currently enjoy the benefit of having and no doubt paying for the facilities we have. This is reflected in the prestigious reputation our property enjoys.

You must not allow for a minority to impact on the wishes of the majority. Facilitation of " Opt Out" provisions must be provided within any regulation / law you are considering.

Regards

Gary A Ferguson

705 / 127 Kent St Millers Point NSW 2000 Aust.
Mobile 0419 031 627

From: Gary Oakes <oakes03@gmail.com>
Sent: Friday, 6 September 2019 7:11 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Sent from my iPhone

From: Gary Opit <garyopit@gmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Gary Opit
269 Jones Rd
Wooyung, Nsw 2483

From: Gary Suntup <gurri@me.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I have bought a property that I plan to retire to and it helps me afford the mortgage.

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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Thank you for reading my submission.

Regards,
Gary Suntup
42 Coasters Retreat
Coasters Retreat, Nsw 2108

From: Gavin Rawlings <rawlings.gavin@gmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Gavin Rawlings
6 Berambing Crest
Berambing, Nsw 2758

From: Gayle Devine <devinebodies@optusnet.com.au>
Sent: Wednesday, 18 September 2019 9:22 AM
To: DPE PS STHL Mailbox
Subject: STRA Discussion paper

Follow Up Flag: Follow up
Flag Status: Completed

I would like to make comment to the new proposal.

The addition of short term visitors adds to the cost of operating and maintaining a strata building and increases the cost of living of all residents.

This is attributed to new occupiers not knowing or in most cases not caring about by-laws and guidelines. Any recourse available to the owners corporation is negated as the short term tenants have departed before any action is possible.

Every strata must have the right to adopt its own STRA position. This should be determined by special resolution i.e. 75% vote.

The New Regulatory Framework Discussion Paper does not consider and make allowances for the diverse range of vastly diverse residential types in NSW.

Self-regulation by the STRA industry will not work. STRA must be regulated by an independent government body.

Regards

Gayle Devine

809/127 Kent Street Sydney

1005/32 Bridge Street Sydney

201/45 Shelley Street Sydney.

Sent from my iPhone

From: Gemma Morley <gemma@morleigh.com.au>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Gemma Morley
5 Norfolk Ave
Port Macquarie, Nsw 2444

From: Gemma Webb <gemma.r.webb@gmail.com>
Sent: Thursday, 5 September 2019 6:34 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Sent from my iPhone

From: Genevieve Howard <genevievehoward331@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because... I am semi retired and money I receive allows me to fund my life style without any government handouts.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Genevieve Howard
29 Belah St
Forbes, Nsw 2871

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Friday, 30 August 2019 10:05 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Fri, 30/08/2019 - 10:04

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Genine

Last name

Noakes

Name withheld

No

Info

Email

genine@geninenoakes.com.au

Suburb/Town & Postcode

2483

Submission file

[stra-genine-noakes.pdf](#)

Submission

Submission Attached

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 8:29 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Tue, 10/09/2019 - 20:28

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Geoff

Last name

Carne

Name withheld

No

Info

Email

gdcarne@gmail.com

Suburb/Town & Postcode

Bexley North

Submission

As an owner operator of several holiday rentals (& permanent rentals) this current draft is quite disturbing & poses more questions than it solves.

The lack of response time makes me ponder why this is being pushed through, without ample time to communicate this with all stake holders. The speed of which this is being pushed through makes me ponder as to the intent of some of the legislation & whether the agenda is more on political or other unknown grounds instead of regulation of STRA as this short response timeframe can hardly be seen as Transparent.

The use of BAL zones to exclude existing and or future homes from STRA unfairly disadvantages rural & remote area's with very limited other accommodation options. The ensuing ripple effects will impact jobs & the local economy, in our area this will force the closure of 50% of current STRA's which provide critical jobs & spending by visitors staying in them at local businesses & tourist operations.

Additionally this divide in use will affect the valuations & future sale prospects which is neither fair or equitable. This then leads to the question of will there be some sort of compensation for people whom don't have STRA which see their property values go down in a marke in which it is harder to sell? This again will not be fair to those who own properties that qualify for STRA by BAL zoning, whom will have to pay higher rates as the rates are determined by property values in most areas. Given that there is a higher proportion of retirees in our area, again how is it fair & equitable?

What is the driver behind this? I ask as for permanent rentals there are no such limitations on use defined by BAL zoning or the need to retrospectively comply which in many cases will be up to \$45000-\$50000 to do so, if it actually can be done.

I note that the last bush fire incident Callala Beach had, of the 4 sets of guests we had booked in, 1 set elected not to come & 2 sets delayed their arrival until after the event so actual risk to public safety was reduced by having properties in the BAL40 zone vacant. (Note there was no loss of assets in the event)

The limitation of guests per bedroom is neither fair or equitable as not all houses are the same. What is the driver not to continue with the current code of conduct which everyone has to comply with when using listing sites? Again this section in particular is not broken.

In Short, the current system is not broken so don't try to fix it for rural & remote area's that had holiday homes prior to the sharing economy with no problems. I think there really needs to be a delineation between urban/metro (City) & traditional STRA area's as, in my opinion, the problems are in the urban area's with the advent of the Airbnb enabled amateur's.

I don't think the one size fits all approach should be implemented & particularly the theoretical BAL restriction concerns, would be better addressed through the complying development process, assuming the driver for BAL restrictions is guest/public safety.

I am happy to be contacted

Kind regards

Geoff

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 3:00 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Submitted on Wed, 11/09/2019 - 14:58

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Geoff

Last name

Davis AM

Name withheld

No

Info

Email

hgd@eagle.net.au

Suburb/Town & Postcode

Milsons Point NSW 2061

Submission file

[stra-submission.pdf](#)

Submission

See Attachment

I agree to the above statement

Yes

H G Davis, AM
Unit 22C, 70 Alfred Street South
MILSONS POINT NSW 2061

10 September, 2019

Director
Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000

Dear Sir/Madam,

Re: "Short Term Rental Accommodation" Draft Legislation

Thank you for the opportunity to submit the following comments:

1) State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Division 2 Clause 13 (g)

- (i) *We recommend there be a definition added with respect to a "fire hydrant". Typical definition would be -
"a fire hydrant shall be connected to a municipal water supply and have a hose coupling compatible with the NSW Fire & Rescue standards. The hydrant water supply will have a minimum pressure of 250kpa at a flow of 10 litres per second.*
- (ii) *The Clause be amended as follows –
"a 10,000 litre capacity water tank on the lot fitted with a suction connection complying with the NSW Rural Fire Service standards.*

2) Draft Code of Conduct

The largest objection to short term rental in strata buildings is the security risk and conduct of renters and their guests. We believe the proposed changes to strata laws to allow owners corporations to adopt by-laws that prohibit non-resident lot owners from offering short term rentals substantially overcomes this problem .

The proposed draft does not adequately address how a host or a strata manager can enforce the "Code of Conduct". The use of a register would have limited effect and we would recommend that the provisions of the Tenancy Act be incorporated into the Code of Conduct.

Clause 5.4.3. *This clause requires the host to hold public liability insurance that is valid for the occupancy period. This requirement needs to be more specific stating that the insurance must be taken out with an insurer registered to conduct that business in NSW and the minimum quantum of the insurance policy should be stated, e.g. \$10 million.*

Option - to provide a definition of an insurer.

Clause 5.5.2 – Obligations to neighbours

(f) Clause be changed as follows:

Intentionally, recklessly or negligently damage the personal property of neighbours, other occupants of a strata community scheme or strata common property.

Clause 6 - Complaints

The complaints process as drafted describes the process for major events, however, with the short term rental market it is likely the person would have left the location, the state or the country. For the majority of circumstances we do not believe the complaints process would be effective.

At all times the host should be responsible for the supervision of conduct of tenants and/or the tenant's guests and be liable for any direct or consequential financial loss. The process of enforcement is not adequately addressed.

Clause 7 – Compliance and Enforcement

Whilst we accept that an "exclusion register" may be useful under some circumstances, it does not address the enforcement on a short term basis and the provisions of the Tenancy Act should be cross referenced.

3) Fair Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019 under the Fair Trading Act 1987

Our comments listed in item 2 above apply.

4) Environmental Planning and Assessment Amendment (Short-term Rental Accommodation) Regulation 2019 under the Environmental Planning and Assessment Act 1979

a) Licensed Premises

Premises to comply with the proposed Environmental Planning and Assessment Regulations need to be licensed following an inspection that the premises are compliant with the proposed amendments to the Act together with council regulations and other statutory authorities (inspections by a P.C.A).

b) Electrical Safety and Compliance

There is no reference in the proposed draft that the electrical installation in premises approved for short term rental accommodation complies with Department of Fair Trading recommendations for the use of "safety switches" (residual current devices) on all lighting and power circuits. There are still many homes and rental accommodation where electrical circuits are protected by fuses and not safety switches as required by Australian Standards AS/NZ 3000.

Suggested clause – "all premises approved and licensed for short-term accommodation shall be fitted with electrical installations complying with AS/NZ3000 including lighting and power circuits protected by safety switches (residual current devices). Safety switches shall be tested by a licensed electrician each 2 years as required by the Department of Fair Trading".

c) Clause 2.2 Australian Standards

This list of definitions should include Australian Standards as follows:

AS2293.1 1998 - Emergency Lighting (and Exit Signs).

AS 1851 201 – Routine Service of Fire Protection Systems and Equipment

d) Evacuation Lighting

Clause 4.2.1 should be amended:

*"A system of evacuation lighting **and exit signs** must be installed etc.*

Clause 4.2.1 (b) add –

iii) The emergency lights and exit signs will incorporate a standby battery capable of operating for at least 90 minutes and be tested annually.

e) Egress Doors

5.3.1 add - Egress Doors must be fitted with lever handles (same requirement as fire doors in residential units)

f) Evacuation Diagrams

5.7.2 Evacuation diagrams should include emergency phone numbers, i.e. 000.

We trust the foregoing comments are useful.

Yours faithfully,



Geoff Davis, AM

Mobile: 0418 163 254

Email: hgd@eagle.net.au

Author's Background:

Geoff Davis, has had 50 years engineering experience in the fire protection industry worldwide and during this period has for many years served on Australian Standards fire protection committees, has been a member of the Fire Protection Association Australia and National Fire Protection Association USA.

Geoff Davis was founder of Fire Control Pty Ltd, Managing Director of Wormald International Ltd and in recent years Chairman of Eagle Consulting Group Pty Ltd.

Geoff was nominated and received membership of the Order of Australia for "significant contribution as an engineer to the Fire Protection industry and for services to the Australia's defence capabilities".

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Wednesday, 21 August 2019 2:04 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Wed, 21/08/2019 - 14:04

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Geoff

Last name

McErvale

Name withheld

No

Info

Email

gtmcervaw@gmail.com

Suburb/Town & Postcode

Freshwater

Submission

When will the Politicians ever learn always acting after the event heads in the sand over and over .
Airbnb and holiday homes and apartments can be death traps. The majority of these places have been built to a very poor standard and have avoided proper building procedures. No smoke detectors or detectors out of date ;Electrical wiring illegally installed no safety switches etc , unsafe balconies, Unfenced pools .I have even seen a tent advertised on Airbnb. Personally I would like to see Airbnb banned they have no comeback ,take no responsibility . Every home that is let for short stays should have a up to date building inspection,pool inspection,electrical contracting company inspection and fire brigade inspection this should be carried out at intervals throughout lifetime at least every 5 years .
Thank you

I agree to the above statement

Yes

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 4:47 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 16:47

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Geoffrey

Last name

Pritchard

Name withheld

No

Info

Email

geoff88@bigpond.net.au

Suburb/Town & Postcode

Milsons Point, 2061

Submission

I am making this submission in my capacity as Chairman of the strata committee of the building at 6 Glen St, Milsons Point.

Milsons Point includes around 30 multi-storied apartment buildings and has a population of around 4000 people. This population density is one of the highest in Sydney and makes our area particularly vulnerable to the problems associated with short-term letting and the tourist market.

We have several areas of acute concern with the short-term letting package proposed by the NSW Government:

1. Preservation of Owners' Rights:

Residential apartment buildings in mixed use and commercial zones with express prohibitions or limitations on short term letting must have their by-laws respected and preserved. There can be no over-riding policy reason which dictates limitations on the right of apartment owners to collectively decide whether or not to permit short-term letting where this is the clear desire of the democratic majority.

2. Collective Cost of Permitted Short-term Letting

Residential schemes must have authority to levy charges and fees on Hosts conducting short-term letting. The disproportionate cost to owners and owners' corporations from STRA operations (e.g. wear and tear of lifts, gyms, garbage and other utility areas as well as administration and management costs) means they are effectively subsidising those running STRA businesses. Security arrangements in individual buildings must not be compromised. The Hosts should also be required to advise the Owners Corporation of intent to let their property on a short-term basis and to pay any extra insurance costs levied on the building.

3. Preservation of Local Government Oversight

Local Councils must have the ability to set and apply zoning restrictions to meet their strategic planning objectives. They should be involved in designing and be part of the compliance and enforcement function of any registration system.

4. Fire Safety Standards:

The only way to ensure that mandatory fire safety standards are met is for STRA in residential strata schemes to be classed as "complying development" (not "exempt development") which allows for inspection by Local Council or a private certifier. In addition:

- (a) Fire safety standards should be more onerous for short-term holiday visitors in high-rise apartment buildings as the threat to life of all residents is increased significantly.
- (b) Fire standards applicable to residential apartment buildings do not address the fire risks of cooking, BBQ's or smoking on balconies which are common problems with short stay visitors unfamiliar with by-laws or local customs.
- (c) Fire safety in residential strata schemes must not be left to self-regulating platforms or amateur hosts as it poses an unacceptable risk to all residents.
- (d) Fire and Rescue NSW should have direct access to Register data such as how many STRA apartments are listed in a single high-rise building to enable accurate assessment in emergency situations.

5. Effective Registration:

An independent, publicly funded registration system is essential to identify STRA properties, the owner/host, their agent or nominated representative as well as having data on address, location, intensity, volume, days of availability, days of occupation, number of rooms, etc. in order to develop a profile and analysis of the STRA industry. Other major cities such as New York, San Francisco, Barcelona, Paris, Toronto and Vancouver, who have experienced this industry, are now devising or implementing legislation to strictly regulate its operation. At the very least, NSW should have controls in place BEFORE allowing STRAs to operate in apartment buildings as well as enforceable and fast-acting conflict

resolution processes.

Given the disparate issues involved with the regulation of AirBnB, Stayz and the like, the Milsons Point Community Group regards as essential the establishment of a Register run by either Government, local Councils or a neutral platform, with powers that are time-sensitive, practically enforceable and of real utility to residential strata schemes. This Register must be necessary pre-requisite to any new regulatory framework. STRA can transform homes into hotel rooms and neighbours should not be obliged to give up their right to quiet enjoyment with bland reassurances about conflict resolution. Such a Register has been found to be helpful in somewhat alleviating these problems in cities overseas.

6. Host's Registration Obligations:

There must be enforceable obligations for Hosts to register the premises before it is used for STRA purposes. Penalties should apply for unregistered premises. The Host should identify all platforms on which their property is listed, identify days of availability and report nights of occupations. Additionally, there must be a legal obligation for Platforms and agents not to list an unregistered residential dwelling for STRA. Again, there should be no change in planning laws in residential apartment buildings until the Register is in place.

7. By-Law Enforcement:

In cases where a strata scheme has a by-law prohibiting STRA, it must not be possible for this to be circumvented by any person who is not an actual owner being registered as a host. In the case of residential tenants, there must be evidence that the landlord has expressly permitted the conduct of STRA by the lessee. STRA in strata buildings must require a complying certificate. This should be part of the registration process as it is essential data for regulatory oversight and enforcement.

8. 180 Day Cap:

The proposed 180 day cap is unacceptable and excessive by world standards. It makes a mockery of the original intention that the caps were to be an economic lever to drive apartments back into the domestic residential market.

The rapid growth in short-term letting in recent years has had significant impact on apartment buildings as well as residents on areas such as amenity, strata costs and individual safety. Such growth has clearly outpaced regulation and owner's corporations should be given greater ability to manage these impacts. Under no circumstances should this industry be self-regulated.

Geoff Pritchard OAM.

I agree to the above statement

Yes



The Hon Shelley Hancock MP

Member for South Coast

Minister for Local Government

Ref: SH/ac 110919
September 11, 2019

The Hon Kevin Anderson MP
Minister for Better Regulation and Innovation
GPO Box 5341
SYDNEY NSW 2000

Dear Minister

I write following correspondence from Mr Geoffrey Brennan of 11 Sandlewood Cove, Callala Beach (gmbrenn@bigpond.com) who has contacted me expressing his concerns in relation to the proposed Short Term Rental Accommodation (STRA) reforms.

In order you are briefed on the concerns outlined, a copy of Mr Brennan's correspondence as sent to me is attached for your information.

Your assistance and advice on the issues as raised would be appreciated in order that I may appropriately respond to Mr Brennan.

Thank you for taking the time to look into these issues and I await your reply.

Yours sincerely

The Hon Shelley Hancock MP
Member for South Coast
Minister for Local Government

Working for South Coast

8 September 2019

11 SEP 2019

Ms Shelley Hancock
MP for the South Coast
NSW Parliament
Sydney NSW

Dear Ms Hancock

I am seeking your support as my local member for amendments to the scope of the proposed Short Term Rental Accommodation (STRA) reforms.

I live at Callala Beach and am concerned with the scope and intent of these proposed reforms. My concerns centers on the absence of detailed empirical evidence of a need for such significant building modifications to rental houses, the use of 'one model suits all' with these proposed building modifications and on the impact of these changes on smaller communities where short term accommodation is a much needed economic driver for the local community and fills a gap in the absence of local or nearby motels or hotels.

I accept the proposed reforms may be appropriate to address concerns over older and in some cases poorly maintained rental properties. I own a modern 4 bedroom home which I rent out over the Christmas/New Year period, about 3 weeks. I already meet most of the proposed modifications - have several hard wired smoke detectors throughout the house and have the other safety items such as fire extinguisher and fire blanket. There is no evidence that justifies lumping a modern house such as mine in with older and poorly maintained properties. It is unfair.

Further with no available commercial accommodation in this area I object to what will be in effect a discriminatory economic penalty imposed on this community. Why? You will be well aware Callala Beach is a small town and very popular in summer holidays. There are no local or nearby commercial rental businesses such as motels. It is not fair a local town is to be punished this way.

In short I would propose an alternative regime that targets older properties that could be seen to be a safety threat to renters and initially focuses on such properties in areas where suitable and available commercial properties such as motels and hotels are available.

I would welcome your support on this matter. I have lodged these comments as my feedback on the proposed reforms.

Your sincerely



Geoffrey Brennan
11 Sandlewood Cove
Callala Beach
NSW 2540

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 10:47 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Submitted on Sun, 08/09/2019 - 10:47

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Geoffrey

Last name

Brennan

Name withheld

No

Info

Email

gmbrenn@bigpond.net.au

Suburb/Town & Postcode

Callala Beach 2540

Submission

I wish to register my concerns with the scope and intent on the proposed reforms for Short Term

Residential Accommodation (STRA). My concerns centers on the absence of detailed empirical evidence of a need for such significant building modifications to rental houses, the use of 'one model suits all' with these proposed building modifications and on the impact of these reforms on smaller communities where short term accommodation is a much needed economic driver for the local community and fills a gap in the absence of local or nearby motels or hotels. I accept the proposed reforms may be appropriate to address concerns over older and in some cases poorly maintained rental properties. I own a modern 4 bedroom home which I rent out over the Christmas/New Year period, about 3 weeks. I already meet most of the proposed modifications - have several hard wired smoke detectors throughout the house and have the other safety items such as fire extinguisher and fire blanket. There is no evidence that justifies lumping a modern house such as mine in with older and poorly maintained properties. It is unfair. Further with no available commercial accommodation in this area I object to what will be in effect a discriminatory economic penalty imposed on this community. Why? In short I would propose an alternative regime that targets older properties that could be seen to be a safety threat to renters and initially focuses in areas where suitable and available commercial properties such as motels and hotels are available.

I agree to the above statement

Yes

From: Geoffrey Ross <gross@live.com.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because... of the way interest rates are today and being a modest self funded retiree who receives just about nothing from the government I depend on this income to exist Stop bowing down to big money interests such as overseas hotel chains who charge room rates in line with occupancy rates You pay for the empty rooms!

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Geoffrey Ross
473 Orange Grove Rd
Blackwall, Nsw 2256

From: George Bijak <georgebijak@gmail.com>
Sent: Sunday, 15 September 2019 9:02 PM
To: DPE PS STHL Mailbox
Subject: STRA Discussion Paper - opinion

Categories: Tessa Submissions, non Air BNB run

It is a fundamental private ownership right, above & beyond any State regulations, that Strata must be able to determine by a majority of owners' vote, the terms & conditions of their private building's use - including the short term letting via AirB&B and the like intermediary.

George Bijak
2106/127 Kent Street
Millers Point NSW 200

From: George Kyprianou <georgekyp@yahoo.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we live in a small town, jobs are hard to come by and hosting part of our house provides an income for us and cleaners get a job, tradesman fix the place and get work and it helps keep our little town alive. The holiday makers go to cafes and buy food from the small deli and go to restaurants, it's hard enough surviving in small regional towns and we would go backwards if this is taken away from us.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
George Kyprianou
24 The Terrace
Brunswick Heads, Nsw 2483

From: George Mourtzakis <george@tlpstudios.com.au>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
George Mourtzakis
13 Pacific St
Kingsgrove, Nsw 2208

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Wednesday, 4 September 2019 7:47 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Wed, 04/09/2019 - 19:46

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Geraldine

Last name

Campbell

Name withheld

No

Info

Email

geraldine.j.c@outlook.com

Suburb/Town & Postcode

Pymont 2009

Submission

Dear Madam/Sir,

I am a divorced retired 65 year old woman with one income.

This change will have an extremely negative impact on not only my life but my children and

grandchildren that I help.

It will be a financial and mental disaster if I do not continue with short term rental which is my only SOURCE of INCOME.

I have worked hard all my life and set up my self funded retirement.

If I am unable to short term rent for the whole 12 months I will have no option but to sell and live off the cash which will not last long and then I will be forced to apply for the old age pension which I do not want to do.

Being a burden to society instead of being a benefit as in supplying housing for rent in the greater Sydney CBD.

Please do not take this away from us little people as we fill a void that hotel chains can not, we generate income for restaurants, taxi, buses, trains, Opal cards etc, etc.

Overseas families love what we provide

A very worried Aussie

Regards

Geraldine

I agree to the above statement

Yes

From: gerry.pmont <gerry.pmont@gmail.com>
Sent: Thursday, 5 September 2019 11:46 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

I am a 65 year old divorced woman that relies on short term rental as my main and only source of INCOME. To cut me back to 180 night cap would be devastating for my income, I would not survive. I really love hosting. I have worked hard all my life to set my self up to be self funded, not to rely on the old age pension.

If I am capped at 180 nights I would be forced to sell and live off the cash which will not long, I would have to apply for the old age pension which I do not want to as hosting not only supports my life but gives me a huge interest in life.

I do not want to be a burden on society in my golden years

My rental property is located in Greater Sydney so it is popular with tourists especially families that do not want hotel accommodation they want a home away from home experience.

I offer that void where hotels can not.

Please look after the small Aussie that's just trying to SURVIVE.

Kindest regards

Geraldine

0410485237

Sent from my Samsung Mobile on the Telstra Mobile Network

From: gerry.pmont <gerry.pmont@gmail.com>
Sent: Thursday, 5 September 2019 11:46 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: recorded and not sent to DCS, Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

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Geraldine

0410485237

Sent from my Samsung Mobile on the Telstra Mobile Network

From: Gerard Wheatley <gerardwheatley1@gmail.com>
Sent: Monday, 9 September 2019 9:44 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: recorded in DPIE subs register, recorded and not sent to DCS, Purple category

Dear Minister,

We believe that short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. It is also obvious there is demand for such service. In our situation, which is a fully self-contained and private one bedroom apartment that accommodates 2 people, we are running at about 30% occupancy. So in our case the 180 day restriction will not impact on us, but we believe there is a principle here. We would be happy to get to 50% or more, but the market determines our occupancy, not an arbitrary number imposed upon us. The setting of a limit, no matter the size, is something that restricts the opportunity for trade. There doesn't appear to be logic in the number, nor for that matter, the reason for restriction of any kind. Its like saying to Mr BHP, see that pile of stuff from the hole you just dug, you can't sell more than half of it, and he says, why not? its my hole!

We understand the need for registration but this should be seen predominantly from a Safety point of view. To make sure that standards are met. Registration for the sake of setting up a list is not warranted, but to ensure the appropriate safety measures are put in place, is warranted.

There is mention of Councils being involved, but why isn't this issue looked at from a State perspective or even from a National perspective. If an overseas traveller is looking to travel through more than one state in this country, why should they have to have different standards and requirements imposed upon them as they travel from one state to another, or from one council area to another. We hear all the time about Globalisation and how the world is becoming a smaller, closer place. Then why too is that not the case for our Nation. Conditions of accommodation should be the same no matter where in the country someone travels.

Taking this angle to the next level, has a review of what happens elsewhere in the world been done? Do we really need to reinvent the wheel? Are you sure that the best solution has not already been put in place somewhere else?

As for a register of strikes for hosts or guests, the larger more prominent on-line booking companies provide a "review" system that works well in sorting out hosts and or guests that do not meet standard. So we would question the need for an imposed additional system. Let the working system do its job.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Thanks for reading
Gerard and Janelle Wheatley

Redhead Beach Escape
Airbnb and Homeaway/Stayz
0419448871

From: Giada Fichera <jadaisland@gmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because as a full time student it helps me to support me financially.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Giada Fichera
North Ave
Camberay, Nsw 2062

From: Gill Morgan <gillmorgan1959@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Thank you for reading my submission.

Regards,
Gill Morgan
155 MOTBEYS ROAD
, Nsw 2550

From: Gill Sutherland <gillsut@yahoo.com>
Sent: Friday, 6 September 2019 5:02 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

We are retired, nearing 70, and on a fixed allocated pension. We do NOT claim any government subsidies or pension. We also 100% support our adult son who suffers with crippling mental health issues. The small income generated by our short stay holiday letting of a room in our home is critical to assist us cover our financial living costs. Should new legislation impact our ability to earn this extra income, we may be forced to claim a part pension which we very much would like to avoid.

We support some reasonable restrictions and controls for some areas (Byron Bay) where entire homes are purchased by absent owners for the express purpose of air bnb and where these properties often stand empty outside of key holiday season periods - but NOT where the guests are renting a bedroom/seperate living room area under the same roof as their hosts, the property owners.

Thank you

Gill Sutherland
Host
NSW 2479

From: Gillian Minervini <gillianminervini@gmail.com>
Sent: Wednesday, 11 September 2019 2:21 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Gillian Minervini
8 Seagull St
Culburra Beach, Nsw 2540

From: Gina Bennett <bouncingback@hotmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because after living and working extensively overseas, I enjoy meeting travellers and introducing them to the scenic beauty of Nambucca Heads. I have been involved in tourism and hospitality in various forms since taking a redundancy from the public service 11 years ago. Early retirement and limited job prospects in regional Australia has meant living on a very limited budget. Listing my house on airbnb has given me such much-needed financial support. So many benefits!

Until recently I also provided a personal private taxi service taking locals to the Coffs Harbour airport or taking elderly residents to medical appointments. It was a small but much-appreciated business that was unfortunately destroyed by excessive NSW State Government fees that dictated I pay the same authorisation fees as a metropolitan taxi doing 20,000 bookings a year. I barely did 50 in a year! Ms Pavey - you were the Transport Minister overseeing the debacle Point-To-Point Commission. Please don't further threaten my livelihood and keep in mind that airbnb generates many personal and community economic benefits.

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.

Having lost my private taxi business and its small source of income it would be a travesty to have the same draconian government interfere with the little bit of earnings I scrape on airbnb. I rent my spare room for \$53 - on average 1-3 nights per month. The house is safe for me, my friends, family, guests and is fully insured. The costs I incur for home ownership and maintenance are already substantial and regulated by local council.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy". But I have personally seen how this regulation designed to protect powerful interests - accommodation providers not the taxi industry in this example - can decimate small struggling operators in country Australia.

I do not support the Government's approach and strongly object to parts of the current proposals are unfair. Once again this government is falling well short of its electoral commitments. I'm sick of it interfering with my entrepreneurial efforts be be self-supporting and not on welfare!

Specifically, I want to comment on the following:

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These costs are simply a revenue-raising measure to partially pay the running costs of yet another regulatory body. As with my private taxi business they are sure to be prohibitive and escalate over time. And will the fee structure be as unrealistic and unfair on small regional home-sharers as the poorly-drafted transport regulations?

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Gina Bennett
2 Woods Ln
Nambucca Heads, Nsw 2448

From: Gina Porteous <gina.porteous@bigpond.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Gina Porteous
2478 Bells Line of Rd
Bilpin, Nsw 2758

From: glen mead <glen@glenmead.com.au>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: rob submission 2.0, Air BNB run

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Thank you for reading my submission.

Regards,
glen mead
125 Hubbards Rd S
Mayers Flat, Nsw 2423

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 11:49 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Tue, 10/09/2019 - 11:49

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Glenda

Last name

Meir

Name withheld

No

Info

Email

gmeir_glos@hotmail.com

Suburb/Town & Postcode

Suffolk Park

Submission

Hello. My name is Glenda Meir and I have been a Suffolk Park/Byron Bay resident for 43 years. I would like to speak in favour of as much limitation that is possible to be applied to Short Term Holiday Letting/Air BNB and similar platforms. I truly believe that short term letting (in residential areas) has been so detrimental- to community, to rentals, to the skyrocketing house prices that have locked our young people out of the market. I know this is not the only contributing factor but it definitely has had an impact. Genuine singles, couples and families are struggling to find permanent accommodation- this is shocking for our community. Residents having to cope with noise, litter, unsociable behaviour so that absentee landlords who contribute nothing to our struggling council must be besides themselves. Legitimate accommodation providers have to comply with health and safety, fire, licenses etc. but are any such conditions applied to STHA providers? For me, there would be no short term letting in residential areas. I know that that genie is out of the bottle, but surely we can regulate this issue better to allow more permanent rentals and the benefits that brings to all the community, not just the property owner. Thank you.

I agree to the above statement

Yes

From: Glenn Carr <carrglenn@hotmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Glenn Carr
7-15 Jackson Ave
Miranda, Nsw 2228

From: Glenn Langley <ourworldz@hotmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it helps to pay for the costs of maintaining the property for my stepfather as he is in full time nursing care.

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

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to AirBnB his home, and we may have to sell it.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

It will also drive families and other holiday makers considering local holidays to go overseas to cheaper destinations.

Environmental Planning and Assessment (STRA) Regulation 2019

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Glenn Langley
43 Leo Dr
Narrawallee, Nsw 2539

From: G M <thatsme125@hotmail.com>
Sent: Thursday, 5 September 2019 11:55 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Glenn Morris

From: Glenn Morris <thatsme125@hotmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Glenn Morris
101 Henry St
Tighes Hill, Nsw 2297

From: Glenn Thompson <gdt3261079@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Glenn Thompson
9 Rendal Ave
North Nowra, Nsw 2541

From: Glenys Rae <glen.rae4@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 love showing my visitors from overseas around my town.

Living alone and being able to host international visitors from all over the world has been a blessing for me, whilst, at the same time, providing guests with the experience of living in an authentic, Australian family home. This promotes positive connection with people from all over the world, who then pass on their experiences when they return home. Overall, this promotes tourism by word of mouth.

I'll never forget my very first guests who were from India, living in America. They were apprehensive about coming to Australia because they'd heard we were a racist country. I was saddened to hear that we perceived this way, but so thrilled to be able to contribute in my own small way, via the Airbnb experience, that we Australians are welcoming, warm-loving people. They went home with a very different opinion and shared this with their family & friends. Powerful!

I am a 60 year old widow and have struggled to find full time employment in my country town. I am not eligible for the aged pension for another 7 years, so Airbnb has been a lifeline for me, enabling me to keep paying my mortgage.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Thank you for reading my submission.

Regards,
Glenys Rae
5 Flora Parade
Tuncurry, Nsw 2428

From: Glenys Reid <gvr027@hotmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because there are very limited accommodation options available on our beautiful NSW South Coast and Sapphire Coast given the number of people that want to visit the area on weekends, and school holidays - most homes are privately owned "holiday residences" and offer an affordable "local" warm invitation to those wanting to visit who cannot afford to own a holiday home themselves, but love spending time on this amazing coastline. Our visitors are so grateful and complimentary for the opportunity to share our place and enjoy the surrounding beauty and be so welcomed. Please don't over-engineer the process!

The Airbnb host community often also 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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Thank you for reading my submission.

Regards,
Glenys Reid
53 Illabunda Dr
Malua Bay, Nsw 2536

DRAFT – Not Endorsed by Council.

File: 27521E

Director Housing and Infrastructure Policy
NSW Department of Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2000

Via email: sth1@planning.nsw.gov.au

Dear Sir/Madam

SUBMISSION
Short Term Rental Accommodation (STRA)
Proposed New Regulatory Framework

Council appreciates the opportunity to provide further detailed comment on this important matter. The matter was reported to Council on XXXX and it was resolved that:

XXXX

Council has consistently held the view that any regulatory framework in this regard should essentially have a 'light touch', be clear and workable and not place an excessive additional administrative or compliance burden on Council, if possible.

The need for certainty in this regard is also acknowledged and the NSW Government is encouraged to bring this matter to a timely conclusion to remove the current uncertainty regarding the permissibility or otherwise of STRA.

Opening Comments

As stressed in our November 2018 submission (copy attached), holiday homes/STRA have been and continue to be an important feature of tourism in Shoalhaven for a long time. They are a critical element of regional tourism.

Given this important role, Council was the first to clarify the legal status of this form of accommodation through an LEP amendment that was gazetted thirteen years ago in 2006. Through this the short term rental of a residential dwelling does not need development consent/approval. Council has also continued to play an active and ongoing role in research, advocacy and regulatory changes related to this form of accommodation.

It is noted that a number of the points raised in our previous submission have been addressed in the revised package and this is greatly appreciated. The opportunity to review and comment on the overall package is also welcomed and appreciated.

The revised package contains five pieces of interrelated legislation/policy/guidance to review and is more extensive than the previous version. Given this a longer timeframe to review and comment would have been appreciated. If Councils really are one of the NSW Government's key planning partners, we need to be given comment periods that enable matters to be considered and reported to the elected Council. As such, in the future please consider minimum comment periods of six to eight weeks for planning reforms of this nature.

Tourism Role/Importance

The short-term holiday letting industry is extremely important to Shoalhaven. With limited larger-scale hotels to service the accommodation needs, the success of the tourism industry relies on the availability of holiday rental accommodation throughout the City.

Shoalhaven is currently the most visited Local Government Area in NSW, outside Sydney CBD. The industry supports over 6,000 jobs and generates \$853 million annually in visitor spend. Recent research shows that visitor nights have increased by 7% for year ending December 2018, showing a trend in people staying longer in the region. Approximately 60% of domestic overnight visitors to the City stay in what could be termed to be short term rental accommodation or holiday homes.

Overall Package

The release of the overall package for review and comment is beneficial and provides an opportunity to see how it all fits together.

There is still however an overriding concern that the components of the package may not work well together and may be difficult to follow/understand. It is essential that the regulatory framework works and is 'user friendly'. Thus, the indication in the material that there will be a 12 month review period once the package comes in is strongly supported. This will provide a critical opportunity to adjust anything that is not working as intended or respond to any unforeseen outcomes.

How the package interrelates and works with other pieces of NSW and Commonwealth legislation is also important, for example the Building Code of Australia. It is hoped that this has been given due consideration and there will not be unintended or unexpected consequences.

Proposed SEPP – General Comments

The proposal for another standalone SEPP is a potential concern. This can be avoided by including the proposed provisions in the Codes SEPP. This would avoid a standalone SEPP and thus help manage the number of planning documents and potential for complex interactions between documents. The Standard LEP Instrument

should also be used, as it was originally intended to be, to also achieve relevant outcomes

The proposal to remove the relevant STRA clauses for relevant Environmental Planning Instruments, including Shoalhaven's, was something that we requested should the reforms eventuate and as such this aspect of the SEPP is supported.

It now appears that there is the ability to opt to map areas where you want to specifically enable STRA (verses where you do not). If this is the case, this is a welcome addition as it may assist Council manage emerging 'hot spots' in the future. Confirmation of this interpretation would be appreciated. If this is the case it provides an avenue for local exemptions where evidence demonstrates unacceptable social or environmental impacts (e.g. sewage capacity) and there is a need to control sensitive locations and limit or even possibly prohibit STRA.

Link with Part 9 of EP&A Regulation – There is a concern that this link will get lost in the detail as it is only included as a 'note' (Refer Part 3 - notes under the heading on page 7). It is suggested that it really needs to be part of Clauses 11 and 13. There is also a need for these services to be installed by a competent person and for a final fire safety certificate to be submitted to Council and NSW Fire and Rescue prior to the use operating. This could be included in the EP&A Regulation amendments.

The requirements for ongoing annual certification also need to be included as a 'note' to this requirement in the draft SEPP. This will result in a change in the Fire Safety standards under the EP&A Regulation.

STRA Definition

The establishment of a consistent definition for 'short-term rental accommodation' is welcomed.

Removing *rural workers' dwellings* and *secondary dwellings* from the STRA definition should be considered to protect the original intent of permitting these types of dwellings, e.g. supporting a rural workforce and providing accommodation options for an older population. These original intents could be undermined, and this may not be considered appropriate.

Detached rooms should also not be allowed to be used for STRA.

There is also a need to refine the STRA definition to remove any potential ambiguity around a host residing **on** or **in premises** or **property**. Is the intent to describe a dwelling in which the host resides or a property containing two dwellings in one of which the host resides?

Existing Use Rights

Given the current circumstance in Shoalhaven, it is assumed that Clause 15(2) of the draft SEPP covers potential 'existing use rights' as raised in our November 2018 submission.

Council welcomes the clarification that this clause provides. It will also potentially assist with a transition period for existing STRA for the components that do require attention, this will help facilitate a smooth transition for existing operators and reduce any sharp downturn in accommodation availability.

Irrespective, there are still some issues that need to be clearly considered and addressed. Specifically, are 'exiting use' premises still added to the register and is there a need for them to install the essential fire safety measures. This needs clarity.

In this regard it may be appropriate to consider adding similar wording to Section 16 of the Boarding Houses Act to provide a time period whereby relevant matters are sorted. Perhaps the wording of 15(2) could be adjusted to read as follows (or similar):

(2) Development that was commenced before the commencement of this Policy and that was, immediately before that commencement, exempt development in accordance with an environmental planning instrument that was amended by this Policy may continue provided the following is completed within a period of XX months from the commencement of this Policy:

- (a) The premises are to be included on the State STRA register; and*
- (b) Compliance with the fire safety standards identified in Division 7X of the Environmental Planning and Assessment Regulation 2000.*

Note:- *Compliance with 2(b) above will require the submission of a fire safety certificate from a competent person to the Local Council and the NSW Fire and Rescue once the services have been installed. There will also be requirements for ongoing annual certification of these essential fire safety measures.*

Development Application Pathway

There needs to be a development application pathway for existing dwellings that cannot be considered as either 'exempt' or 'complying' development.

For example, given the potential extent and affectation within Shoalhaven, a development application pathway may be appropriate or necessary for situations when a location is considered to be above BAL40 or is a 'flood control lot' that cannot be considered under the complying development pathway. This has the potential to affect large parts of our City, including a range of existing urban areas.

Consideration should be given to adding the STRA definition to the Dictionary in the Standard LEP Instrument and then allowing Councils to consider where they may wish to separately make the use permissible with development consent through their LEP's.

Where a development application is required then the Department should consider a Model DCP as part of the Standard DCP process to assist in this circumstance.

Exempt and Complying Provisions

Whilst the proposed capping of the number of guests is generally accepted and understood, what happens in a situation where a dwelling (as approved) is capable of accommodating more than 12 guests? Perhaps it would be reasonable to also allow a dwelling to be occupied up to approved bed capacity in the original development approval for the building?

Number of Days

As outlined in our submission dated 19th November 2018, Council has resolved to initially accept the general permissibility under the reforms of 365 days per year.

Any reduction of allowable days would push accommodation into the peak season and leave the off-peak and shoulder season short on accommodation. This would impact negatively on the growth of a year-round industry in Shoalhaven. The traditional winter and shoulder seasons now make up around 70% of the total annual visitors to Shoalhaven, evening out seasonality and helping provide year-round jobs and income for local businesses.

It is still assumed that even though a Council does not opt now to set/select a number of days between 180 and 365 that it will still potentially be possible to amend the number of days in the SEPP at a later point via their LEP. This will provide the option of starting with the State-wide maximum of 365, but possibly reduce the number of days later should issues emerge. Confirmation in this regard would be appreciated.

There still does not seem to be anything in the package when a Council wants to consider reducing the number of days to between 365 and 180 re justification and why a particular number is selected – this could lead to unintended economic consequences for example if it is not soundly based.

Bushfire Provisions

It is acknowledged that the bushfire prone land aspect of the proposed reforms has been strengthened when compared with the November 2018 version.

The need for this is acknowledged, however given the extent of the Shoalhaven that is mapped as 'bushfire prone' the proposed provisions and their requirements could affect a considerable part of the City, including within some established urban areas. There is also a concern that whilst people will readily be able to work out whether a property is mapped a 'bushfire prone', it will not be as easy to identify whether a property is identified as BAL40 without an individual assessment. This has the potential to create problems and concerns moving forward, particularly for people making decisions to buy into the area.

There does not currently appear to be a pathway to approve the use on land >BAL40. This may impact significantly on the ability to use the proposed provisions in Shoalhaven. Consideration should be given to a development application pathway for properties >BAL40.

Clauses 13 (e), (f), (g) and (h) of the draft SEPP relate to 'bushfire prone land'. The format of these clauses should be reworded to improve their function/use. Alternatively, they could be treated the same as the proposed provisions for 'flood control lots' and be given a separate clause number altogether:

x. Requirements for complying development on bushfire prone land.

- (a) Does not apply to dwellings assessed as BAL-40 and BAL-FZ; and
- (b) same as 13(f)
- (c) same as 13(g)
- (d) same as 13(h)

If this approach is accepted, the requirements of current draft Clauses 13(d) and 13(i) would also need to change to refer people to these new Clauses.

If the bushfire wording is not reformatted as suggested above, then consideration still needs to be given to the wording of draft Clause 13(e) which currently indicates that "no part of the lot on which the dwelling is situated..." This wording is not consistent with other legislation which refers to "bushfire prone land" and could have a significant impact on a range of properties/situations in our City, for example large rural lots that are only partially 'bushfire prone'. The 'bushfire prone land' definition actually relates to where the dwelling is located on a lot and therefore should be used in preference and to ensure consistency. The wording should also be changed to exclude dwellings assessed as BAL-40 and BAL-FZ (see above).

Flood prone Land Provisions

This is a significant change and inclusion from the November 2018 version of the proposed framework. Given the nature of Shoalhaven proposing 'complying' development when land is flood prone could have a significant impact locally. Further consideration should be given to this aspect, specifically is it really a major risk or not, noting that at least most new dwellings, particularly in urban areas, would have been approved with flood risk in mind? The usability of the currently proposed Clause 14 is also questioned.

The terminology in the draft SEPP needs to be consistent with the Standard LEP Instrument and the NSW Floodplain Development Manual otherwise there will be confusion in the development industry and the community as to the meaning of this clause. For example, is the use of the term 'flood control lots' consistent?

Our interpretation of Clause 14 of this draft SEPP is that STRA would not be allowed in areas affected by the 1% AEP flood event, regardless of the hydraulic hazard category. This is more restrictive than Chapter G9 Development on Flood Prone Land of the existing Shoalhaven DCP2014 that allows development in these areas provided appropriate development controls are implemented.

It is understood that the provisions in the draft SEPP would not apply to existing properties in Shoalhaven that are used for STRA now (due to existing use rights) but would only apply to new developments (intended for this use) or existing developments (to be converted to STRA) after the policy is implemented. From a flood risk management point of view, there is logic behind this approach as tourists/visitors will not always be aware of the flood risk at a rental property and this makes it easier for the SES during flood events.

The practical implication of this for Shoalhaven is that new developments (or existing development converted to STRA) within a 1% AEP flood extent that are intended to be used as short-term accommodation would not be permitted. There are a lot of flood prone areas within Shoalhaven and high demand for STRA, so any new developments intended to be used for short-term accommodation would need to be outside these areas. Council would need to make applicants aware of this for developments in flood prone areas so they would know that their property could not be converted to short-term accommodation in the future. This could be covered off on flood certificates for that Council issues.

Alternatively, development consent could be required in appropriate circumstances for STRA on flood control lots where 'complying' development cannot be pursued to:

- a. recognises concerns with certifiers/engineer's ability to access and use available flood risk information, and
- b. avoids defining "refuge" as appropriate refuges differ with flood behaviour e.g. refuge in place v's evacuation centre.

Strongly suggest that this aspect of the proposed reforms is given further detailed consideration in consultation with relevant bodies, including Councils, to ensure that it is workable.

Code of Conduct

The proposal for a Code of Conduct is generally supported as it is in everyone's interest for STRA to be a 'good neighbour'. Give the contribution that STRA makes to our local area and its tourism economy, this is something that Council has consistently promoted and encouraged in our area through our provisions and material related to STRA.

The key to the strength of the proposed code will however be the proposed registration system and how problematic premises or owners/operators are managed and handled. Further detailed comments on these aspects are provided below. There is also a need to ensure that tenants are aware of the Code and commit to it as part of the lease.

Proposed Registration System

The proposal for all STRA's (irrespective of platform) to be on a single register is generally supported. This could run much the same as the requirements under the

Swimming Pools Act. However there needs to be some link or tie to this in the proposed SEPP. There could also be nominal registration fee for properties and operating a penalty for operating a premise without first registering it on the State-wide register (this is similar to the Swimming Pool Act requirements).

The general register will provide certainty/information to the community. However, the suggestion of an industry led register or self-registration is not supported. The register needs to be led by the NSW Government, possibly through NSW Fair Trading. Again, this could be undertaken similar to the current Swimming Pool Act requirements.

The proposed STRA register should include the following detail for each property:

- (a) The address of the STRA
- (b) Local Government area where the STRA is located
- (c) Name of the STRA
- (d) Name of the owner
- (e) 24 hour contact details of the owner and any agent.
- (f) The number of bedrooms and the maximum number of people
- (g) Number of days occupied in any calendar year
- (h) How to lodge a complaint
- (i) Installed essential fire safety measures.

The issue of 'insurance' should also be considered as part of the register.

It is essential that both the registration scheme and exclusion register are tied together, and information is shared (open access) and jointly utilised.

Exclusion Register

Generally individual problematic properties have been an issue in our area. The proposed exclusion register is a good approach and will potentially play a key role in managing these properties in association with the Code of Conduct in the future. There are however significant questions about the realities of this functioning successfully. For example:

- How will the exclusion register carry over platforms (it should)? If a property is excluded from one platform can it operate on another (should not be an option)? How does the register link platforms?
- If the property sells, does this create a clean slate or does the exclusion continue for the new owners? How would this be managed / disclosed at the time of sale?
- The nature of the online booking industry is all about instant booking and payment. Is the check done for blacklisted guests through the platform at the time of booking? If not, refunds will be required if the guest turns out to be blacklisted. How are different email addresses / names at the time of booking dealt with in the system?

- How will possible vexatious neighbours actually be handled? Some neighbours can be very persistent and vary considerably in what they consider a breach to be. This could create a significant amount of work (possibly for Council) in the investigation period.

It is noted that planning complaints can trigger action under the Code of Conduct and inclusion on this register. Depending on the nature and veracity of a complaint this approach is logical and is supported. It should also be clarified whether a valid planning complaint amounts to a 'strike'?

Also question whether breaches of other existing Acts, such as the POEO Act, should also be considered as a 'strike' depending on their nature? This would also possibly be the expected and logical outcome.

Compliance

The compliance pathways and obligations related to the overall framework still need some clarity as it is likely that Councils will be expected to play a role, either directly or by default. This could be a significant additional compliance burden for Council given the extent of STRA in Shoalhaven.

Fire Safety Standards

The inclusion of general first safety standards for STRA is supported as no one wants to see a fire in a STRA resulting in injury or death. This would have a huge impact on the industry generally and this form of tourist accommodation is important to Shoalhaven as outlined earlier.

The current proposed standards need to be amended to require the installation of fire and smoke alarms by a competent person and that a final fire safety certificate is submitted to Council and NSW Fire and Rescue. This needs to be included even though the building will remain as a dwelling (Class 1a). The requirements that came in during 2005 for dwellings to be upgraded with a hard wired appliance or 10 year batteries once the existing smoke alarm batteries fail has not really worked. As such there should not be a reliance on a similar system for STRA's given that it relates to with the safety of unrelated or unfamiliar people to the building.

The Environmental Planning and Assessment Regulation should also be amendment to include STRA's as requiring annual certification and this should be relatively easy to accommodate given that there will now be a definition for STRA's. Most Councils have fire safety programmes that deal with the annual certification of essential fire safety measures and STRA's could be incorporated with the ability for a nominal fee (possibly also linked to the registration system).

DCP Provisions

Council currently has a DCP Chapter that supports and is linked to our current LEP Clause on STRA. This DCP Chapter can be viewed on the internet at:

<http://dcp2014.shoalhaven.nsw.gov.au/sites/dcp2014.shoalhaven.nsw.gov.au/files/Chapter%20G16.pdf>

Some clarity is required in this regard, specifically what happens to our DCP if the reforms come in and does it still play a role? Related to this, it is suggested that where a development application is required in the future for STRA that the Department should consider Model DCP provisions for Councils to possibly utilise or adjust as part of the proposed Standard DCP process.

Concluding Comments

The opportunity again to comment on the proposed reforms is welcomed. It is stressed that there needs to be a continued dialogue with Local Government to ensure the final provisions are workable and do not raise any unexpected issues.

It is requested that this matter be drawn to a conclusion in a timely manner given the uncertainty it has created around STRA and that clear advisory material be issued regarding the final controls to ensure there is broader community awareness of the new system. This also needed to recognise situations like Shoalhaven where 'existing use rights' and the provisions of Clause 15(2) of the draft SEPP comes into play.

Should you require further information about this matter, please contact Gordon Clark, Section Manager – Strategic Planning on (02) 4429 3355.

Regards

Gordon Clark
Section Manager – Strategic Planning

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 5:58 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Potential Duplicate, council submission, Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 17:57

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Gordon

Last name

Clark

Name withheld

No

Info

Email

gordon.clark@shoalhaven.nsw.gov.au

Suburb/Town & Postcode

Nowra 2541

Submission file

[draft-tra-submission---shoalhaven.pdf](#)

Submission

As agreed with Douglas Cunningham from the Department, please find attached Council's draft submission on the proposed regulatory framework for short term rental accommodation.

This submission has not yet been reported to the elected Council for consideration and endorsement. This will occur in due course and following this we will forward Councils final submission.

If you have any queries regarding the detail of Councils submission please contact me.

Regards
Gordon Clark
Strategic Planning Manager
Shoalhaven City Council

I agree to the above statement

Yes

From: Grace Condon <home@amada-amavic.com.au>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Grace Condon
2 Blackwood Pl
Oatlands, Nsw 2117

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 22 August 2019 10:39 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red category, Purple category, Orange category

Submitted on Thu, 22/08/2019 - 22:39

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Grace

Last name

Curtis

Name withheld

No

Info

Email

grace@thebearbar.com.au

Suburb/Town & Postcode

Haymarket 2000

Submission

Dear NSW planning department:

We are Grace and Andrew Curtis, tenants of Darling Rise, 82 Hay St Haymarket. We have been living in Sydney for over 20 years and have recently moved to the new Darling Square complex by Lendlease. Based on the Strata plan of this building, short term letting is not allowed, please see attached.

While we do appreciate the service short term rental companies such as Airbnb bring to the tourists, and the financial benefits it brings to owners, we believe at certain type of property, it is causing hazard and potentially life threatening. Please allow us to explain.

Based on the conversation with our building manager, more than 50% of the Darling Rise apartments are short term rental. Since we moved in on 10th June, we have had:

- 4 false fire alarms going off caused by people having parties and smoking indoors
- Rubbish shoot blocked twice due to over population which leads to excessive rubbish, please see picture below
- Twice the sewage systems are blocked due to people flushing sanitary items down the sewer
- People pressed emergency exit door button open so their group can come in and out freely
- Items being stolen from garage lockers
- People sleeping in common reception area while waiting to get checked into their apartment
- People drinking alcohol and throw up in the reception area in the middle of the night
- 2 bedroom apartment could easily be booked for family of 8, and if all short term rental apartments do the same, it is a breach of fire regulation. And there is no way of monitoring how many people are staying in each short term rental property.

There are many incidents such as above. We have documented most of them and willing to share the information and evidence.

The false fire alarms are the most serious matter. We have noticed that when the fire alarm went off the first time, most people evacuated. The second time not so much, by the time it was the 3rd and 4th time, almost no body evacuated as they all think it is a false alarm again. What if there is a REAL FIRE??? People will still think it is a false alarm and put their lives at danger!!! Which means negligent short term rental tenants have potentially caused the death of other tenants! And no matter how Airbnb tells people "party is not allowed" on their website, people on holidays are here to party!

We are not here to suggest banning short term rental once and for all. It is a great service if monitored properly. If house owners want to rent out their spare room or granny flat, go for it. However when it comes to a high density apartment blocks, where we are risking over population according to fire regulation, constantly set off fire alarms so tenants are numb to the siren, then we have a serious problem.

What we suggest:

- High density units implement 3 months rental minimum
- Advise owner and strata managers that any short term rental under 3 months is a breach and fines will apply
- Contact short term rental platforms such as Airbnb that certain properties are not to be listed for short term rental on their website. If such platform does not comply, they are not allowed to list any Sydney CBD properties on their website

We operate a local business in Haymarket and love living in Sydney CBD. We hope to achieve a balanced life style for residents and visitors. Together we need to look after our communities so it will attract the right kind of tourists in the future.

If you would like to contact us to discuss this matter we are more than happy to do so. Please email us on grace@thebearbar.com.au

Kind Regards

Grace and Andy Curtis

I agree to the above statement

Yes

From: Grace Mathers <marcia@marciagracedesign.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Grace Mathers
77 Hargraves St
Blackheath, Nsw 2785

From: Grace Quiney <grace.quiney@icloud.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host, I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I am a stay at home mum and this is a great income for our family. It also provides reasonably priced accommodation to people visiting this area. There are only 2 boutique hotels that charge over \$400 per night which makes it unavailable for many families.

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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Thank you for reading my submission.

Regards,
Grace Quiney
91 Bynya Rd
Palm Beach, Nsw 2108

From: Graciela Debono <elenadebono62@hotmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Graciela Debono
29 Station St
Bonnells Bay, Nsw 2264

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 1:32 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 13:30

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Graeme

Last name

Carroll

Name withheld

No

Info

Email

graemec0152@gmail.com

Suburb/Town & Postcode

Wollongong 2500

Submission file

[stra-reg-framework-submission.pdf](#)

Submission

Please find attached the submission from the Viridian Strata Committee SP92101

I agree to the above statement

Yes

From: Graham Drever <graydrever@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

My wife and I host on Airbnb because we love showcasing the Australian way of life to overseas visitors. At the same time it provides a much needed boost to supplement our irregular income.

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 am certain that QANTAS and the airline industry are selling more seats because people are now able to afford overseas holidays more readily

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Graham Drever
1A Pacific St
Caringbah South, Nsw 2229

From: Graham Jesse <music@grahamjesse.com.au>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

I am a local Airbnb host and I use Airbnb as a guest. I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I like where I live, and since my children have moved my house has plenty of room - a self contained flat.

The income from Airbnb helps my wife & I pay our mortgage, and means we can stay where we enjoy living.

I have never had a problem with a guest or complaint from a neighbour.

I recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Graham Jesse
50 Sugarloaf Cres
Castlecrag, Nsw 2068

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 2:57 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: rob submission 2.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 14:56

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Graham

Last name

McLean

Name withheld

No

Info

Email

gmclean59@gmail.com

Suburb/Town & Postcode

North Wollongong 2500

Submission

I rely on partial income from STRA to supplement my meagre Self Funded retirement.

Any significant changes or additional requirements, which I can scarcely afford, would be a great burden

on my financial situation and means of staying alive.

I agree to the above statement

Yes

From: Graham Thompson <graham@compassbros.com.au>
Sent: Thursday, 5 September 2019 9:08 AM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Categories: Purple category

Dear Minister,

I own two houses in NSW that are dedicated short stay holiday rentals, one in Orange and one on the Central Coast. I am 61 years old and they will contribute significantly to my retirement income.

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Yours sincerely,

Graham Thompson
13 Philip Street
Bondi NSW 2026

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 6 September 2019 11:36 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Fri, 06/09/2019 - 11:35

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Grant

Last name

Blundell

Name withheld

No

Info

Email

gablundell@gmail.com

Suburb/Town & Postcode

ADAMSTOWN

Submission file

[response-to-str-framework_g-blundell_06.05.19.pdf](#)

Submission

Please refer to the attached responses to the STRA framework discussion paper.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 3:34 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 15:34

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Grant

Last name

Gosson

Name withheld

No

Info

Email

grant@dx.com.au

Suburb/Town & Postcode

Pymont

Submission

Strata complexes - additional impact on common property and services: The 'package' (amendment Act, proposed Code and proposed Regulation do not address a very real issue for Owners Corporations, being the cost of increased wear and tear, maintenance, cleaning and services use (water and electricity) of common property and common services (including waste disposal) caused by STR. Guests (of STR) are indifferent about such matters and mostly do not think or act like owners.

These costs are borne by the Owners collectively and owners who engage in and profit from STR are receiving a material benefit from other owners, which is inequitable. This needs to be addressed by permitting Owners Corporations to pass bylaws to impose a levy on owners of lots used for STR to reasonably contribute to these additional costs.

I agree to the above statement

Yes

From: Grant Harper <grantharper@mac.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Grant Harper
27 Best St
Wagga Wagga, Nsw 2650

From: Grant Ible <gibleart@yahoo.com.au>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Grant Ible
10 Hart Ct
Ocean Shores, Nsw 2483

From: Grant Molloy <dairypark@dairypark.com.au>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

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I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Grant Molloy
30 Hilton Ln
Mandurama, Nsw 2792

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 2:19 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 14:19

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Grant

Last name

Weatherburn

Name withheld

No

Info

Email

grantweatherburn@gmail.com

Suburb/Town & Postcode

Suffolk park

Submission

The damage to our shire from Air bnb has done way more damage than good (if there has been any good done?)

PLEASE ACT FAST BEFORE WE LOSE OUR TOWN!!!

90 days is better but less would be much better ...

I agree to the above statement

Yes

From: Greg Apps <Greg@donclark.com.au>
Sent: Friday, 16 August 2019 1:04 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent, Orange category

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

Regards

Greg Apps

From: Greg Bergan <gjbergan@iinet.net.au>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because holiday letting my property through the local real estate agent was failing to attract enough guests. I rely on the Airbnb income to pay the mortgage on the property.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I strongly oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired

- Require evacuation or emergency plans and guest education

STRA Property Register

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Greg Bergan
17 Judd St
Oatley, Nsw 2223

As a licensed Real Estate agency and letting agent in the Short-Term Rental Accommodation (STRA) Industry I wanted to provide our feedback on the Government's proposed regulations.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home and support my local community. I understand that the Government has made commitments to support "fair short-term rental accommodation (STRA) regulation" and that the review of the Industry is in responses to the negative impact on community's amenity, namely party houses.

Short-Term Rental Accommodation is an important Australian holiday tradition embedded into the fabric of the Australian culture and is at risk because of the abuse of a few who negatively impact neighbourhood and community amenity such as Guests holding anti-social events like 'Party Houses' and as a result of platforms that promote features like 'Instant Book' which assists bookings for 'Party Houses'.

I ask that the Government be mindful that Platforms have created features like 'Instant Book' with no consequence, Guest's have used 'Instant book' for anti-social behaviour such as hosting a party, hens or buck event suffers no consequence (as they change email address or other identify obfuscation to avoid identify detection) however this burden becomes the property owner and letting agent's responsibility. There must be fair and equitable responsibility and consequences suffered by all parties including Platform and Guest.

The STRA Industry is a significant contributor to the NSW economy and helps home-owners to pay the mortgage and bills, to share their spaces with guests so that they can enjoy and participate with other communities and importantly is a recognised financial driver of regional areas where Tourism dollars are spread throughout the local community such as the local butcher, local café, local tourist attraction and the fishmonger. Over regulation and mis-appropriating responsibility and limiting consequences on Guests and Platforms puts this economic driver at risk at a time when an economic Recession is but mere months away. The draft Code and STRA Regulation unfairly places considerable burden on the letting manager and property owner.

Generally, I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

1) STRA Planning Policy Instruments

a) I strongly oppose the exemption of properties where a host is present.

i. Firstly there is no way to monitor and manage this process and confirm that there is a host present which will result in the creation of a loop hole.

ii. By expressly exempting these properties the government is not addressing the scope that the STRA Review sought to review and address namely concerns about the housing affordability, availability and the impact on amenity. If there is to be credibility and fairness then all elements with potential to impact the housing affordability, availability and the impact on amenity by the STRA Industry needs to be included.

b) I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. This is a significant barrier to home sharing who share their home for a few months (cumulative) a year and will make hosting uneconomical which will end up making holidays across NSW more expensive.

c) We are opposed to the potential of day limits in regional areas as determined by local council. Day caps for holiday rentals not only put the economic uplift associated with the tourism sector at risk, but also fails to address the the most consistently cited concern about the industry, namely the impact on amenity.

d) The proposed 21-day cap is limiting and not reflective of the mobile workforce. It is only in rare cases where an employer can afford a consecutive 21 day booking for accommodation to carry out work. Typically, it is Monday to Friday (5 days) and occurring in several blocks. We recommended that accumulative bookings from the same company is the best measure and is managed by Company name and or Guest name.

There are very few guests who have the means to rent STRA for a period of five days several times a year. Typically this represents a corporate/work booking.

e) We do not support limiting the number of guests allowed in a bedroom in its current form. This proposal is particularly problematic for people with close supervision needs, for example babies who sleep in cots, very young children who still sleep with their parents and people with special needs.

We argue for the current short-term rental code, which has worked well for eight years, to prevail on this matter. The current rules allow for two adults per bedroom, plus two for the household i.e. a two-bedroom property is allowed six people.

For properties that are specifically designed to cater for larger groups than what the above rule would allow, we believe that owners should have the power to apply to their local council for development approval to use their property as a short-term rental and cater a higher number of guests.

f) Options need to be provided to the Host/Letting agent to enforce code and/or terminate the occupation of a guest where a code violation is occurring. An example is where community amenity is being negatively impacted such as a party event is occurring the Letting agent needs authority to protect the amenity and terminate violation in the form of a legal and immediate eviction where the financial loss is borne by the Guest in the form of loss of occupation and associated rent paid and the cost of carrying out such a termination.

g) We support a regulatory approach that provides the best balance for consumer safety, community amenity and the contribution of the sector to the economy. For the NSW approach to work properly, it must treat all properties equally - whether hosted or un-hosted, primary or secondary.

h) We believe that 'Terms of Use' and associated agreements used by all participant, including but not limited to; Terms and Conditions, License to occupy, STRA Agreement etc should specifically discourage party houses including the use for bucks, hens events. The strict prohibition of the use of the premise by a Guest for the purpose of holding a party, hens or bucks events should be codified.

It is our recommendation that platforms (as primary booking agent) should be mandated to ensure this is communicated to each guest and that each guest is required to agree and accept this prior to making a booking and when creating an account.

When a guest is found to have contravened this an automatic strike is recorded.

i) Concerning Jurisdiction. Consumer complaints are currently dealt with under the NSW Civil and Administrative Tribunal (NCAT) along with any residential tenancy issues. The establishment of the STRA complaint process sits outside existing established processes meaning that a complaint (matter) could potential be lodge both with NCAT and the STRA Commissioner regarding the same matter and although within the purview of the same responsible office (Commissioner of Fair Trading) different processes and approaches can be applied. It is our recommendation that 'double jeopardy' can occur and can be avoided where the STRA Complaints process is recognised as sole avenue.

j) Whilst there is a definition of Guest given, it needs to include all guests staying at the property despite not being listed as the guest who made the booking and all guests details should be captured during the booking process to avoid violation avoidance.

2) Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests.

However I recognise the importance of consumer safety and I support the NSW Government streamlining safety regulations which:

- i. Respect the ancillary use of my home for home sharing
- ii. Mandate smoke alarms – either battery operated or hard-wired

3) STRA Property Register

Registration of all holiday rentals – We are supportive of compulsory and simple registration for all properties listed on a short-term rental accommodation platform. When implemented correctly in other parts of the world, the registration of holiday rentals has proven to be a low-cost and effective way of informing the development of sensible rules for our growing sector.

In South Australia there are no fees and no registration or licensing system, allowing the home sharing economy to thrive. We would agree to a no cost registration and licensing system.

Code of Conduct – the core elements that the regulations and code is seeking to address is; housing affordability, availability and the impact on amenity. With specific regards to impact on amenity it is the abuse of the STRA Industry by guests who hold parties, hens and bucks events that negatively impact on communities.

It is our view that booking platforms that provide features such as true ‘Instant Book’ enables a culture of guest abuse as these features are for the direct financial benefit of the Platform but remove all interaction with the guest from the host and Industry participant as the booking is completed within the booking Platform and the Host/letting agent/industry participant has no recourse to qualify or vet the guest as all Guest details and communication with Guest is controlled by the Booking platform in a ‘Closed Loop Communication’ process.

These features are in-fact mandated by Platforms and Letting Agents are penalised by the Platform if they a) do not accept this booking type b) do not accept this type of booking by negatively weighted listing results. A host/ Industry participant that offers and accepts true ‘Instant Booking’ is given a higher favourable weighting listing result by Platforms in how the booking platform algorithmically represents its search engine results.

True Instant booking occurs via both Airbnb and Booking.com, they are the offending platforms. Stayz/Homeaway offer “Instant Booking’ which is in-fact an instant reservation where the host/letting agent/industry participant still has full access to Guest information, ability to communicate with guest to vet and qualify and is not penalised (yet) for not offering or accepting “Instant Booking’ requests.

On this basis we believe true ‘Instant Book’ features should not be available within any Platform and should be mandated by the STRA Code and Regulation.

Industry participants Obligations - I support the Code of Conduct which overall is reasonable and representative of the home sharing community and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to require all letting activities to be conducted only by Licensed Real estate agents and that the use of independently audited Trust Accounts be mandatory to ensure protections for guests, host’s and landlords is preserved. This provides consumer protections that are already well established and accepted and extends safe guards such as financial management through the use of Trust Accounts, professional insurance such as Professional Indemnity for Real Estate and a well established and robust regulatory framework.

Guest Definition – A guest booking is typically made in one name only, yet a premise may sleep more than one person. The overwhelming majority of STRA premises sleep greater than one person though only one person, the primary Guest details are captured.

It is our belief and recommendation that all persons staying at the property are required to provide adequate identification at time of booking & managed by the Platform to satisfy the Registry to avoid:

- Identity Obfuscation and
- Rorting of the strike/exclusion registry.

When a member of a group booking e.g Primary Guest is found to have violated the Code they can simple either obfuscate their name OR ask another member of the group booking to make a different booking in their name to avoid detection. This way all members of the group booking who participated in the violation are not being held accountable for their actions

Code Definition – The Government via the STRA Code of Conduct and Regulation seeks to address the community and neighbourhood amenity however definitions of community and neighbourhood amenity need to be established. What is considered and defined as reduced community amenity, is it a Party, hence of bucks event?

We strongly believe that a events such as party, hence of bucks need to be defined as inappropriate and included as prohibited events within the Code and that all parties that participate, arrange, hold and or market such events should be held accountable

Complaint registration – We believe that the cost of lodging a complaint by all parties to be set at \$150 or half the maximum actual fee of providing the service as determined by the Commissioner or whatever is the lessor. This financial hurdle is to discourage frivolous and vexatious complaints.

Strikes – The proposed ‘two strikes within two years’ for both Guest and host/letting agent/industry participant is unfair and burdensome and clearly weighted in the favour of the Guest. A guest typically books short term holiday accommodation only once per annum however a host/letting agent/industry participant facilitates a multiplier of 700X. That is, a typical host/letting agent/industry participant facilitates approx. 700 – 1100 guest bookings per annum and therefore the applied percentage exposure to one (1) strike pa is greater than that of a Guest.

Therefore, it our recommendation that the limit should be:

- Guest - two strikes within two years.
- Host/letting agent/industry participant - five strikes within two years.

When a complaint is upheld and the source of the guest booking is found to be a certain platform in five (5) or more occasions within a one year period the platform is penalised by \$100,000 each instance commencing five and more. Up until ten instances within a one year period and then the platform is added to the exclusion register for five year period.

Strikes, nature of complaint – The proposal for a complaint to be valid because of ‘misrepresentation of the state of the STRA premise’ is vague and open to abuse. Within the current Real estate regulation there exist definition and example of how this is treated for residential properties and we believe these should be adopted as they are already industry wide accepted with an established regulatory framework.

Additionally we believe that a complaint should be found valid and a strike recorded when the published, communicated and accepted Terms and Conditions of the letting have been accepted by a Guest and not followed. With special attention to where and when instances of parties, hens and bucks events have been expressly banned by the host/letting agent/industry participant are found to occur as the host has contravened the accepted Terms and Conditions.

Complaints – The current proposal of registering a complaint is open to abuse by serial complainants as there is no recourse of consequence for a person who acts vexatiously or mischievous intent to frustrate the normal operations of a small business.

We propose that when two complaints within a two-year period are found not to be upheld by the commissioner then the complainant should be treated and recorded as vexatious and not to be relied upon.

Supporting Evidence – to avoid vexatious and unsubstantiated complaints it is our submission that each complaint:

a) Must be accompanied by supporting evidence including but not limited to:

- Was the defendant informed of the code violation,
- Was the defendant given opportunity to resolve the matter,

- Documentary evidence, photos, videos, Statutory Declaration, security company report, police and or council ranger report

In the instance where a community amenity is being negatively impacted on such as a party event is occurring (existing draft code unfairly and solely holds letting agent/property owner responsible)

b) The Burden of Proof needs to be on the complainant

Exclusion Register – The burden of being registered on the exclusion registry exempts Platforms from consequence and unfairly lays responsibility directly at the feet of those with lack of resources to argue their case. Currently there exists no provision for Platforms to be subject to complaint, review and added to the Exclusion Register, there needs to be.

There must be consequences for Platforms and we propose that if complaints are upheld and are found to have occurred via the use of a certain platform then that platform needs to be held accountable.

We suggest that in the instance of ten (10) complaints are valid and upheld by the commissioner within a one year period then the Platform shall be equally listed on the registry and equally not permitted to participate within the STRA industry for five years.

Exclusion Register – Fees and cost recovery should be recovered by all participants including guests and should be self-funded by way of penalties and fines incurred by Industry participants. This avoids any revenue raised via penalties not being rolled up into general consolidated revenue by Government but go directly to the area of industry (Tourism) that needs support.

Additionally, the mechanisms for costs recovery by appropriation according to; number of premises, number of days, STRA revenue and upheld complaints does not apply a provision for Platforms.

Platforms generate hundreds of Millions of dollars each year within NSW STRA Industry and should a) pay proportionately and b) should face consequences and penalties proportionate to their revenue and market dominance.

Penalties - When guests are found to be in violation of Code and penalties are applied they need to be applied to all parties who were present during the occupation. The current

proposed amount should apply to each Guest equally. Penalties need to be applied to all guests who stayed at the property during the instance of violation and not solely borne by the guest who made the booking.

This financial deterrent will assist in meeting the aims of the Regulation and Code namely reducing the negative community impact on neighbour amenity.

Register Data Collection and Management - How will data be recoded and stored? What type of data will be captured and used to identify participants?

Classes of Industry Participant –

Please include ChaMello Pty Ltd operating as Emerald + Aqua (ABN: 47602 114 643). Emerald + Aqua operates similarly to organisations listed in the code such as MadeComfy, Hey Tom and AirSorted.

Property & Complaint Register

It is our view that Platforms need to automatically check each guest before taking a booking against the register.

To avoid guest identity obfuscation a minimum:

- Full name
- Driver license details
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- Email address
- Mobile phone number and
- Date of Birth

is provided as mandatory.

The reason for all of these details is it is very easy to change an email address, insert a middle name or initial to avoid identity matching. Additionally, this will also removed the risk of incorrectly identifying the wrong Sarah Jane or Robert Smith.

STRA Regulatory and Code Commencement – The changes proposed are significant and costly, they represent complex adjustment just as the national economy is poised for a recession.

Typically the height of business activity for the STRA Industry commences from the October long weekend through mid-March we recommend that any commencement begin after that period. The ideal period is after the Financial year has concluded so therefore beginning of September.

Both the Government and STRA industry need considerable time to design and implement education and awareness initiatives with several audiences:

- General Publish – Guests
- Letting Agents
- Hosts
- Property Owners
- Industry participants, and
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Regarding the changes. Furthermore, those carrying the burden of the proposed changes, the Property Owners and Letting Agents need time to finance and organise the complex compliance.

Furthermore micro and small businesses, the backbone to the NSW economy that act as Letting Agents need to finance and support the training of staff, update websites, legal agreements, systems and processes need to be reviewed and updated to reflect the changes and new obligations of parties. This is not insignificant and for micro and small businesses represents a significant financial hardship.

Given these factors and that we are faced with the very real prospect of a recession we believe a staged approach that provides time for necessary changes to occur and for the phasing in of different components being:

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treatment applied to bookings based on Commencement date. A timely staged approach ensures that there is the right approach for all booking situations.

Scope and Administration of Review- how will the social and environment impact be measured? Will the economic benefits/impact be equally measured to quantitate disruption to the NSW economy and regional economies?

Who, where and how will the review take place? How will public comment be sought and how long will the review process take place? How will the success be measured?

As the NSW Government considers how people travel and use their homes today we respectfully submit that we don't need severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems. With the downturn in the economy we need stimulus not curtailment of the NSW economy.

It is the technology that the Platforms provides like 'Instant Book' that is abused by guest's to avoid vetting and qualification by letting agents and it is the Guests wilful anti-social behaviour that goes with limited scope of consequence. These two behaviours by the Platform and Guest is unfairly carried by the letting agent and property owner. We submit that it is these two participants (Platforms and Guests) where greater scrutiny and control should be applied.

Our communities rarely had these issues before Airbnb and Booking.com came to our shores.

Thank you for considering my submission.

Kind Regards,

From: Greg Channer <greg@emeraldaqua.com.au>
Sent: Monday, 9 September 2019 10:35 AM
To: DPE PS STHL Mailbox
Cc: Tanya Demello
Subject: Holiday rental regulations for NSW
Attachments: STRA Code of Conduct Submission.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, recorded and not sent to DCS, Purple category

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens and that all parties, specifically Platforms and Guests should be held to account for their actions and that the burden should not just be overwhelmingly borne by Letting agents and property owners as is the current proposal.

Please find attached my Submission,

Kind regards,

Greg

Greg Channer
Managing Director

M: [0403 032 666](tel:0403032666) T: [02 4207 9988](tel:0242079988)

E: greg@emeraldaqua.com.au





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As a licensed Real Estate agency and letting agent in the Short-Term Rental Accommodation (STRA) Industry I wanted to provide our feedback on the Government's proposed regulations.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home and support my local community. I understand that the Government has made commitments to support "fair short-term rental accommodation (STRA) regulation" and that the review of the Industry is in responses to the negative impact on community's amenity, namely party houses.

Short-Term Rental Accommodation is an important Australian holiday tradition embedded into the fabric of the Australian culture and is at risk because of the abuse of a few who negatively impact neighbourhood and community amenity such as Guests holding anti-social events like 'Party Houses' and as a result of platforms that promote features like 'Instant Book' which assists bookings for 'Party Houses'.

I ask that the Government be mindful that Platforms have created features like 'Instant Book' with no consequence, Guest's have used 'Instant book' for anti-social behaviour such as hosting a party, hens or buck event suffers no consequence (as they change email address or other identify obfuscation to avoid identify detection) however this burden becomes the property owner and letting agent's responsibility. There must be fair and equitable responsibility and consequences suffered by all parties including Platform and Guest.

The STRA Industry is a significant contributor to the NSW economy and helps home-owners to pay the mortgage and bills, to share their spaces with guests so that they can enjoy and participate with other communities and importantly is a recognised financial driver of regional areas where Tourism dollars are spread throughout the local community such as the local butcher, local café, local tourist attraction and the fishmonger. Over regulation and mis-appropriating responsibility and limiting consequences on Guests and Platforms puts this economic driver at risk at a time when an economic Recession is but mere months away. The draft Code and STRA Regulation unfairly places considerable burden on the letting manager and property owner.

Generally, I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

1) STRA Planning Policy Instruments

a) I strongly oppose the exemption of properties where a host is present.

i. Firstly there is no way to monitor and manage this process and confirm that there is a host present which will result in the creation of a loop hole.

ii. By expressly exempting these properties the government is not addressing the scope that the STRA Review sought to review and address namely concerns about the housing affordability, availability and the impact on amenity. If there is to be credibility and fairness then all elements with potential to impact the housing affordability, availability and the impact on amenity by the STRA Industry needs to be included.

b) I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. This is a significant barrier to home sharing who share their home for a few months (cumulative) a year and will make hosting uneconomical which will end up making holidays across NSW more expensive.

c) We are opposed to the potential of day limits in regional areas as determined by local council. Day caps for holiday rentals not only put the economic uplift associated with the tourism sector at risk, but also fails to address the the most consistently cited concern about the industry, namely the impact on amenity.

d) The proposed 21-day cap is limiting and not reflective of the mobile workforce. It is only in rare cases where an employer can afford a consecutive 21 day booking for accommodation to carry out work. Typically, it is Monday to Friday (5 days) and occurring in several blocks. We recommended that accumulative bookings from the same company is the best measure and is managed by Company name and or Guest name.

There are very few guests who have the means to rent STRA for a period of five days several times a year. Typically this represents a corporate/work booking.

e) We do not support limiting the number of guests allowed in a bedroom in its current form. This proposal is particularly problematic for people with close supervision needs, for example babies who sleep in cots, very young children who still sleep with their parents and people with special needs.

We argue for the current short-term rental code, which has worked well for eight years, to prevail on this matter. The current rules allow for two adults per bedroom, plus two for the household i.e. a two-bedroom property is allowed six people.

For properties that are specifically designed to cater for larger groups than what the above rule would allow, we believe that owners should have the power to apply to their local council for development approval to use their property as a short-term rental and cater a higher number of guests.

f) Options need to be provided to the Host/Letting agent to enforce code and/or terminate the occupation of a guest where a code violation is occurring. An example is where community amenity is being negatively impacted such as a party event is occurring the Letting agent needs authority to protect the amenity and terminate violation in the form of a legal and immediate eviction where the financial loss is borne by the Guest in the form of loss of occupation and associated rent paid and the cost of carrying out such a termination.

g) We support a regulatory approach that provides the best balance for consumer safety, community amenity and the contribution of the sector to the economy. For the NSW approach to work properly, it must treat all properties equally - whether hosted or un-hosted, primary or secondary.

h) We believe that 'Terms of Use' and associated agreements used by all participant, including but not limited to; Terms and Conditions, License to occupy, STRA Agreement etc should specifically discourage party houses including the use for bucks, hens events. The strict prohibition of the use of the premise by a Guest for the purpose of holding a party, hens or bucks events should be codified.

It is our recommendation that platforms (as primary booking agent) should be mandated to ensure this is communicated to each guest and that each guest is required to agree and accept this prior to making a booking and when creating an account.

When a guest is found to have contravened this an automatic strike is recorded.

i) Concerning Jurisdiction. Consumer complaints are currently dealt with under the NSW Civil and Administrative Tribunal (NCAT) along with any residential tenancy issues. The establishment of the STRA complaint process sits outside existing established processes meaning that a complaint (matter) could potential be lodge both with NCAT and the STRA Commissioner regarding the same matter and although within the purview of the same responsible office (Commissioner of Fair Trading) different processes and approaches can be applied. It is our recommendation that 'double jeopardy' can occur and can be avoided where the STRA Complaints process is recognised as sole avenue.

j) Whilst there is a definition of Guest given, it needs to include all guests staying at the property despite not being listed as the guest who made the booking and all guests details should be captured during the booking process to avoid violation avoidance.

2) Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests.

However I recognise the importance of consumer safety and I support the NSW Government streamlining safety regulations which:

- i. Respect the ancillary use of my home for home sharing
- ii. Mandate smoke alarms – either battery operated or hard-wired

3) STRA Property Register

Registration of all holiday rentals – We are supportive of compulsory and simple registration for all properties listed on a short-term rental accommodation platform. When implemented correctly in other parts of the world, the registration of holiday rentals has proven to be a low-cost and effective way of informing the development of sensible rules for our growing sector.

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Thank you for considering my submission.

Kind Regards,

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 6:06 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 18:06

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Greg

Last name

Corin

Name withheld

No

Info

Email

greg.corin@gmail.com

Suburb/Town & Postcode

Jeir 2582

Submission

Please reduce the 3 week exemption period down to at least 1 week to make it more practical and functional.

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Monday, 26 August 2019 12:10 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Mon, 26/08/2019 - 12:09

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Greg

Last name

Moore

Name withheld

No

Info

Email

greg8moore@hotmail.com

Suburb/Town & Postcode

2464

Submission

NSW PLANNING INFLICTING MORE HELL ON R2 ZONE RESIDENTS THROUGH THIS ILL CONSIDERED DRAFT STHL POLICY

The Draft NSW Government policy on short term holiday letting in R2 Zones (low density single dwellings) being proposed by NSW Planning is appalling. It is extremely biased towards those letting platforms and those who wish to use them regardless of the feelings of other residents. 15 of the 16 groups that made up the STRA Advisory Committee were pro relaxing the present law which the courts have concluded does not permit short term holiday letting in R2 Zoned areas. It is the most disgraceful composed committee I have ever witnessed in my 35 years as a senior government policy adviser. It totally ignores the primary stakeholders who are most affected.....the owners of homes in low density single dwelling zoned areas of the state (especially coastal areas) who were not given an equal voice in this matter. These owners purchased their homes believing that they were protected by law from short term letting neighbours and absentee investors in this market. But now this proposal wants to inflict on them 365 days... or a minimum of 180 days of hell on law abiding home owners from those neighbours who believe that making money, no matter how it might affect others, is what life in Australia is all about. Simply making money is not and should not be the object of human life on this planet. Get real NSW Planning and go back to Australia's policy of a fair go for all.

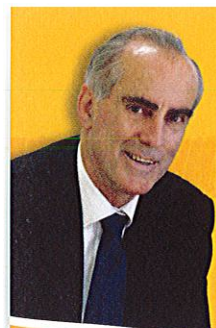
Short term holiday accommodation leads to many harmful and adverse effects for the permanent resident population. The obvious ones are removal of large numbers of already scarce permanent rental accommodation, lack of permanent neighbours, threats to the sense of community, concern for security, excessive noise, insufficient and overloading of infrastructure and services, rubbish, unmanageable parking, unkempt residential lots, nature strips and footpaths, threats to adequate management of fire zones and recreation areas, threats to water and energy supply, pollution, pedestrian and road safety, natural environment quality and threats to local flora and fauna, and the general ability of permanent residents to enjoy an expected level of quality of life and unfettered enjoyment of their homes and of their surroundings. Anecdotally, Angourie especially, and Yamba, are, to varying degrees, already being significantly impacted adversely by uncontrolled short term accommodation which is taking effect throughout the R2 residential zones. Illegal short term accommodation is now being made available well away from beaches and rivers and increasingly among canal subdivisions and average suburban streets. The NSW Government has a very poor record of following up on their property tax and planning regulations as we see happening in Angourie. So why should we believe things would be any different with this STHL foolish policy.

Apart from the real threats to our lifestyle and enjoyment of our properties, allowing STHL in our R2 Zone is already having a detrimental effect on our ability to secure reasonable premiums on our household insurance given the significant increase to the risks being incurred by short term holiday letting in our residential areas.

To allow short term holiday letting in R2 Zones in our area creates another loss to the economic well being of these villages and towns as revenue is siphoned off out of the district. It is becoming another case of negative social engineering by NSW Planning whether intentional or not. My request to NSW Government politicians is to let the planning staff do their job on an objective basis and stop interfering by the apparent politicising of their work. This draft policy smacks to me of politicians kowtowing to the tune of their lobbyists and sponsors.

I agree to the above statement

Yes



Greg Piper MP

Independent Member for Lake Macquarie

Electorate Office

92 Victory Parade TORONTO NSW 2283

☎ 4959 3200

✉ lakemacquarie@parliament.nsw.gov.au

Ref: dcs.s19/10

11 September 2019

The Director
Housing and Infrastructure Policy
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000
Email: STHL@planning.nsw.gov.au

Dear Director

DISCUSSION PAPER: A NEW REGULATORY FRAMEWORK FOR SHORT TERM RENTAL ACCOMMODATION

Thank you for the opportunity to make this submission regarding the discussion paper on Short-Term Rental Accommodation (STRA) in NSW.

I have a number of significant concerns with the discussion paper which I will outline, but I first wish to express my disappointment with the overall document; the time it has taken to get to this point; and the somewhat limited representation of non-industry groups on the STRA Advisory Committee.

The State Parliament passed legislation relating to the STRA industry more than 12 months ago. It is astonishing to think that the advisory committee has taken more than a year to produce this discussion paper, which fails to address some of the significant issues it was designed to address, and has produced an industry-based Code of Conduct that I believe falls well short of what it needs to be, and well short of community expectations.

As I have stated in submissions made before the legislation was formulated, I do not wish to see the STRA industry stopped. I have no problem with 'home sharing' being provided in instances where the owner lives on site. In fact, that was the role initially played by the likes of Airbnb when it was first established. I do however, have significant problems with residential neighbourhoods being turned over to quasi-hotels and tourist zones with minimal protections for neighbours, minimal controls for local councils and minimal respect for existing planning laws.

...your independent voice for Lake Macquarie



facebook.com/GregPiper1MP



twitter.com/GregPiperMP



gregpiper1.com

I maintain that it is fundamentally wrong to allow a 'disruptor industry' such as this to force its way into areas that were designed for residential purposes. The industry is essentially and radically re-defining residential zoning laws and what is allowed to operate within them. Further, it is drastically limiting the power of councils to create and define residential zones.

In recent years I have made numerous representations for constituents whose lives and residential neighbourhoods have been tipped upside down by neighbours turning their homes over to short-term tourist accommodation.

As I have also conceded in previous submissions, the vast majority of STRA rentals occur without incident or significant problems, but this is not a reason to redefine a residential zoning which has been the cornerstone of community and town planning for more than a century. I accept that a positive economic impact is derived in many ways from this form of tourist accommodation, but again it is fundamentally wrong to expose residentially zoned streets and neighbourhoods to an industry that should only exist in appropriately zoned areas.

Further, the effects of the new STRA industry include significant negative impacts on traditional hotels and tourist accommodation centres which have been established under proper planning and regulatory frameworks, as well as the availability of long-term rental accommodation.

Sadly, I believe that the governance and Code of Conduct included in the discussion paper not only fall well short of expectations, but absolutely fail to address the core issues which impact on the neighbours of STRA properties.

The delays in producing this discussion paper has also created further uncertainty and frustrations among local councils which have been left in a state of flux while thousands of technically illegal STRA properties were allowed to further flourish in an uncontrolled and unregulated environment. In some Lake Macquarie suburbs, the number of properties listed on popular STRA sites such as Airbnb and Stayz has tripled, while industry bodies argued and stalled their way to this point, perhaps intentionally.

I now turn to more specific responses to the discussion paper.

As stated earlier, I have particular concerns about the number of non-industry groups represented on the Advisory Committee. In Lake Macquarie, the vast majority of issues relating to STRA have come from people owning Torrens-titled property in a 2A-zoned residential area next door to a property let for STRA. I do not believe these people were adequately represented on the committee.

That notwithstanding, I have significant concerns with a number of aspects of the proposed Code of Conduct.

Primarily, in Part 7, nowhere is it explained what would constitute a 'major' failure against a neighbour which would result in a 'strike' against the STRA host or guest. The Code sets out that the Commissioner can record a strike 'when a guest fails to comply with an obligation to a neighbour and the failure is not minor'. What constitutes a 'minor' breach? The discussion paper only uses an example of 'where a guest is found to have acted violently towards someone in a neighbouring property', but that is the only example provided.

I have significant concern that it takes a violent guest attacking one of the property's neighbours for the Code of Conduct provisions to come into play with an official 'strike'. The scope of problems arising from an STRA property in a residential area are much greater. Other ongoing problems, such as loud and rowdy guests, noise breaches, on-street parking issues and the like, should not be regarded as 'minor' under the Code and therefore, exempt from the 'strikes' policy.

The Commissioner must be given authority to record a strike against a host or guest for consistent or considerable breaches of noise, overcrowding, parking and general behavioural issues.

I also have significant concerns with the industry governed exclusion register. Unless all guests are recorded on the booking, how will an owner or booking platform know that a banned guest isn't staying at the property?

For example, the Code would allow 12 people to stay at a six-bedroom property. If the names of all guests are not recorded on the booking, how would a banned guest be identified? Who will know if banned guests are among visitors?

Further, what checks will be carried out to ensure that banned guests simply aren't booking under a different name? I accept that both those questions have implications regarding privacy or existing privacy legislation, and point to the fact that recording all names on a booking would become almost impossible. More to the point, it shows how unworkable such a Code of Conduct would become and, I believe, how toothless the Commissioner's role will be.

The Code also provides that an industry participant be allowed to apply for a review of a decision by the Commissioner. It fails, however, to extend the same provision to someone who is not an 'industry participant', such as the neighbour of an STRA property.

The proposed regulation will also limit the number of guests at an STRA property to two people per room. This will not solve the problems experienced by many people living in Torrens-titled homes in my electorate.

It does not make clear if this 'two-per-room' clause relates only to the people physically sleeping at the property overnight, or relates to the number of 'guests' plus visitors. For the purpose of this submission, I will assume that the clause relates only to those sleeping overnight at the property.

I can cite numerous cases where an STRA property has been rented for a weekend by as few as one 'guest'. It has not been uncommon to have 30 people or more at the property throughout the day or night. For example, in one instance, a group of water skiers were regularly staying at a waterfront property at Kilaben Bay each weekend. Only four of the people actually slept at the premises each night, but more than 20 people were on the property throughout the day as boats and water skiers utilised the property's jetty. All the guests stayed until the wee hours, but returned elsewhere to sleep. This obviously has a huge impact on the property's neighbours and general neighbourhood amenity. It is not clear in the discussion paper how these situations will be avoided or controlled in the future.

Much has been said and debated about the 'party house' issues that have stemmed from the STRA industry. As it stands, this proposed regulation does nothing to prevent that from continuing. Without controls on the number of visitors that a host property is allowed to accommodate, these properties will continue to be used as party houses by those who desire them.

The regulation must therefore, limit the total number of people who can be at the STRA property, not just the number who are actually staying or sleeping there. Notwithstanding the fact that 10 people can still generate a lot of noise, I would suggest that a cap of 10 guests or visitors at any one time be imposed on STRA properties containing four or more bedrooms, and eight for properties with three or fewer bedrooms.

I also wish to express my concern at the number of days that a property is allowed to be let for STRA when the owner is not present.

In Lake Macquarie, the council has already adopted the 180-day cap which is the lowest cap it can adopt. Its willingness to adopt that control so early in the piece reflects the degree of concern in the local area about STRA and the problems it has created.

Overseas models provide far greater controls over this type of letting. The cap must be lowered to 60 or even 30 days per year for STRA properties where the owner does not live on site.

As has already been identified, the regulation that would define a short-term letting as anything under 21 days is, I believe, nothing short of a loophole designed by the major industry players to allow bookings beyond the 180-day cap in areas such as Lake Macquarie.

The 21-day loophole allows a property owner to short-term let un-hosted for 21 days without those days counting towards the 180-day cap. This is a serious flaw. In line with long-term leasing provisions, anything under a three-month lease (or 90 days) should be considered a short-term letting.

I now turn to the proposed registration system. Notwithstanding the very limited or non-existent planning controls available to local councils, the proposed registration system is also flawed.

Primarily, there appears to be no enforceable obligation on hosts to register a property for STRA before it's actually used for that purpose.

International experience shows that the lack of obligation on an owner to register leads to thousands of properties operating illegally outside the regulation boundaries. Overseas models have also shown that when a host reaches a cap, the property is simply withdrawn from that booking site and re-opened on another, thus re-setting the day count to zero.

A property host should be lawfully required to register the property for STRA and that registration should reflect all the platforms the property is listed on; when it is being rented; and for how long. It should also display the number of days in that calendar year which the property has been occupied by short-term letting guests, or available for short-term letting.

There must be a legal obligation for booking platforms and for agents to not list properties which are not properly registered. I accept that the proposed regulation goes some way towards doing this, but it does not appear to provide an enforceable obligation.

Further, this registration process should not be operated by the industry. It must be a register operated by a local council or government office, which provides the transparency and neutrality to properly regulate.

In regard to the discussion paper's proposal for fire safety standards and monitoring, I generally agree with what is proposed. However, I must say it displays the hypocrisy of some of those industry groups involved in the committee process. On one hand they're saying that current planning laws around fire and flood should be respected and be off-limits to STRA, and yet they're quite prepared to allow STRA in residential zonings or neighbourhoods, and have current zoning requirements thrown out the window.

As I stated previously, allowing any type of un-hosted short-term holiday letting in a residential zone is, at its very core, radically re-writing Torrens Title and strata planning laws. This will have a significant impact on what else is allowed to operate within those zones, both now and in the future.

Additionally, who will be regularly inspecting these properties to make sure they're complying with fire regulations, privacy rules and the Code of Conduct? Will this also be controlled by the industry itself or passed on, with costs, to local councils? None of these questions are answered clearly in the discussion paper, leaving the entire system open to abuse, non-compliance and loopholes, due to its serious failings.

That brings me to my final comments about the proposed regulatory system and the fact that it is largely industry led.

To date, the largest problem associated with STRA is the impact it has on neighbours, both in Torrens-titled residential neighbourhoods and Strata-titled apartment buildings.

The proposed framework fails, I believe, to ease the burdens carried by those neighbours. If there is an issue at an un-hosted STRA property, it requires the neighbour to make a complaint to the owner; to the Commissioner; to police; or other authorities. Experience has shown that these issues place a significant burden on neighbours; their neighbourhood amenity; and on their mental health. Few, if any, people buy a home in a residential neighbourhood thinking they'll have different neighbours every weekend. They also feel powerless to intervene when issues arise, and in some cases afraid to approach an owner or guest to get problems resolved.

I accept the discussion paper orders that immediate neighbours be given a 24/7 contact number for the STRA property owner, but experience has already shown that this doesn't work. In most cases locally, a neighbour has tried calling a host to inform them of a problem; complain about a noise issue etc, but got nowhere. Such situations have created a whole new set of problems because the owners have not answered the phone calls; been 200km away and unable to get to the property; or the owner has accused the neighbour of lying, over-reacting or complaining for the sake of complaining.

These neighbours must be released from carrying all of that burden. I very strongly believe that putting a framework of resolution or mediation in the hands of booking platforms, agents and other industry players is like putting foxes in charge of hen houses. Again, I believe that many of those problems would be eliminated if the property owner lived on site and remained approachable; conscious of guest behaviour at all times; and answerable to a Code of Conduct which was focused more on the protection and welfare of neighbours than the welfare of guests and hosts.

If un-hosted STRA were to be allowed in residential areas, it would perhaps be prudent that the industry provide, at its own cost, officers or rangers to regularly inspect properties, particularly when issues arise or are identified by neighbours.

Further, the framework's requirement that only immediate neighbours be notified of a property being let for STRA needs to go further. Unfortunately, the downside of STRA creates impacts on entire streets or neighbourhoods, not just for those living immediately next door.

In summary, I would therefore, submit these points and observations:

- The advisory committee was weighted heavily by industry bodies more focused on the needs and welfare of their platforms, profits and hosts than the welfare of neighbours of STRA properties.
- Despite taking more than a year to formulate a discussion paper, the advisory committee has produced something well short of community expectations.
- I maintain it is fundamentally wrong to allow un-hosted tourist accommodation in residential zones. We must follow the lead of other countries which have demanded that STRA be limited to places where the owner lives on site, and limited to an owner's principle place of residence.
- The Code of Conduct needs to implicitly spell out what the appropriate behaviour of guests and hosts is, particularly in relation to neighbours. 'Strikes' against a host or guest should not be limited to 'threats of violence' or intimidation, but extended to include repeated breaches of other rules including noise, parking and other general breaches which can have significant impact on neighbourhood amenity.
- The Code needs to place a cap on how many guests and visitors can actually be on the premises at any given time. I suggest a cap of 10 for properties of four bedrooms or more, and a cap of eight for properties of up to three bedrooms.
- The Code must find a way of recording all guest names on a register as opposed to just that of the person making the booking. It is the only way that banned guests can be managed out of the industry.
- The Code must allow a neighbour or complainant to request a review of a decision made by the Commissioner. That ability should not be restricted to a host or guest.
- The regulatory framework must lower the cap on the number of days a property can be let for STRA at un-hosted premises in residential areas. A cap of 60 or 90 days would be more appropriate.
- The 21-day rule should also be reviewed. The definition of a short-term letting should be anything under 90 days and not 21, as currently proposed.
- The register for STRA properties needs to have enforceable consequences for those who fail to properly register their STRA properties.
- The register needs to be far more transparent and accessible, run by the local council or State agency, as opposed to an industry body with vested interests. Booking platforms should face hefty penalties for allowing an unregistered property to be let for STRA purposes.
- The industry should fund a team of officers or 'rangers' in each Local Government Area to monitor issues arising from particular STRA properties.

- The policy should require more than just the immediate neighbours be notified when a property is being let for STRA. The current proposal is for immediate neighbours to be informed, but this should be extended to all neighbours, within say, a 100m radius.

As I have stated in previous submissions, I accept there are real economic and social benefits of the STRA industry. I accept that the industry is now generating significant tourism outcomes and benefits, but those outcomes should not come at the expense of appropriately zoned, appropriately controlled and appropriately planned residential neighbourhoods. The industry must work within a regulatory framework which provides greater focus on the welfare of neighbours and neighbourhood amenity, than it does its own 'hosts' and their 'guests'.

I also note and support, a complete review of any new regulatory regime and Code of Conduct after 12 months of operation.

Thank you again for the opportunity to make this submission. It's disappointing that the advisory committee could not produce a better framework for the industry, given the extraordinary amount of time it's had to produce this discussion paper. However, I remain hopeful that the final framework is vastly improved and provides greater protection for those neighbours who have so far been asked to endure the negative impacts and unnecessary burdens of the STRA industry.

Yours sincerely



Greg Piper

State Member for Lake Macquarie

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 2:06 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Potential Duplicate, recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 14:02

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Greg

Last name

Piper MP

Name withheld

No

Info

Email

lakemacquarie@parliament.nsw.gov.au

Suburb/Town & Postcode

Toronto NSW 2283

Submission file

[stra-submission---piper-g-110919 .pdf](#)

Submission

Please find attached a submission from Greg Piper MP.

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Tuesday, 3 September 2019 4:45 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Tue, 03/09/2019 - 16:45

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Greg

Last name

Rich

Name withheld

No

Info

Email

grich@hamiltonrich.com.au

Suburb/Town & Postcode

Milsons Point NSW 2061

Submission

I strongly object to any legislation that prevents Stratas being able to control their own Apartment blocks.

If a BY LAW is passed by owners that prohibits any short term letting than the BY LAW should be enforceable. Owners should have the ultimate say on who enters their building for obvious security reasons. The proposed Legislation does not recognise the rights of owners to control their own apartments.

I agree to the above statement

Yes

From: Greg Wilson <gwilson@primur.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because my wife and I are preparing for our retirement part of the planned income being our Airbnb rent. Since we first started renting we have always fully declared our income for taxation purposes so have tried to do the right thing at every point. Putting unnecessary Airbnb "registration" or other NSW government burdens upon us will simply make it more difficult for us to earn a retirement income. If we can contribute to our own retirement funding in this way then hopefully we can minimise our need to seek government welfare funding.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is

approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Greg Wilson
7 Coronation Ave
Cronulla, Nsw 2230

From: Greg Apps <Greg@donclark.com.au>
Sent: Friday, 16 August 2019 1:04 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent, Orange category

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

Regards

Greg Apps

From: Guadalupe Prada <contactlupeprada@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

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I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Guadalupe Prada
30 Red Lion St
Rozelle, Nsw 2039

From: Guilherme Guaragni <guilherme_gua@yahoo.com.br>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Guilherme Guaragni
48 Pavilion St
Queenscliff, Nsw 2096



Nicole Gurrán

Professor, Urban and Regional Planning
School of Architecture, Design and Planning

Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000

Re: SHORT-TERM RENTAL ACCOMMODATION A new regulatory
framework – Call for feedback

Thank you for the opportunity to comment on the proposed new regulatory framework for Short-Term rental accommodation in NSW. As urban planning and housing researchers, we have been examining the rise of online platforms for short-term rental accommodation and the implications for housing markets, cities and local communities over a number of years.

A recent summary of these issues as they have arisen in Australia and internationally, including links to international research, was presented by Prof. Gurrán at a forum organised by the UK Collaborative Centre for Housing Evidence (CACHE) in July 2019, attended by the Scottish Government and Dublin City Council and can be accessed here:

<https://housingevidence.ac.uk/global-home-sharing-local-housing-markets-and-neighbourhoods/> .

We focus our remarks in this submission on what we see as the main areas of concern with the proposed regulatory framework.

Impacts of short-term rental accommodation on housing supply and rental affordability

Overall, we are surprised that the proposed framework neither acknowledges or addresses the fundamental housing market risks arising from the conversion of residential units to short-term rental accommodation.

A growing number of [studies](#) throughout the world are [demonstrating](#) that [removing housing](#) units exacerbates problems with [rental supply](#). The research evidence on this point has grown significantly since the first round of consultation around the regulation of short-term rental accommodation in NSW.

Whilst vacancy rates in Sydney currently are high enough to lose additional rental supply without putting upward pressure on rents (over 3%) during most of the period between 2010 and 2018 vacancy rates were [less than 2 percent](#). This means that losses of housing supply to short term rentals would be placing upward pressure on Sydney rents. Given the high costs of renting in Sydney, this can have a significant impact on the rental stress levels of moderate and lower income households.

Further, encouraging new housing supply has been one of the government's major policy platforms for addressing Sydney's affordability pressures. Yet for this strategy to work, landlords need to begin discounting rents, in response to increased supply. The short-term rental market provides an alternative to discounting, potentially undermining the supply strategy. For instance, in the City of Sydney there were around 1,900 new dwellings completed between 2016/17, but a total of 5,675 listings on Airbnb. Of these, 1,552 were whole units which appeared to be permanently offered as short-term rental accommodation (equivalent to 81% of the City's new housing units in that year).

Further, we note the irony that secondary dwellings are permitted as code assessable development under the *State Environmental Planning Policy (SEPP) Affordable Rental Housing 2009*, but under the proposed short-term rental regulatory framework, will be able to be used as a form of tourist accommodation – a use neither anticipated or assessed when the *Affordable Rental Housing SEPP* was enacted.

Notably, concern to protect permanent housing stock underpins many of the attempts made by cities throughout the world to regulate or prevent the listing of residential homes on platforms such as Airbnb. Typically, hosted accommodation, and short term sharing of **a principle place of residence** is permitted up to a

threshold number of days and guests – for instance 90 days and a single group of up to 6 guests¹.

In contrast to this international practice, the proposed regulatory package for NSW stands out as unusual in its latitude.

We see a very high risk that permanent housing units in high demand locations will be converted to short term accommodation – serving visitor needs but exacerbating housing affordability pressures and rental shortages. Further, we are concerned that the precarious private rental sector will be further eroded by the introduction of a quasi three week lease, due to the proposed exception granted for stays of 21 days or more.

Impacts on residential buildings and neighbourhoods

We note that the discussion paper and some of the proposed reforms recognise and attempt to address the concerns of neighbours. Tourist accommodation within residential settings presents a significant risk of land use conflict, which is why it has traditionally been regulated via land use zoning or other controls – such as the short-term rental controls contained in the 15 Local Environmental Plans (LEPs) which will be deleted by the proposed SEPP. Even though holiday rentals and second homes have long been an important part of the fabric of coastal and high amenity inland communities in NSW, these local authorities have seen the need for a regulatory framework to manage potential impacts on permanent residents. We are of the view that it would be more prudent to preserve these controls pending the trial period for the STRA SEPP.

Our research shows that the main impacts for neighbouring residents arise from large groups of friends or extended families (who typically seek out large properties to hold parties and significant events). Similar problems are associated with poorly managed homes where the ‘host’ does not have a local presence or

¹ For a recent review of regulatory approaches internationally, see Nieuwland, S., & van Melik, R. (2018). Regulating Airbnb: how cities deal with perceived negative externalities of short-term rentals. *Current Issues in Tourism*, 1-15.

manager, and when the character of a building or neighbourhood changes from primarily residential in character to one characterised by transient visitors.

In the latter case, the sense of alienation and anxiety associated with a continual churn of newcomers and the lost opportunities to know one's neighbours, are recognised in the international research literature on 'touristification' – a phenomenon that is now known to arise very rapidly with the introduction of online platforms for short-term rentals.²

We are of the view that the maximum numbers of occupants anticipated by the draft SEPP – up to 12 'hosted' guests – will enable de facto backpacker accommodation to enter the residential sector; while 12 guests in an un-hosted property presents a very high risk of neighbour disturbances.

Comments in response to discussion paper prompts

In the sections below, we structure our specific comments in response to the relevant consultation prompts outlined in the discussion paper.

1. What is your view on the form of and provisions in the STRA SEPP, Regulation and Safety Standard?

The provisions of the STRA SEPP do not, in our view, provide a sufficient basis for managing risks presented by residential style tourism accommodation within high demand markets such as Sydney.

The proposed threshold of 180 days for un-hosted properties in Sydney and in nominated non metropolitan local government areas, is not sufficient to preserve permanent housing units. Within the 180 day period, a home could be rented for every weekend as well as during peak Christmas and Easter periods, for all intents and purposes changing from a permanent residence to tourist accommodation.

² See, for instance, Sequera, J., & Nofre, J. (2018). Shaken, not stirred. *City*, 22(5-6), 843-855, for a recent account – we are happy to supply a copy.

Further, the proposed exception for stays of 21 days or more, while intended to support the ‘mobile workforce’ has the perverse effect of further eroding the precarious private rental sector.

As noted above, the proposed maximum number of occupants – up to 12 guests in hosted or un-hosted accommodation, while subject to a cap of 2 occupants per bedroom, introduces a real risk that backpacker style accommodation and/or ‘party houses’ will continue to emerge in residential areas and buildings. This is particularly so in locations likely to be attractive to tourists – such as beach side suburbs, inner city areas, and rural fringe locations, where neighbours may be subject to persistent disturbance and anxiety associated with an ongoing churn of short-term visitors.

It is difficult to introduce a statewide regulation for managing these risks, which emerge differently in different housing and tourism markets. For this reason, we suggest trialling certain measures of the proposed SEPP (such as those relating to whole home rentals and hosted accommodation of more than 4 guests) only in localities that do not already have existing LEP provisions for short-term rentals in place. A further strengthening of the SEPP could limit the exemption to primary residences only. This would enable genuine home sharing; while protecting residential homes and neighbourhoods. Further, this approach would help prevent the loss of permanent housing units and guard against the problems arising from absent / anonymous ‘hosts’.

2. Are there any elements of the draft instrument that are open to misinterpretation or require further clarification?

It is not clear to us whether the SEPP would have the effect of introducing existing use rights in areas where short-term rental accommodation is currently subject to a regulatory framework, and whether this will have implications for possible revisions to the regulation following the review period.

We were unable to find a reference to a register of short-term rental accommodation, or an exclusion register, in the draft SEPP. We suggest making inclusion in any such register a mandatory requirement for exempt and complying short-term rental accommodation.

3. What are your views on new policy elements relating to days, flood control lots and bushfire prone land?

We have outlined our views about the number of days above. In short, if the intention of a 180 day restriction is to preserve residential housing from conversion to tourist accommodation, the threshold is insufficient.

We are supportive of the basic provisions in relation to flood and fire risk.

31. Should industry be required to report registration information, including number of stays (days), to Government and/or local councils? If so, how frequently? Why?

Mandatory reporting via a shared, openly accessible platform/ register is essential for local compliance officers and or police, who are most often the front line when issues arise. This data is also necessary to monitor impacts on housing supply and affordability over the long term.

32. Should any information on the register be made publicly available? If so, what information could be made available and why?

Aggregate data at sub-LGA level should be made publicly available for monitoring and planning purposes. Real time data would be helpful for local government to monitor seasonal trends in visitor populations and to inform tourism planning and management.

36. What data sources could the NSW Government use to inform the review? How can industry and councils assist with data collection for the review?

The review should include an assessment of housing market impacts – tracking rental vacancies and ‘churn’ as well as rental trends by postcode and LGA. The Rental Bond Board should supply this data.

A twelve month period is insufficient to determine housing and neighbourhood impacts – following the establishment of the register by industry, to establish baseline data on the stock of short-term rentals, ongoing monitoring is required to observe growth and change in the sector, and any associated impacts.

Please feel free to contact us with any questions and or to supply any of the references in our own or others' research.

Yours sincerely,



Professor Nicole Gurran

Professor Peter Phibbs

11 September 2019

References to some of our relevant research – please contact us if you are unable to access this material.

- Gurran, N. (2017). [Global Home-Sharing, Local Communities and the Airbnb Debate: A Planning Research Agenda](#). *Planning Theory & Practice*, 1-7. doi:10.1080/14649357.2017.1383731
- Gurran, N., & Phibbs, P. (2017). [When Tourists Move In: How Should Urban Planners Respond to Airbnb?](#) *Journal of the American Planning Association*, 83(1), 80-92. doi:10.1080/01944363.2016.1249011
- Gurran, N., & Sadowski, J. (2019). [Regulatory Combat? How the 'Sharing Economy' is Disrupting Planning Practice](#). *Planning Theory & Practice*, 20(2), 271-275.
- Gurran, N., Searle, G., & Phibbs, P. (2018). [Urban Planning in the Age of Airbnb: Coase, Property Rights, and Spatial Regulation](#). *Urban Policy and Research*, 1-18. doi:10.1080/08111146.2018.1460268
- Gurran, N., Zhang, Y., Shrestha, P., & Gilbert, C. (2018). [Planning responses to online short-term holiday rental platforms](#). Sydney: The University of Sydney.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 11:15 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Rob submission 3.0, non Air BNB run

Submitted on Wed, 11/09/2019 - 23:13

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Nicole

Last name

Gurran

Name withheld

No

Info

Email

nicole.gurran@sydney.edu.au

Suburb/Town & Postcode

University of Sydney School of Architecture, Design and Planning

Submission file

[gurran-philbbs-university-of-sydney-str-submission.pdf](#)

Submission

Director, Housing and Infrastructure Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000

Re: SHORT-TERM RENTAL ACCOMMODATION A new regulatory framework – Call for feedback

Thank you for the opportunity to comment on the proposed new regulatory framework for Short-Term rental accommodation in NSW. As urban planning and housing researchers, we have been examining the rise of online platforms for short-term rental accommodation and the implications for housing markets, cities and local communities over a number of years.

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We focus our remarks in this submission on what we see as the main areas of concern with the proposed regulatory framework.

Impacts of short-term rental accommodation on housing supply and rental affordability

Overall, we are surprised that the proposed framework neither acknowledges or addresses the fundamental housing market risks arising from the conversion of residential units to short-term rental accommodation.

A growing number of studies throughout the world are demonstrating that removing housing units exacerbates problems with rental supply. The research evidence on this point has grown significantly since the first round of consultation around the regulation of short-term rental accommodation in NSW.

Whilst vacancy rates in Sydney currently are high enough to lose additional rental supply without putting upward pressure on rents (over 3%) during most of the period between 2010 and 2018 vacancy rates were less than 2 percent. This means that losses of housing supply to short term rentals would be placing upward pressure on Sydney rents. Given the high costs of renting in Sydney, this can have a significant impact on the rental stress levels of moderate and lower income households.

Further, encouraging new housing supply has been one of the government's major policy platforms for addressing Sydney's affordability pressures. Yet for this strategy to work, landlords need to begin discounting rents, in response to increased supply. The short-term rental market provides an alternative to discounting, potentially undermining the supply strategy. For instance, in the City of Sydney there were around 1,900 new dwellings completed between 2016/17, but a total of 5,675 listings on Airbnb. Of these, 1,552 were whole units which appeared to be permanently offered as short-term rental accommodation (equivalent to 81% of the City's new housing units in that year).

Further, we note the irony that secondary dwellings are permitted as code assessable development under the State Environmental Planning Policy (SEPP) Affordable Rental Housing 2009, but under the proposed short-term rental regulatory framework, will be able to be used as a form of tourist accommodation – a use neither anticipated or assessed when the Affordable Rental Housing SEPP was enacted.

Notably, concern to protect permanent housing stock underpins many of the attempts made by cities throughout the world to regulate or prevent the listing of residential homes on platforms such as Airbnb. Typically, hosted accommodation, and short term sharing of a principle place of residence is permitted up to a threshold number of days and guests – for instance 90 days and a single group of up to 6 guests .

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In the latter case, the sense of alienation and anxiety associated with a continual churn of newcomers and the lost opportunities to know one’s neighbours, are recognised in the international research literature on ‘touristification’ – a phenomenon that is now known to arise very rapidly with the introduction of online platforms for short-term rentals.

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Yours sincerely,

Professor Nicole Gurran
Professor Peter Phibbs

11 September 2019

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Practice. *Planning Theory & Practice*, 20(2), 271-275.

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Gurran, N., Zhang, Y., Shrestha, P., & Gilbert, C. (2018). Planning responses to online short-term holiday rental platforms. Sydney: The University of Sydney.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Tuesday, 10 September 2019 8:46 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Tue, 10/09/2019 - 20:46

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Guy

Last name

Hawkins

Name withheld

No

Info

Email

guy.hawkins@bigpond.com

Suburb/Town & Postcode

Hardys Bay 2257

Submission

As much as the various documents cover most of the concerns it is all meaningless unless attention is given to ways of implementing and policing these concerns. It would be useful to have a government

body such as the Tenancy Tribunal to deal with host/tenant issues, owners should be required to pay a bond to provide a fund for compensation for damages.

Either a local real estate agent or a newly created agency could be employed to carry out inspections relating to compliance and for dealing with arrival and departures etc at unhosted properties.

Local Councils should demand STRA properties be subject to the DA process and thus ensure that advertised features are of a satisfactory standard eg; if the property advertises that it allows pets such as dogs then there should be appropriate fencing and Kennelling facilities. Unhosted properties should not be allowed to have woodfired heaters or fuel stoves as tenants are usually unfamiliar with safe fire practices.

The proliferation of STRA in residential areas is a burden on the permanent residential community and infrastructure, STRA premises should be restricted to specific areas in the same way that caravan parks and hotels and motels are.

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Saturday, 31 August 2019 4:46 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Sat, 31/08/2019 - 16:46

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Gwenneth

Last name

Prior

Name withheld

No

Info

Email

gwennethp@yahoo.com

Suburb/Town & Postcode

Glebr

Submission

Surly in light of the jerry built apartment blocks scandal, you can't possibly think that a industry led register is a good idea.

If the majority of owners of apartments in a block vote against STHL , it should not be allowed.

I agree to the above statement

Yes

From: H Wilson <heatherlouisewilson52@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host an Airbnb because I live in the midst of a beautiful tourist region in the NSW Hunter Valley situated on a golf course estate and zoned tourism.

I have a separate apartment in my home perfect for home hosting.

I am a retired self funded retiree and it is the only means of income that allows me to stay in and maintain my home.

I give back to the community by doing at least 30 hours volunteers work a week in this region... assisted in part by living where I am. I provide employment to a cleaner and recommend to my guests the wonderful attractions, restaurants, vineyards and services this region has to enjoy

The Airbnb host community depends on hosting as an economic lifeline to help us pay the mortgage and the bills and small businesses get a boost from local tourism.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Specifically, I want to comment on the following:

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there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
H Wilson
21a Peppertree Dr
Rothbury, Nsw 2320

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Sunday, 8 September 2019 11:47 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Sun, 08/09/2019 - 23:46

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Habib

Last name

Ullah

Name withheld

No

Info

Email

habib17@yahoo.com

Suburb/Town & Postcode

2000

Submission

I am submitting

I agree to the above statement

Yes

From: Hallan Ribeiro <hallan.moulin@gmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

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Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

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- Mandate smoke alarms – either battery operated or hard-wired
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Code of Conduct

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Thank you for reading my submission.

Regards,
Hallan Ribeiro
3 Toongarah Rd
Waverton, Nsw 2060

From: Hann Evans <peterevans1306@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Thank you for reading my submission.

Regards,
Hann Evans
55 Susan St
Auburn, Nsw 2144

From: Hannah Date <hannah.date94@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

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Regards,
Hannah Date
23 Scott St
Newcastle East, Nsw 2300

From: Hannah Harris <hannmao4@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Regards,
Hannah Harris
354 The Park Dr
Sanctuary Point, Nsw 2540

From: Hannah Holt <hannahholtemail@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

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Regards,
Hannah Holt
52-54 Pacific Parade
Dee Why, Nsw 2099

From: Hannah Rose <Hannah.Rose@sparke.com.au>
Sent: Friday, 16 August 2019 3:43 PM
To: DPE PS STHL Mailbox
Subject: Re: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent, Orange category

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you reading my submission.

Hannah Rose

This email (including any attachments) may contain confidential and/or legally privileged information intended only for the addressee. If you are not the intended addressee, please notify us by telephone and delete the email and any attachments. Any privilege and/or confidentiality is not waived and any storage, use or reproduction is strictly prohibited.

From: hannah silverton <hanjsilv@hotmail.co.uk>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
hannah silverton
10 Raftons Rd
Bangalow, Nsw 2479

From: no-reply@planning.nsw.gov.au on behalf of Department of Planning,
Industry and Environment <no-reply@planning.nsw.gov.au>
Sent: Thursday, 15 August 2019 4:29 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Cc: DPE PS ePlanning Mailbox
Subject: Have your say on Short Term Rental Accommodation

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Thu, 15/08/2019 - 16:28

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Hardev

Last name

Gopalani

Name withheld

No

Info

Email

harry_gopalani@hotmail.com

Suburb/Town & Postcode

2065

Submission

I object to it

I agree to the above statement

Yes

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

SHORT TERM RENTAL ACCOMODATION (STRA)

ONE SIZE DOES NOT FIT ALL

STRA IMPACTS ON VARIOUS HOUSING TYPES

PREPARED BY: Highgate Strata Committee

Contact:

Harold Kerr

Chairperson, Owners Corporation Strata Plan 49822

127 Kent St Millers Point NSW 2000

We understand the complexity and difficulties in arriving at the best solution for all competing interests that both allow for the utility of STRA and its advantages and provide adequate protections for residents affected by such usage. We believe the current regulations require review and and hope to assist in this process.

Perspective

Highgate is a Sydney CBD residential strata building housing 203 apartments. The Owners Corporation believes it essential that this submission take a comprehensive approach to STRA inclusive of all housing styles. The content is not limited to issues affecting strata ownership and residency.

The submission's focus is on detailing the variety of housing styles in NSW, and the differing impacts of hosted and un-hosted STRA within this diversity (see accompanying spreadsheet). Further it raises the reality, demonstrated by recent research¹, of market distortion affecting housing affordability within a broad spectrum of tourist attractive geographic areas.

¹ [Australian Human Resources Institute](https://cityfutures.be.unsw.edu.au/research/projects/technological-disruption-private-housing-markets-case-airbnb/) (AHURI) Technological disruption in private housing markets: the case of Airbnb. <https://cityfutures.be.unsw.edu.au/research/projects/technological-disruption-private-housing-markets-case-airbnb/>.

Summary of conclusions

- *The current regulations are founded on an over simplification that imposes virtually the same STRA conditions for all dwelling types, regardless of the differences between them.*
- *The regulations neglect a variety of outcomes embracing residents' amenity and housing/rental market distortions, outcomes that differ considerably subject to differing housing styles, strata apartment buildings sizes, and hosted opposed to un-hosted STRA.*
- *Current regulations fail to distinguish between free-standing, semi-detached, terrace, townhouse, and strata residential accommodation.*
- *Current regulations fail to distinguish between hosted and un-hosted STRA.*
- *Current regulations fail to distinguish between permanent residential and holiday housing.*
- *Current regulations fail to distinguish between high demand and other geographic areas.*
- *Current regulations fail to establish a STRA Register.*

Summary of recommendations

To address the major, clear, and self-evident disparities in impacts of hosted vs un-hosted Short Term Rental Accommodation (STRA) and the differentials in housing style and strata dwellings (outlined below), we recommend the following:

- Allow hosted STRA in free standing, semi-detached & terrace, and town house where so desired by residents.
- Allow un-hosted STRA in traditional holiday housing areas.
- Allow hosted STRA in residential strata buildings when approved via by-law passed by 75% of owners in general meeting.
- Establish a state-wide STRA register
- To minimise market distortions, empower Local Councils to control STRA through zoning restrictions, or exclude STRA through conditions of development consent

Hosted vs Un-hosted - STRA impacts on different types of dwelling

The major shortcoming not addressed in the regulations is the clear, self-evident differential impacts of hosted vs un-hosted STRA, and impact variance by housing style and strata size.

Hosted STRA by Housing Style

Reference will not be made here to hosted STRA in Holiday Housing, as this has always been un-hosted. Hosted STRA in Holiday Housing has had no adverse inflationary effect on housing and rental costs.

Hosted STRA have less impacts generally. It eliminates impact on housing and rental costs. It absolutely minimises loss of amenity through noise issues. Other impacts vary according to housing type being utilised.

Free-standing, semi-detached & terrace, and town house dwellings:

Hosted STRA ensures minimal to no impact on privacy, security, amenity disturbance, or cost sharing.

Conclusion: *Current regulations and protections adequately cover hosted STRA in free-standing, semi-detached & terrace, and town house dwellings. In such dwellings, impacts are managed and benefits accrue within an environment permitting individual freedom of choice without collateral harm.*

Strata apartment buildings:

Hosted Strata

Given that the strata collectively owns the common property and facilities of the building, and has duties to maintain and repair common property, bear related costs, and to operate in the interests of the entire community, not for the commercial benefit of individual Lot owners, hosted STRA varies in impact subject to the size of the strata. Hosting certainly reduces noise issues within all strata. However other impacts vary considerably. As apartment complexes increase in size so do impacts on other residents. These include loss of privacy, security, amenity disturbance, cost sharing, facility overload, observance of house rules, and demand on in-house services.

Strata apartment buildings containing 1 –10 apartments will suffer little or no impacts from amenity disturbance, cost sharing, or facility overload, limited security house rules issues may arise.

Strata apartment buildings containing 10 – 49 apartments will have the same issues as smaller buildings, plus security issues, a degree cost sharing, and require broader observance of house rules.

Strata apartment buildings containing 50+ apartments will have the same impacts as the smaller apartment building categories, plus greater cost sharing, facility overload and depreciation, reduced availability of in-house services through added strain on these resources. amenity disturbance through impact on shared facilities, and broader house rules issues.

A point generally overlooked is that strata, particularly large strata, is so finely tuned that it does not have the idle facilities and services capacities to absorb STRA.

Conclusion: *Current regulations and protections do not adequately cover hosted STRA in strata residential buildings, particularly larger stratas. All owners support the building's assets yet have no share in STRA benefits.*

Recommendations – Hosted STRA:

- Allow hosted STRA in free standing, semi-detached & terrace, and town house as desired by residents.
- Allow hosted STRA in residential strata buildings when approved via by-law passed by 75% of owners in general meeting.

Un-hosted STRA by Housing Style

Un-hosted STRA has more far-reaching, cumulative, and complex impacts on the residents of all types of dwelling.

Free-standing, semi-detached & terrace, and town house dwellings:

The major difficulties with un-hosted STRA within this category are the impact on rental and housing costs, particularly within a broad range of concentrated tourist attractive regions, and noise and amenity disturbance for neighbours.

Conclusion: *While current regulations and protections adequately cover un-hosted STRA in free-standing, semi-detached & terrace, and town house dwellings within a majority of the state, popular tourist zones require further consideration. In light of these concentrations Local Councils should control STRA through zoning restrictions, or exclude STRA through conditions of development consent.*

Residential strata buildings:

Unless pre-determined as serviced apartments, all residential strata buildings are severely impacted by un-hosted STRA. The level and variety of impacts increases with the size of the strata. All stratas are impacted by noise, security, privacy, and amenity disturbance. Impacts on cost sharing, facility overload, inhouse services degradation, depreciation, and house rule issues escalate radically within larger stratas.

Within residential strata the consequences of both un-hosted and hosted STRA reach beyond a host's dwelling. Strata dwellers have no control over the outcomes of STRA within their personal overall residential environment and stand disadvantaged when compared to owners and residents in company title apartments and every other residential style.

Conclusion: *Current regulations and protections **do not** adequately cover un-hosted STRA in strata apartment buildings. Most hard hit are those with 50 or more apartments where impacts are greatest. In these larger dwellings, residents share the building, share impacts and costs, but do not share the benefits of STRA. Strata buildings currently have no control over un-hosted STRA. In accord with other residential types, within tourist attractive areas Local Councils should control STRA through zoning restrictions, or exclude STRA through conditions of development consent.*

Recommendations – Un-hosted STRA:

- Allow un-hosted STRA in free standing, semi-detached & terrace, and town house where so desired by residents with authority for *Local Councils to control or through zoning restrictions, or exclude STRA through conditions of development consent.*
- Allow un-hosted STRA in strata buildings when approved via by-law passed by 75% of owners in general meeting.

Conclusion:

The current regulations are based on an over simplification, of effectively a 'one size fits all' model. This neglects the broad variety of outcomes that include residents' amenities and housing/rental market distortions. Further, the absence of any form of registration precludes requisite monitoring and enforcement of regulations.

SHORT TERM RENTAL ACCOMODATION - ONE SIZE DOES NOT FIT ALL

STRA IMPACTS ON VARIOUS HOUSING STYLES

| Housing Type | Free Standing | | Semi-detached & Terrace | | Town House | | 1-10 Apts | Strata | | | Strata Holiday |
|----------------------------|---------------|---------|-------------------------|---------|-------------|---------|-----------|------------|------------|-----------|-------------------|
| | Residential | Holiday | Residential | Holiday | Residential | Holiday | | 10-49 Apts | 50-99 Apts | 100+ Apts | |
| Hosted/Unhosted | | | | | | | | | | | |
| Impact On Housing & Rental | | | | | | | | | | | |
| Costs | No/Yes | No/No | No/Yes | No/No | No/Yes | No/No | No/Yes | No/Yes | No/Yes | No/Yes | No/No |
| Loss of Privacy | n/a | n/a | n/a | n/a | n/a | n/a | Some | Some | Some | Some | All |
| Noise Issues | Minimal | Minimal | No/Yes | No/Yes | No/Yes | No/Yes | No/Yes | No/Yes | No/Yes | No/Yes | else |
| Security | No/No | No/No | No/No | No/No | No/No | No/No | Yes/Yes | Yes/Yes | Yes/Yes | Yes/Yes | as |
| Quiet Amenity Disturbance | Minimal | Minimal | No/Yes | No/Yes | No/Yes | No/Yes | No/Yes | No/Yes | Yes/Yes | Yes/Yes | other |
| Cost Sharing | No/No | No/No | No/No | No/No | No/No | No/No | No/No | Minimal | Yes/Yes | Yes/Yes | strata |
| FacilityOverload | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | Yes/Yes | Yes/Yes | |
| House Rules Issues | n/a | n/a | n/a | n/a | n/a | n/a | Minimal | Yes/Yes | Yes/Yes | Yes/Yes | |

GENERAL STRUCTURE

| Housing Type | Free Standing | | Semi-detached & Terrace | | Town House | | 1-10 Apts | Strata | | |
|-------------------|---------------|---------------|-------------------------|---------------|---------------|---------|-------------------------------|-------------------------------|--|---|
| | Residential | Holiday | Residential | Holiday | Residential | Holiday | | 10-49 Apts | 50-99 Apts | 100+ Apts |
| Management | n/a | Self or Agent | n/a | Self or Agent | Self or Agent | | Largely Self | Strata Mngmt Co. | Majority Part Time Manager | Full Time Mgr & Concierge |
| Shared Facilities | n/a | n/a | n/a | n/a | n/a | n/a | Minimal e.g. Entry & Hallways | Minimal e.g. Entry & Hallways | Vast majority minimal as 1-49 apts. Selected few as 100+ apts. | Lifts Pool Gym Lounges Garden Library Concierge Tennis Court etc. |

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 3:22 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 11:51

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Harold

Last name

Kerr

Name withheld

No

Info

Email

hk2@highgate.com.au

Suburb/Town & Postcode

Millers Point 2000

Submission file
[onesizedoesnotfitall.pdf](#)

Submission

THIS SUBMISSION IS MADE ON BEHALF OF HIGHGATE OWNERS CORPORATION STRATA PLAN 49822
127-153 Kent Street Millers Point NSW 2000

Summary

In making this submission we acknowledge the economic significance of STRA to the State, the Nation and to the individuals participating in this industry.

The proposed regulation, as outlined in the New Regulatory Framework Discussion Paper, suggests an imbalance in favour of the STRA industry at large.

Limited consideration is shown to the varying circumstances of differing residential styles. The Discussion Paper proposals vary only marginally from a “one size fits all” solution. This requires further attention.

An “industry-led register for STRA” raises alarm. Self-regulation of an immensely numerous and diverse trading assemblage is a formula for failure. Recent property development, bank self-regulation, and Boeing 737 Max disasters might well represent this reasoning. Only a state-controlled entity, independent of the industry, can have the potential to regulate STRA. This should be funded by a transaction fee calculated to both fund the regulator and would add to State revenue.

Content

The attached copy of an earlier submission to the minister forms part of this submission. That paper, “One Size Does Not Fit All”, defined and highlighted the diversity of residential styles exposed to STRA, the varying impacts or lack thereof, and dissimilarities between hosted and un-hosted STRA.

The content of this submission is limited to explicit Strata Communities’ concerns.

1. STRA imposes negatively on the amenity of strata dwellers. This relates to privacy, added strata costs, stress on the finely tuned levels of amenity and service provisions designed to provide for a stable community of long-term residents, disturbances to established “living and sharing” practices accepted by these communities, and so forth. These issues, and more, have been presented in detail repeatedly.
2. Considering the impositions STRA imposes on strata residents’ amenity, every owners corporation requires the right to determine its own STRA position. Decision by special resolution requiring 75% would be appropriate. This arrangement simply affords strata dwellers the right to the quiet enjoyment of their own homes.
3. Given that some owners corporations will favour STRA it is important that these are given appropriate consideration. Accordingly, the ultimate Regulatory Framework should expand to cover issues such as:
(a) All STRA related costs incurred by an Owners Corporation must be borne by the individual owners/residents providing STRA. These would include the cost of all conditions imposed by the state e.g. evacuation plans and signage.

(b) Distinction between hosted and un-hosted STRA is essential. The proximity of dwellings within strata is unlike any other residential style. As are the shared common areas, facilities, services and resources, as well as the accepted communal consideration for others, abidance by community standards and rules accepted by residents. These arrangements and agreements are naturally unknown to the flow of casual STRA visitors. Hosted STRA does partly mitigate these issues.

(c) The suggestion that un-hosted bookings for 21 days or more should not count towards limits where exempt development is given for a certain number of days annually translates to exempt development for unlimited general short term letting. This imposes even harsher conditions on strata residents.

(d) Considering the unique arrangements affecting strata exemplified in (b) above non-compliance has far harsher affects than in other residential dwelling types. Given this consideration strata requires special access to enforcement arrangements. These should enable swift/immediate action.

Conclusion

Regrettably the proposed Regulatory Framework disregards strata dwellers unique residential situation.

While any STRA, let alone un-hosted STRA, is hostile to strata dwellers residential amenity the Framework's limited consideration is the restriction to STRA in apartments that are the host's principal place of residence. Even this requires a special resolution with 75% support. However the provision appears flawed and impractical to regulate. To optimise the availability of the so-called 'principal place of residence' there is nothing to prevent a host residing elsewhere. What prevents family members each individually declaring separate apartments as principal places of residence while residing as a family unit elsewhere? Furthermore it is an incongruous proposal as once a residence produces assessable income the ATO no longer deems it to be a principle place of residence.

Strata dwellers STRA concerns have been raised time and time again. With the sole exception of some dominated by apartment investors desirous only of optimal returns, strata communities stand practically undivided on these issues. Owners corporations favour the right to determine their own STRA position, for or against, partial or none. This democratic essential is what should be achieved with a 75% special resolution.

As an Owners Corporation it is impossible to express faith in the New Regulatory Framework Discussion Paper.

Owners Corporations do not have the financial power necessary to employ eminent and powerful lobbyists. Yet this appears to be how influence is purchased and favourable outcomes achieved. To our perspective, and our resident's amenity, the Discussion Paper demonstrates absolute capitulation by the Government to the hunger of STRA multi-billion dollar corporations.

STRA's economic value to the State, the Nation and the individuals participating in the industry is achievable without damaging the household amenity of strata residents.

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 1:55 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 13:55

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Harold

Last name

Ward

Name withheld

No

Info

Email

wardie3@gmail.com

Suburb/Town & Postcode

2481

Submission

My experiences with AirBnb neighbours over the last few years has been totally negative. Our street is clogged with parked cars, our neighbourhood is divided, and the local Council will do nothing to stop this

commercial activity on residential zoned properties. This is a destructive force for our community.

I agree to the above statement

Yes

From: Harriet Addis <hungryheadhouse@gmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Harriet Addis
199 Osprey Dr
Urunga, Nsw 2455

Your Ref:
Our Ref:

11 September 2019

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

Dear Sir/Madam

Proposed Short-term Rental Accommodation Regulatory Framework

I refer to the abovementioned proposed Short-term Rental Accommodation Regulatory Framework, which is on exhibition, and open for comment until 11 September 2019.

Following consideration of this matter at Council's Ordinary Meeting of 10 September 2019, Council resolved to provide the following comments for your consideration in finalising the Framework.

This response provides Council's understanding of the purpose of the proposed Framework, identifies potential issues arising from the new legislation and provides suggestions to resolve these identified issues.

Council understands that the purpose of the proposed Short-term Rental Accommodation Framework is to introduce:

- a State Environmental Planning Policy for short-term rental accommodation that provides the circumstance in which this activity can be carried out as exempt or complying development;
- an amendment to the *Environmental Planning and Assessment Regulation, 2000* that prohibits a dwelling from being used for the purposes of Short-term Rental Accommodation unless the dwelling complies with certain fire safety and evacuation controls
- an amendment to the *Fair Trading Regulation 2012* to introduce and support a Code of Conduct for the Short-term rental accommodation industry;
- a mandatory Code of Conduct for short-term rental accommodation;
- a Short-term Rental Accommodation Fire Safety Standard; and
- a short-term rental accommodation register.

Council understands that the proposed amendment applies to all local government areas, however in general the following comments that are provided are specific to the Hawkesbury Local Government Area.

General Comments

Timeframe for Submissions

The exhibition of the proposed framework commenced on 14 August 2019 and will close on 11 September 2019. Given Council processes to report matters for consideration, the exhibition period is considered to be too short a timeframe in which to consider the full implications of new legislation such as that proposed.





Council therefore would like to suggest that the Department of Planning, Industry and Environment reconsider their exhibition timeframes and/or consultation procedures relating to the notification of upcoming public exhibitions.

Policy

It is understood that the proposed regulatory framework seeks to cater for both holiday accommodation, as well as shorter period leasing of a dwelling as a temporary residence (ie. for seasonal worker, itinerant worker).

It is noted that the *Fair Trading Amendment (Short-term Rental Accommodation) Act 2018* defines 'short-term rental accommodation arrangement' to mean "a commercial arrangement for giving a person the right to occupy residential premises for a period of not more than 3 months at any one time, and includes any arrangement prescribed by the regulations to be a short-term rental accommodation arrangement, but does not include any arrangement prescribed by the regulations not to be a short-term rental accommodation arrangement."

It is considered that the *State Environmental Planning Policy (Short-term Rental Accommodation) 2019* should make reference to a maximum period for occupancy of a short-term rental accommodation premises, and that the maximum period should be 3 months to be consistent with the *Fair Trading Amendment (Short-term Rental Accommodation) Act 2018*.

Clause 13(2) of the draft Policy also provides that the use of non-hosted short-term rental accommodation as complying development for 21 or more consecutive days by the same person/s does not count towards the 180 day maximum. The inclusion of a maximum period of stay would minimise any misunderstandings and potential misuse of this Clause.

Bush Fire Prone Land

By way of comment, the structure and wording of clause 13 of the draft State Environmental Planning Policy relating to Complying development – non-hosted short-term rental accommodation lends an interpretation that complying development can only be carried out if the dwelling is situated on bush fire prone land (Clause 13(d)). This is obviously not the intent of the Clause, as if the land is not bush fire prone but is a flood controlled lot the activity would not be able to be undertaken as exempt or complying development. Therefore it is suggested that the Clause should be amended to read:

13 Complying development – non-hosted short-term rental accommodation

- (1) Development for the purpose of non-hosted short-term rental accommodation is complying development for the purposes of this Policy if –
 - (a) ...
 - (b) ...
 - (c) ...
 - (d) if the dwelling is situated on bush fire prone land, and
 - (i) no part of the lot on which the dwelling is situated is bush fire attack level-40 (BAL-40) or in the flame zone (BAL-FZ), and
 - (ii) the dwelling complies with the requirements of Planning for Bush Fire Protection (ISBN 0 9751033 2 6) published by the NSW Rural Fire Service in December 2006, and
 - (iii) in the case of the dwelling being situated in a lot in Zone RU5, there is –
 - a. a reticulated water supply connection to the lot and a fire hydrant within 60m of any part of the dwelling, or
 - b. a 10,000 L capacity water tank on the lot, and
 - (iv) in the case of the dwelling being situated in a lot in any zone other than Zone RU5, there is –
 - a. a reticulated water supply connection to the lot, and
 - b. a fire hydrant within 60m of any part of the dwelling, and



- (e) in the case of the dwelling being situated on a flood control lot, the development meets the requirements of clause 14, and
- (f) the development meets the general requirements for complying development specified in clause 10.

State Environmental Planning Policy (Short-term Rental Accommodation) 2019

This Policy provides definitions for short-term rental accommodation, and hosted and non-hosted short-term rental accommodation. It provides the circumstances in which short-term rental accommodation can be carried out as either exempt development or complying development. The aims of the Policy are:

- (a) *to support short-term rental accommodation as a home sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,*
- (b) *to provide for the safety of users of short-term rental accommodation who may be less familiar with the dwelling,*
- (c) *to clarify the types of housing that may be used for the purposes of short-term rental accommodation.*

Under this draft Policy, Short-term Rental Accommodation is defined to mean an existing dwelling:

- (a) *that is lawfully used by the owner, tenant or permanent resident of the dwelling (the **host**) to provide accommodation on a commercial basis for a temporary or short-term period, with or without the host residing on the premises during that period, and*
- (b) *that, if it were used predominantly as a place of residence, would be one of the following types of residential accommodation –*
 - (i) *an attached dwelling,*
 - (ii) *a dual occupancy,*
 - (iii) *a dwelling house,*
 - (iv) *multi dwelling housing,*
 - (v) *a residential flat building,*
 - (vi) *a rural workers' dwelling,*
 - (vii) *a secondary dwelling,*
 - (viii) *a semi-detached dwelling,*
 - (ix) *shop top housing.*

Short-term Rental Accommodation as Exempt Development

The draft Policy proposes to permit:

1. Short-term Rental Accommodation as exempt development if the host is staying on the premises with guests, and the number of persons residing at the dwelling does not exceed:
 - (a) 2 persons for each bedroom in the dwelling, or
 - (b) 12 persons in total for the dwelling,

whichever is the lesser.

As Hosted Short-term Rental Accommodation exempt development there is no limit on how many days per year the dwelling can be used for short-term rental accommodation and can be carried out on a flood control lot and on bush fire prone land.



2. Non-hosted Short-term Rental Accommodation as exempt development if the number of persons residing at the dwelling does not exceed:
 - (a) 2 persons for each bedroom in the dwelling, or
 - (b) 12 persons in total for the dwelling,

whichever is the lesser, and the dwelling is **not** situated on a flood control lot or on bush fire prone land. Non-hosted Short-term Rental Accommodation as exempt development only permits the use of the dwelling for accommodation for a maximum of 180 days in a calendar year.

Council Comment:

Hosted short-term rental accommodation requires the host to be staying on the premises with guests. It is considered that the term 'premises' is ambiguous and needs to be clarified. The dictionary definition for 'premises' includes '*house or building with the grounds*' and '*a tract of land*', and therefore it is suggested that the definitions of hosted and non-hosted short-term rental accommodation be amended to replace 'premises' with the term 'property' or similar, to make it clearer that a host can reside in a dwelling house whilst providing accommodation in a secondary dwelling on the same land, or one side of a duplex, or a rural workers dwelling.

The draft Policy restricts the number of days a dwelling can be used for short-term rental accommodation to 180 days where the host is not present. It is considered that this will be difficult to monitor and due to the seasonality of such accommodation it is unlikely that premises will be used all year round for short-term rental accommodation. Therefore, no concern would be raised for non-hosted short-term rental accommodation as exempt development being carried out all year round, and given that this activity is not permitted on flood control lots or bush fire prone land.

It is therefore requested that the Department of Planning, Industry and Environment consider:

- a. the rewording of the definitions of hosted and non-hosted short-term rental accommodation to avoid ambiguity and misunderstandings about whether a host is required to stay in the dwelling being used for short-term rental accommodation or whether they can stay in another lawful dwelling that is situated on the same land as that being used for short-term rental accommodation; and
- b. having no restriction on the number of days in which non-hosted short-term rental accommodation that is exempt development can be used.

Short-term Rental Accommodation as Complying Development

The draft Policy proposes to permit non-hosted Short-term Rental Accommodation as complying development if:

1. the number of persons residing at the dwelling does not exceed:
 - (a) 2 persons for each bedroom in the dwelling, or
 - (b) 12 persons in total for the dwelling,whichever is the lesser,
2. The dwelling is not used for accommodation for more than 180 days in a calendar year.

The draft Policy also provides that the use of non-hosted short-term rental accommodation as complying development for 21 or more consecutive days by same person/s does not count towards the 180 day maximum.

The draft Policy also provides controls relating to bushfire prone land and flood control lots.



Council Comment:

Bush Fire

The Draft Policy proposes that non-hosted short-term rental accommodation as complying development must have a reticulated water supply connection to the land and a fire hydrant within 60m of any part of the dwelling, or a 10,000 litre capacity water tank if within the RU5 Rural Village Zone (Clause 13(1)(g)). In any other zone there must be a reticulated water supply connection to the land and a fire hydrant within 60m of any part of the dwelling (Clause 13(1)(h)).

The RU5 Rural Village zone in the Hawkesbury Local Government Area has been applied to existing small lot rural land, often located in remote areas, and with no services such as reticulated sewer and water. The RU5 Rural Village zone has been used in a rural context, and land in this zone has no residential character or amenity.

The Hawkesbury Local Government Area is a peri-urban area, with the majority of private lands being within a rural or environmental zoning. Proposed Clause 13(1)(h) would preclude any dwellings being used for non-hosted short-term rental accommodation in most of the rural and environmental areas/zones in the Hawkesbury, given that:

- these zones are within areas that are either bush fire prone or flood liable;
- these zones are generally within areas that are not serviced by reticulated water.

It is considered that there is no logic in permitting non-hosted short-term rental accommodation in the RU5 Rural Village zone without reticulated water, and not within other rural and environmental zones that do not have reticulated water.

It is recognised that some existing dwellings situated on bush fire prone land may be of an age that predates the requirements of *Planning for Bush Fire Protection 2006*. Consideration needs to be given to whether or not these dwellings need to be upgraded to meet *Planning for Bush Fire Protection 2018* when changing from a dwelling to being used for short-term rental accommodation.

It is understood that *Planning for Bush Fire Protection 2006* contains requirements for “holiday lets”, and is being reviewed and updated in regard to short-term rental accommodation. It is therefore considered that draft *State Environmental Planning Policy (Short-term Rental Accommodation) 2019*, in relation to short-term rental accommodation as complying development, should include a requirement for compliance with the updated *Planning for Bush Fire Protection 2018* and this document should come into effect at the same time as the framework commences.

Flooding

Clause 13(i) of draft *State Environmental Planning Policy (Short-term Rental Accommodation) 2019* provides for the carrying out of short-term rental accommodation as complying development on flood control lots. It states:

- (i) *in the case of the dwelling being situated on a flood control lot, the development meets the requirements of clause 14, and*

Clause 14 Requirements for complying development on flood control lots

- (1) *For the purposes of clause 13(1)(i), the development must not be carried out on any part of a flood control lot other than a part that the council or a professional engineer who specializes in hydraulic engineering has certified, for the purposes of the issue of the relevant complying development certificate, as not being any of the following-*

- (a) *a flood storage area,*
- (b) *a floodway area,*
- (c) *a flow path,*



- (d) a high hazard area,
- (e) a high risk area.

The Policy defines 'flood control lot' to mean "a lot to which flood related development controls apply in respect of development for the purposes of industrial buildings, commercial premises, dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (other than development for the purposes of group homes or seniors housing)."

Clause 14 would prevent any dwelling being used for short-term rental accommodation to be sited on land at or below the 1 in 100 year flood level (flood planning level for Hawkesbury, where flood related development controls are applied) as, if below the 1 in 100 year flood level, the land would be within a flood storage area.

In most instances, guests will not be aware of whether or not a property may be subject to flooding and to what extent during a particular flood event. Whilst a short-term rental accommodation building may be located above the 1 in 100 year flood level, the land may become isolated in a 100 year flood event or smaller. As a result, consideration should be given to a requirement for the provision of:

- a flood warning sign to be installed within the dwellings in a prominent place advising that the area is subject to flooding;
- information as to the extent of flooding and evacuation information, such as evacuation routes and at what point do they need to leave so as not to become isolated.

Consideration should also be given to how guests will be informed of a flood or bush fire emergency, and the responsibility, if any, of the host in informing their guests of an emergency situation, or in the case of bushfire prone areas the maintenance of the property (landscaping, asset protection zones, building) in accordance with any conditions of development consent relating to bush fire protection.

It is therefore requested that the Department of Planning, Industry and Environment consider:

- the wording of Clause 13 of draft *State Environmental Planning Policy (Short-term Rental Accommodation) 2019* to include the use of dwellings in rural and environmental zones for short-term rental accommodation that are situated on bush fire prone land and do not have a reticulated water supply;
- the requirements of *Planning for Bush Fire Protection 2018* in relation to the proposed requirements for short-term rental accommodation;
- the consequences of using existing older dwellings that have not been constructed in accordance with *Planning for Bush Fire Protection* and are to be used for short-term rental accommodation and how these are to be managed;
- emergency management measures for flooding and bushfire prone areas under the draft *State Environmental Planning Policy* and/or the Code of Conduct, and include a requirement for warning signs and evacuation plans for flooding and bush fire events.
- a host's responsibility in advising guests of an emergency situation, and of maintaining a property for bush fire protection in accordance with any development consent for the dwelling.

The definitions within draft *State Environmental Planning Policy (Short-term Rental Accommodation) 2019* for 'flow path', 'high hazard area' and 'high risk area' make reference these items being "identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual."



Recently, the Hawkesbury Nepean Valley Regional Flood Study has been released by Infrastructure NSW. As the most up-to-date flood information for the Hawkesbury Local Government Area, particularly in respect to flood levels, extent and flood hazards, Hawkesbury Council may adopt the Regional Study for floodplain management purposes. In these circumstances the definitions provided in the draft Policy would restrict Council to considerations in an outdated study or plan. As a result it is considered that these definitions be amended to read:

Flow path means a flow path identified in a **flood study adopted by a council or a council's** floodplain risk management study carried out in accordance with the *Floodplain Development Manual*.

High hazard area means a high hazard area identified in a **flood study adopted by a council or a council's** floodplain risk management study carried out in accordance with the *Floodplain Development Manual*.

High risk area means a high risk area identified in a **flood study adopted by a council or a council's** floodplain risk management study carried out in accordance with the *Floodplain Development Manual*.

It is requested that the Department of Planning, Industry and Environment amend these definitions as discussed above.

Environmental Planning and Assessment Amendment (Short-term Rental Accommodation) Regulation 2019

The draft *Environmental Planning and Assessment Amendment (Short-term Rental Accommodation) Regulation 2019* proposes to introduce provisions that prohibit a dwelling from being used for the purposes of Short-term Rental Accommodation unless the dwelling complies with certain fire safety and evacuation controls, being the requirements of the *Short-term Rental Accommodation Fire Safety Standard*.

Council Comment:

No objection to the proposed Regulation and Fire Safety Standard is raised, as it provides a higher fire safety standard for occupants of dwellings used for short-term rental accommodation.

Fair Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019

The NSW Parliament passed the *Fair Trading Amendment (Short-term Rental Accommodation) Act 2018* on 14 August 2012, which provided for the introduction of a new mandatory Code of Conduct for short-term rental accommodation industry participants.

The draft *Fair Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019* will declare the Code of Conduct for the purposes of s54B(1) of the Act and support the Code's implementation.

Clause 22C of the draft Regulation also identifies participants that are excluded from the Code of conduct. Clause 22C states:

22C *Short-term rental accommodation industry participants excluded from code of conduct*

The following classes of short-term rental accommodation industry participants are excluded from the application of the code of conduct declared under this Part:



- (a) *the proprietor or manager of tourist and visitor accommodation within the meaning of the standard instrument prescribed by the Standard Instrument (Local Environmental Plans) Orders 2006,*
- (b) *the proprietor or manager of a registrable boarding house within the meaning of the Boarding Houses Act 2012,*
- (c) *the park owner or park manager of a holiday park within the meaning of the Holiday Parks (Long-term Casual Occupation) Act 2002.*

Council Comment:

Under *Hawkesbury Local Environmental Plan 2012*, '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."*

It is considered that there is an over-lap between short-term rental accommodation and some forms of 'tourist and visitor accommodation'. For example 'bed and breakfast accommodation' and 'serviced apartments' easily fit into the definition of short-term rental accommodation.

In addition, in the Hawkesbury Local Government Area, 'bed and breakfast accommodation' is permitted without consent in the Rural, Residential and Environmental zones.

This provides an opportunity for potential short-term rental accommodation participants to opt for 'bed and breakfast accommodation' to avoid having to comply with the Code of Conduct.

It is Councils experience that complaints from neighbours due to noise disturbance from 'bed and breakfast accommodation' can arise when the owners of the premises are not present and the guests exceed the maximum number permitted.

This can be problematic in terms of compliance action, and if this type of development was included under the Code of Conduct it is envisioned that these situations would be better managed and resolved.

It is therefore requested that the Department of Planning, Industry and Environment and Department of Customer Services ensure that there is no confusion between the definition of short-term rental accommodation and the definitions of other forms of tourist and visitor accommodation.

In addition, it is also requested that draft Clause 22C of the draft *Fair Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019* be amended so that 'bed and breakfast accommodation' operators are subject to the Code of Conduct.

Code of Conduct

The principle objectives of the proposed Code are to:

- (a) *set out the rights and obligations of Short-term Rental accommodation industry participants*



(b) *provide for resolution of disputes and complaints concerning the conduct of Short-term Residential Accommodation industry participants*

(c) *outline the compliance and enforcement approach that applies for contraventions of the Code by Short-term Rental Accommodation industry participants*

(d) *facilitate the oversight of the Short-term Rental Accommodation industry.*

The Code of Conduct provides that any complaints, compliance or enforcement will be the responsibility of the Commissioner for Fair Trading in the NSW Department of Customer Service. However, if a breach of planning law, council is the regulatory authority. Councils will still deal with contraventions of the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and *Protection of the Environment Operations Act 1997*.

The Code of Conduct requires the keeping of an exclusion register, which applies to both host and guests and are recorded on the exclusion register for five years. The register will be publicly available.

Council Comment:

In general, no objection is raised to the content or function of the proposed Code of Conduct.

However, the personal safety of guests using Short-term Rental Accommodation within apartment blocks and the like, and that of the permanent residents in surrounding units, needs to be considered, and whether the requirements of the Code of Conduct and implementation of the Exclusion Register will provide a reasonable degree of security.

Proposed Register

Comment is also being sought by the Department of Planning, Industry and Environment and Department of Customer Services in respect to the creation of a short-term rental accommodation property register. The register could:

- provide planning authorities with data about short-term rental accommodation properties that can be used to enforce planning laws
- draw on the Code of Conduct's exclusion register to enforce compliance
- be used as an avenue to raise hosts' awareness of their obligations under the planning framework and relevant strata by-laws.

Council Comment:

In general, a register of all properties being used for short-term rental accommodation is supported, as this would assist in the timely resolution of complaints or compliance action by councils.

However, it is further considered that it should be made mandatory that all properties are on the register, and that this should be legislated through *Fair Trading Amendment (Short-term Rental Accommodation) Act 2018* and draft *Fair Trading Amendment (Code of Conduct for Short-term Rental Accommodation Industry) Regulation 2019*.

Any register should be available to Council to assist in compliance matters.

It is therefore requested that the Department of Planning, Industry and Environment ensures that a register of properties being used for short-term rental accommodation should be mandatory and readily available to councils.

Thank you for the opportunity to provide comments.



Should you have any enquiries in relation to this matter please contact Colleen Haron, Senior Strategic Land Use Planner on (02) 4560 4564.

Yours faithfully



Andrew Kearns
Manager Strategic Planning

From: hayden cornish <haydencornish@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
hayden cornish
297 Old N Rd
Lochinvar, Nsw 2321

From: Hayley Catford <hayleycatford@gmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it generates a second income to help support our family and is a long term real estate investment towards our retirement.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

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Thank you for reading my submission.

Regards,
Hayley Catford
2 Farnsworth St
Thornton, Nsw 2322

From: Hayley Legg <hayleylegg@mac.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I am a recent new home owner and am struggling to make my mortgage payments. Without air bnb I would not be able to afford my home in this already impossible first home buyers market.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Hayley Legg
3 Goodsell St
St Peters, NSW 2044

From: Paul Byleveld <Paul.Byleveld@health.nsw.gov.au>
Sent: Wednesday, 11 September 2019 3:37 PM
To: DPE PS STHL Mailbox
Cc: Katrina Wall
Subject: NSW Health submission on short-term rental accommodation reform

Categories: Rob submission 3.0, non Air BNB run

Good afternoon

NSW Health intends to make a submission on short-term rental accommodation with respect to swimming pools and private water supplies (for premises that do not have a public drinking water supply).

The submission is pending approval. I expect that we will submit tomorrow.

Please call me or email if you wish to discuss.

Kind regards Paul

Dr Paul Byleveld PSM

Manager Water Unit | **Environmental Health Branch** | **NSW Health**

Locked Mail Bag 961 NORTH SYDNEY NSW 2059

Tel. 02 9391 9835 | Fax. 02 9391 9960 | Mob. 0411 264 070 | paul.byleveld@health.nsw.gov.au

www.health.nsw.gov.au/environment/water

Water Unit on-call 02 9391 9939 | 0491 227 423



This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

Views expressed in this message are those of the individual sender, and are not necessarily the views of NSW Health or any of its entities.

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Wednesday, 11 September 2019 12:44 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: recorded in DPIE subs register

Submitted on Wed, 11/09/2019 - 12:42

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Heath

Last name

Michael

Name withheld

No

Info

Email

heath.michael@rtbacommerce.com.au

Suburb/Town & Postcode

Ascot Vale 3039

Submission file

[shortterm-rental-accommodation-a-new-regulatory-framework-discussion-paper-nsw-11-sept-19.docx](#)

Submission

Please see submission attached. Regards, Heath Michael

I agree to the above statement

Yes

From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Monday, 26 August 2019 11:15 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category

Submitted on Mon, 26/08/2019 - 23:15

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Heather

Last name

Clement

Name withheld

No

Info

Email

heatherc9@gmail.com

Suburb/Town & Postcode

Newtown 2042

Submission

I am concerned that the fire safety requirements of these proposed new laws will mean that it is impossible for me to rent out my house if I go away on holidays for a couple of weeks. My house met all fire safety requirements for a private dwelling when renovated several years ago but does not have mains connected smoke alarms in every bedroom, only the corridors. There would be a significant amount of work and cost to install these and it appears to be too onerous of a demand to place on owners of properties that are rented out for only a few weeks each year.

Please reconsider whether this is a necessary additional regulation.

Yours Sincerely

Heather Clement

I agree to the above statement

Yes

From: Heather Ferguson <heatheranddavid@bigpond.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations, some of which concern me greatly.

I host on Airbnb because it has allowed me to earn an extra income which has been incredibly helpful as I live in a regional town and work here is seasonal. I also really enjoy it - its a wonderful way to welcome visitors!

As part of hosting, I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism which is so important in a town like Byron Bay.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

I strongly oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts like me who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

I do support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

I think that often, hosts are not heard as all the press seems to focus on the negative voices. I attended an Airbnb meeting here in Byron Bay which was sabotaged by people complaining about holiday letting in Byron Bay. I feel that compromise is the way forward but many of those in opposition arent prepared to even open a discussion. They are just negative and want to turn back the clock.

There are so many benefits to home sharing to many people across the shire! It has created jobs and helps people pay their mortgage! Some regulation is required, as listed above, and most hosts agree about this.

Why not start with baby steps rather than sweeping changes that would over regulate, be costly and unnecessary.

Thank you for reading my submission.

Regards,
Heather Ferguson
2C Pacific Vista Dr
Byron Bay, Nsw 2481

From: Heather Robertson <heather@movingminds.com.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Environmental Planning and Assessment (STRA) Regulation 2019

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Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Heather Robertson
294 Sydney Rd
Balgowlah, Nsw 2093

From: Heidi Eade <apluscleans@live.com.au>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, David submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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Thank you for reading my submission.

Regards,
Heidi Eade
48 Pacific Ave
Anna Bay, Nsw 2316

From: Hela Munro <lotstodoh@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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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Thank you for reading my submission.

Regards,
Hela Munro
32 Hollingshed St
Greta, Nsw 2334

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 2:42 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 14:41

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Helen

Last name

Brown

Name withheld

No

Info

Email

hellyh@bigpond.com.com

Suburb/Town & Postcode

Suffolk park 2481

Submission

Holiday airbandb destroy the community feeling as it's new neighbors continually and unfair to permanent residents who pay the same rates as they are usually not registered so do not pay a commercial rate so money coming in goes straight into owners pockets not towards the community. It's a no win situation for byron

I agree to the above statement

Yes

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 2:45 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Submitted on Mon, 09/09/2019 - 14:44

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Helen

Last name

Doak

Name withheld

No

Info

Email

hdoak@tpg.com.au

Suburb/Town & Postcode

Pymont, 2009

Submission

Strata complexes - additional impact on common property, services and costs to owners:

The 'package' (amendment Act, proposed Code and proposed Regulation) does not address a very real issue for Owners Corporations, being the cost of increased wear and tear, maintenance, cleaning and services use (water and electricity) of common property and common services (including waste disposal) caused by STR. Guests (in STRA) are indifferent about such matters and mostly do not think or act like owners. It has also become more and more apparent that additional time and effort is required from building management, caretakers, security and cleaning personnel (or the other owners themselves where such services are not provided by external parties) to deal with the issues caused by the volume of STR.

These costs are borne by the Owners collectively and are not only an additional financial burden but also take personnel engaged by the Owners Corporation away from their respective duties in order to manage the additional efforts required in respect of the STR. Owners who engage in and profit from STRA are receiving a material benefit from other owners, which is inequitable. In addition to imposing appropriate restrictions on STRA, this needs to be addressed by permitting Owners Corporations to pass bylaws to impose a separate levy on owners of lots used for STR to reasonably contribute to these additional costs.

I agree to the above statement

Yes

From: Helen Dowler <helenkiely@optusnet.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I currently care for my aged Mother at her home and rely on my Airbnb income to live on for both myself and to support my Mother and 3 children.

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired

- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Helen Dowler
34 Hopewell St
Paddington, Nsw 2021

From: Helen Dunkerley <helen.dunkerley@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I am a mainly self funded retiree and the income helps me pay bills. This income enables me to NOT be a burden on the public purse.

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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Thank you for reading my submission.

Regards,
Helen Dunkerley
33 Griffiths St
Charlestown, Nsw 2290

From: Helen Gibbons <h_gibbons@hotmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Helen Gibbons
24b George St
Leichhardt, Nsw 2040

From: Helen Goldsbury <helengoldsbury@hotmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
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Thank you for reading my submission.

Regards,
Helen Goldsbury
Prince Edward St
Malabar, Nsw 2036

From: Helen Gooden <hmg@inet.net.au>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I enjoy meeting people and sharing our beautiful local area. As I am now retired, it supplements my income and allows me to manage the upkeep of my house. It keeps me active and engaged and prevents loneliness. I feel proud that I am bringing tourist dollars into our community. I have visitors from all over Australia and overseas, friends and families getting together.

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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Thank you for reading my submission.

Regards,
Helen Gooden
1 Holden Ave
Kiama, Nsw 2533

From: Helen lu <helen0202@outlook.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

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Thank you for reading my submission.

Regards,
Helen lu
5 Atchison St
St Leonards, Nsw 2065

From: Helen Martin <helenphoenixgear@gmail.com>
Sent: Wednesday, 11 September 2019 2:17 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Helen Martin
144 Dawson St
Girards Hill, Nsw 2480

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Monday, 9 September 2019 7:15 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, recorded in DPIE subs register, Purple category

Submitted on Mon, 09/09/2019 - 19:14

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Helen

Last name

Richards

Name withheld

Yes

Info

Email

hfpr@bigpond.com

Suburb/Town & Postcode

Clareville N.S.W.

Submission

I welcome the opportunity to make a submission as a resident who's life is adversely impacted by a stream of AIRBNB "guests". That they are "ready to party" from arrival to departure is in direct conflict to those who live here & need to go to work.

We have the misfortune of having a "whole house for rent AIRBNB" property 2 away from us. The "hosts", by virtue of their photos, encourage a party house. As we live on the water, most Summer weekends, holidays & often midweek, groups appear, completely oblivious to the noise they make. The property has a small living area so most entertainment is outside. This is a quiet residential Bay, however due to the geography, there is an amphitheatre effect & noise travels in a variety of directions.

I request the following be considered:

- 1) Hosts should be present at all times. Otherwise the neighbours & overworked police are the ones dealing with antisocial behaviour.
- 2) Immediately adjoining neighbours are not the only residents affected as is evidenced by our situation. This needs to be recognised.
- 3) Hosts need to be responsible for the conduct of their "guests" as they are ones gaining financial benefit from their business. It is imperative that there is a 2 strike provision for the Host
- 4) the limit of 2 people per room per night relies on the honesty of both host & guests. No extra people should be at the property during the stay. That means NO FUNCTIONS or PARTIES! Currently we are seeing 'friends' appear during the day who slowly disappear.
- 5) No pets should be allowed. It's unsettling to both existing & visiting pets, particularly dogs, & barking/howling naturally occurs. Neighbours should not be exposed to unfamiliar, potentially aggressive "visitor" dogs.
- 6) A sign to be clearly posted in all STRA homes requesting them to be considerate of neighbours
- 7) A minimum of 5 night stays to limit the 'party' atmosphere
- 8) All Fire Safety & OH& S, etc requirements MUST be met as with any business. Do not forget, STRA is a BUSINESS.

I implore the decision makers to implement the 'hard but fair' rules to allow those of us who deserve a peaceful life to enjoy it.

With thanks
Helen Richards

I agree to the above statement

Yes

From: Helena lessels <helenalessels@hotmail.com>
Sent: Wednesday, 11 September 2019 2:18 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Helena lessels
2 Cedar Cres
Blackwall, Nsw 2256

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment
<noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 13 September 2019 9:03 AM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tessa Submissions, non Air BNB run

Submitted on Fri, 13/09/2019 - 09:02

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Helena

Last name

Maughan

Name withheld

No

Info

Email

helenamaughan@aapt.net.au

Suburb/Town & Postcode

Suffolk Park

Submission

As a community member I am witness to the impact on our community holiday letting is having. When several houses in a street are owned by absentee landlords and used for short term holiday letting it destroys the neighbourhood. You don't have neighbours you have strangers. People who work in our town are forced out due to lack of permanent rental properties available. When a town loses community it loses everything from students in schools, volunteer fire service members, green and clean volunteers etc etc. But most of all it loses its soul and the energy that sustains it.

I agree to the above statement

Yes

From: Helena Northey <helenanorthey@rocketmail.com>
Sent: Wednesday, 11 September 2019 2:14 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
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STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Helena Northey
267 Sydney Rd
Fairlight, Nsw 2094

From: Helene Linhart <helenelinhart@googlemail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because I want to give travelers the chance to stay in a local environment to affordable prices rather than in overpriced international hotels.

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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Thank you for reading my submission.

Regards,
Helene Linhart
16 Campbell Parade
Bondi Beach, Nsw 2026

From: Henk Berkhemer <henk_berkhemer@hotmail.com>
Sent: Wednesday, 11 September 2019 2:16 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Dom submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because we love sharing our home when we are working on weekends or are away on holidays.

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Thank you for reading my submission.

Regards,
Henk Berkhemer
22 Carolina Park Rd
Avoca Beach, Nsw 2251

From: Henricus Visschedijk <puremirror@me.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Henricus Visschedijk
1104 Wilsons Creek Rd
Wilsons Creek, Nsw 2482

From: Henrik Isaksson <henrik.isaksson85@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

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Thank you for reading my submission.

Regards,
Henrik Isaksson
12A Wentworth Ave
Nelson Bay, Nsw 2315

From: Hermie Quinon <hermiequinon@hotmail.com>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it is a best way for visitors to experience and share our great city of Sydney. In doing so, it adds value and increases the economy by way of my tax payment/contributions.

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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Thank you for reading my submission.

Regards,
Hermie Quinon
Sussex St
Sydney, Nsw 2000

From: Hilary Robbins <hilary28@tpg.com.au>
Sent: Wednesday, 11 September 2019 2:19 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Tom Submission, Air BNB run

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Thank you for reading my submission.

Regards,
Hilary Robbins
74 Oxford St
Darlinghurst, Nsw 2010

From: Hilde Swendgaard <hilde.swendgaard@gmail.com>
Sent: Wednesday, 11 September 2019 2:20 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it is the only way I can hold onto my own home and at 63 there just aren't any employers willing to consider someone my age as an employee never mind pay them a wage that can sustain the cost of living.

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From: no-reply@planning.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <no-reply@planning.nsw.gov.au>
Sent: Monday, 2 September 2019 3:54 PM
To: DPE PS STHL Mailbox; stracode@finance.nsw.gov.au
Subject: Webform submission from: Have your say on short-term-rental accommodation reforms > Content

Categories: Purple category

Submitted on Mon, 02/09/2019 - 15:54

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Hina

Last name

Zakir

Name withheld

No

Info

Email

hina.zakir@gmail.com

Suburb/Town & Postcode

The Ponds

Submission

I Agree with the draft instruments and Regulations that will introduce the state-wide planning framework and mandatory Code of Conduct for short-term-rental accommodation (STRA). Provided it does not ask for the hosts to pay extra fees for any type of council licensing fee later on.

I beleive it regulates the industry and provide guard rails both for host and tenants.

I agree to the above statement

Yes

From: Md Jahan <tilok18@gmail.com>
Sent: Thursday, 5 September 2019 3:57 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: recorded and not sent to DCS, Purple category

Dear Minister, Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry. As a result, regulation for our sector should avoid unnecessary burdens on our operations. I oppose unnecessary registration, the night limits and use restrictions for our properties such as strata's illegal interfering, restricting investment property – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Please help us.
Kind regards
Hitomi

Attention:

Director, Housing and Infrastructure Policy

NSW Department of Planning, Industry and Environment

GPO BOX 39

Sydney NSW 2000

10 September 2019

Re: Draft instruments and Regulations that will introduce the state - wide planning framework and mandatory Code of Conduct for short-term-rental accommodation (STRA).

To Director, Housing and Infrastructure Policy,

Thank you for the opportunity to provide a submission regarding the proposed amendments to the NSW planning rules pertaining to STRA.

Holiday Letting Organisation Central Coast (HLOCC) continues to support and promote the recommendations detailed in our 'Options Paper' submission titled *Holiday Letting Organisation Central Coast Submission October 2017* and our submission related to the *NSW: explanation of intended effect*.

In addition to our initial recommendations detailed in our submissions, HLOCC provides the following comments on the proposed planning rule changes:

Effect of SEPP on previously adequately regulated Local Government Areas (LGA's)

- The proposed SEPP supersedes those NSW LGA's that have already adopted proven adequate STRA rules and regulations.
- Superseding already adopted and proven STRA fair and reasonable regulations such as those in place on the NSW Central Coast, that have been scrutinised, voted on publicly by local residents and STRA owners, will overburden the local industry with unnecessary further regulatory requirements and undermine the existing STRA local industry.
- For this reason, HLOCC continues to support the regulatory model adopted on the NSW Central Coast that includes adequate regulatory provisions.
- We question why the NSW State Government is introducing state wide regulations that will effect all LGA's rather than requiring those LGA's, that have not been able to resolve their own unique challenges related to STRA being required to develop their own that suit there unique LGA.
- Historically all previous NSW State Governments have supported and require all LGA's to develop individual local LEPs / DCPs related to STRA. Many communities have made the effort to do as requested. These responsible communities will now be burden with further disruptive regulation due to those who have not solved their own unique individual challenges as previously required.
- Approved legal compliant participants on the Central Coast will now be closed down due to the changes required by the Rural Fire Service and these new regulation. 90 % of approved dwellings on the Central Coast are within a fire zone and will be

effectively closed down. The tourism short stay industry will possibly be decimated on the Central Coast of NSW.

- Please find the link below to interactive council mapping :-

<https://maps.s.centralcoast.nsw.gov.au>

- We will now see the effect of the 1 size fits all policy promoted by others at the expense of all other legal STRA LGA's.

2 strikes and your out in 2 years and your out for 5 years is unrealistic and will not improve management practices.

- **Why:**
- The international booking platforms heavily promote 'instant bookings' within their business models. The "Instant booking" process restricts effective vetting of prospective guests. STRA owners and managers who reject or cancel an inappropriate booking are penalised by the portals through restricted advertising.
- If and when the "Instant booking" system is modified or outlawed it may be reasonable to apply the proposed strikes, although retrospective strikes will never assist with development of quality STRA management practices.
- HLOCC continues to support the regulatory model adopted on the NSW Central Coast as fair and reasonable:-
- 3 strikes within a 12 month period and you are required to go for a DA. Generally if approved there is a 12 month trial period which permits improvement in management practices for new inexperienced entrants into the industry and promotes the development of well managed quality accommodation.

Change of use

- HLOCC questions the lack of defining when STRA is a 'change of use' within the proposed planning rules.
- An approved dwelling located in a fire prone area, operating as a legal STRA on a conditional residential scale should not be required to apply for a second development application (D.A) as there is no defined change of use. Any prospective occupants can already live or visit the dwelling as it already meets all of the building / STRA requirements (when originally approved) for that zone. When an approved dwelling is being utilised for STRA beyond residential scale, it should then be classified as a change of use.

The current Gosford / Wyong STRA LEP passed through the gateway process and was approved by all NSW Departments concerned including Rural Fire Services.

- Many participants made large investments in purchasing existing or new free standing dwellings under those approved laws.
- Existing STRA operations that have met and comply with the Central Coast's LGA STRA planning regulations should be grandfathered from these proposed planning regulations.
- There needs to be clarity as to the grandfathering of all existing legal STRA operations (with in all zones where dwellings are permitted) on the Central Coast of NSW.

Mandatory Code of Conduct

HLOCC continues to support the adoption of a mandatory Code of Conduct. Peak grass roots associations with many years of experience have not been included in the initial Code development process and have been disenfranchised and undermined by the so called national association. A national STRA association that does not consult

with STRA State Associations can not represent state planning. A national association that does not consult with all State Peak Associations undermines the legitimacy of any code which is proposed. Who does it actually represent ? It has never supported or represented existing planning laws within LGA's that already have existing LEP's/DCP's.

Effectively it undermines and destroys existing Local Peak Associations who have existed and supported STRA for many years.

It's promotion of a 1 size fits all, at the expense of democratically develop individual local planning laws which have followed the require state processes, is totally rejected.

- HLOCC recommends the NSW State Government investigate the "instant booking" processes the international booking platforms require before finalising the Code. Those who are experienced in the industry are acutely aware that the ability to **proactively** vet prospective guests is the cornerstone in protecting neighbourhood amenity.
- The current draft code does not support participants who wish to effectively vet their prospective guest nor does it hold the multi-national advertising portals accountable for undermine and restricting participants that reject inappropriate bookings for their prospective properties. A proactively vetting system helps protect neighbour amenity.
- While it may suite their business model, multi-national portals should not encourage and promote participants that provide "instant bookings" over participants who effectively proactively vet their prospective guests.
- Guests or participants who effect neighbour amenity due to the 'instant booking' process and are penalised retrospectively have already undermine the STRA industry regardless of how many retrospective strikes are imposed.
- A recognised implementation and proof of compliance system must be adopted to ensure quality management improvement and assurance.

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• **HomeAway :-**

•

• **"Q: How does Instant Booking work?"**

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• **A:** When you enable Instant Booking on your listings, all the booking requests you receive from travellers are automatically confirmed. The traveller's credit card is charged for the initial amount, you will receive a confirmation email that includes the details of the booking, and the reservation details will be automatically updated in your Reservation Manager.

•

• **Q: Does Instant Booking positively impact my search position?**

•

• **A:** **There are many factors that impact your performance and Instant Booking is one of the top ones.** Instant Booking will help you improve your booking acceptance rate, since the booking is automatically accepted. An Instant Booking counts as an immediate response which will positively impact your response rate. "

Conclusion

HLOCC does not support:

- The introduction of a detrimental SEPP which over rides existing fair and reasonable LGA STRA regulations and existing legal STRA operations.

- The requirement for existing, legal and approved participants being required to go for a second D.A. or be closed down due to fire restrictions when there is no 'residential scale' change of use within an existing approved dwelling.
- A mandatory Code of Conduct that is developed without initial consultation with all NSW Peak Industry Associations who support existing Laws in other LGA's and are recognised as official participants in its development.

HLOCC continues to support:

- **A Standard planning definition and Local Government Planning Controls** - to legalise and facilitate compliance enforcement,
- **An adequately consulted Industry Code of Conduct** - to prescribe STHL management and guest behavioural expectations.
- **Participating Organisations** - to promote, implement and enforce Code compliance.
- **Strata By-laws** - to assist owners corporations to address the unique challenges of a

poorly managed lot within a given strata scheme .

- **The Holiday Rental Solutions Pty Ltd Code of Conduct (*regulation*) enabling system** - to facilitate Code implementation and compliance, complaints management, education, and monitoring and reporting.

The HLOCC Board believes adoption of the recommendations contained within this submission will contribute to effective and sustainable regulation and management of the STRA industry, and positive outcomes for a broad range of stakeholders; further enabling STRA to continue to contribute to the NSW economy as it has on the NSW Central Coast.

Yours truly,

Donat Kobeleff.

President,
HLO Central Coast Inc.

From: janelle garth <jrgarth@yahoo.com.au>
Sent: Saturday, 7 September 2019 9:06 PM
To: DPE PS STHL Mailbox
Subject: Holiday Homes are Generations Old

Dear Minister,

Please do not destroy the holiday home industry for Australians.

Holiday home accommodation is acutely unique in what it offers, and is extremely important for meeting the ranging needs of the community, and supports community and family wellbeing.

It offers 'affordable' and 'self contained' accommodation for large families, multiple families, generations of the same family, and social groups.

No other forms of accommodation offers this ability for families and friends to stay together, connecting people, which is proven to be important for social and mental health and general wellbeing.

Our holiday home is utilised by many people for these reasons. Many guests travel for sporting competitions, social and community events, as well as holidays, and enjoy accommodation where the whole family or group can stay together.

We oppose night limits and maximum per room restrictions.

These restrictions would mean we could no longer offer our home for holiday accommodation.

After 15 years being a holiday home, in order to maintain our livelihood, the property would be converted to a full time rental.

We would not be the only ones forced to do this to pay the mortgage.

This would be tragic to the tourism industry as well as for the community service we provide.

Family holidays in a holiday home rental accommodation have created lifelong special cherished memories for many Australians like me and my family, for many generations.

I urge you to consider carefully the importance of holiday homes as a vital accommodation option to the community, and do not impose restrictions which would destroy this industry.

From: Sarah Ogilvie <sarah@luxico.com.au>
Sent: Monday, 9 September 2019 3:51 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW - Byron Shire specifically

Categories: recorded and not sent to DCS, recorded in DPIE subs register, Purple category

Dear Minister,

I have worked in the short-term rental accommodation industry in the Northern Rivers of NSW for the last 10 years. It is an important driver of economic growth and job creation for the NSW tourism industry.

At Luxico we focus on hosting Australian family groups on their holidays. We are often hosting multiple generations all getting together for annual holidays, 70th's, anniversaries etc.

We have staff members on the ground offering 24/7 contact with guests and face to face check-ins. Our houses are signed, booking rules strict, bonds high and guests very well informed of the neighbourhood noise regulations before booking, again before arrival and again at check-in.

These processes that we have in place create an environment where guests have peaceful holidays and neighbours are not disturbed and are very supportive of our services.

These families coming in Byron Bay and surrounds create an enormous amount of important economic support to the local community. We promote and book only local chefs, tour operators, therapists etc. Our welcome hampers and in-house products are all locally made.

It would be incredibly disappointing and destructive to so many locals careers if the 90 or 180 day restriction was actually rolled out. Instead of putting a noose around the neck of the industry, I would suggest that the following was enforced...

- * if a home is 3 bedrooms or less an annual fee of \$500 was paid to council to be a registered holiday rental
- * if a home is 4 bedrooms or larger an annual fee of \$1000 was paid to council to be a registered holiday rental

There are over 2000 holiday houses in the Byron Shire, this would be an amazing injection of funds for council.

Then these homes need to pass a check-list of safety and staffing rules...

- * pool compliancy certificate
- * signs by the pool saying no use after 10pm
- * signs at the front of each house with contact info of the property manager
- * manager to live in the Byron Shire
- * functioning fire alarms, fire extinguishers, blanket etc
- * no more than 2 adults per bedroom (additional children allowed)

- * bookings of 7 days or longer are exempt from any annual allowed booked night restrictions
- * visitors/functions/parties not allowed

As a responsible operator, I strongly support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

Warm regards,

—

SARAH OGILVIE

Byron Bay sales manager, reservations guru, pooch devotee, mediocre paddle boarder, camper extraordinaire, aspiring green thumb, avid carb & whisky advocate

LUXICO

E: sarah@luxico.com.au

M: 0408 514 352



WWW.LUXICO.COM.AU

From: Holim song <horimsong@gmail.com>
Sent: Wednesday, 11 September 2019 2:15 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: emailed to DCS, Sylvia submissions, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because...

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 am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
Holim song
6-8 The Crescent
Homebush, Nsw 2140



11 September 2019

Director, Housing and Infrastructure Policy
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000

Dear Sir/Madam,

Submission – Short-Term Rental Accommodation – Draft regulatory framework

Thank you for the opportunity to provide feedback on the draft regulatory framework for Short-Term Rental Accommodation (STRA) currently on exhibition.

On 16 November 2018, Hornsby Council made a submission (copy attached) in response to the Explanation of Intended Effect (EIE) for STRA. Substantial changes have since been made to the proposed regulatory framework, which now propose the introduction of:

- *State Environmental Planning Policy (Short-term Rental Accommodation) 2019*, which includes a new definition for STRA, repeal of existing STRA provisions in local planning instruments, introducing both exempt and complying development pathways for STRA and including limits on the days the activity can take place and other key criteria.
- *Environmental Planning and Assessment (Short-term Rental Accommodation) Regulation 2019* and the accompanying 'Short-Term Rental Accommodation Fire Safety Standard', which introduces new safety standards for dwellings used for STRA
- A new draft Code of Conduct for the Short-Term Rental Accommodation Industry.

The new framework provides a much-needed state-wide approach to guide and manage the expansion of STRA in NSW. The new framework has addressed many of the concerns raised with the EIE in our response last year. However, there are outstanding matters that need to be clarified and strengthened prior to implementation of the new framework, which are detailed in the tables attached.

Thank you for the opportunity to comment on the draft framework for STRA. Should you wish to discuss any matter raised in this submission, please contact Debra Clydsdale, Principal Strategic Planner on 9847 6729 during normal business hours.

Yours faithfully,

Katherine Vickery
Manager Strategic Land Use Planning

Table 1: Original matters raised in November 2019 and how the amended draft framework addresses these matters

| Issue | Comment |
|--|--|
| Implications for DAs | Addressed - The draft framework no longer involves an amendment to the <i>Standard Instrument Order 2006 (Standard Instrument)</i> and as a result, matters raised concerning the DA pathway and assessment process have been addressed. |
| Bushfire Risk | Addressed - The new draft framework will not permit STRA on BAL 40 or Flame Zone and as a result, the matters raised with respect to high bushfire risk properties have been addressed. |
| Water access only properties | <p>Not addressed - Hornsby Shire Council has a number of water-only access properties in the localities of Berowra Creek, Coba Point, Milsons Passage and Dangar Island. Council has received several complaints from residents relating to STRA operating in these areas with specific concerns about boating safety and inadequate berthing facilities at Berowra Creek and Brooklyn to cater for visitors.</p> <p>Allowing STRA as exempt or complying on water-only access properties may increase the number of properties in these areas being used for STRA and is likely to exacerbate the issues with boat safety and inadequate berthing facilities. Exempt and complying development does not have regard to the capacity of these areas to accommodate additional STRA.</p> <p>Consideration should be made to the capacity of water access only properties to accommodate STRA and measures to be included on the Code of Conduct to manage visitor access to water access only properties, boating safety and berthing facilities.</p> |
| Access for people with disabilities | Still not clear whether access for people with disabilities is required for STRA. |
| Fire Safety Measures | Not addressed - See further matters in Table 2. |
| Monitoring, Registration and Compliance | Partly addressed – see further matters in Table 2. |
| Complaints register | Partly addressed – see further matters in Table 2. |

Table 2: Hornsby Council Feedback on Draft STRA framework - September 2019

| Issue | Comment |
|---------------------------------------|---|
| Fire Safety Standards | <p>Property owners seeking to carry out STRA as exempt or complying development are required to comply with Schedule 1 Amendment of <i>EP&A Regulation 2000</i> (i.e. requirements of the Short-Term Rental Accommodation Fire Safety Standard). Exempt development could therefore be carried out without any inspection by a regulatory authority that would ensure compliance with the fire safety standard.</p> <p>To ensure that the fire safety standard requirements are met, it is recommended that registration of properties for STRA purposes should only be accepted where a fire safety compliance statement has been issued by a competent fire safety practitioner. The fire safety compliance statement should detail the fire safety measures installed within the premises. The STRA property should not be registered without this information.</p> <p>Consideration should also be made to the requirement of property owners providing an annual statement to the register (similar to current EP&A Reg requirements for class 2 -9 buildings) to ensure that the fire safety measures installed within the premises are maintained at the prescribed standards.</p> |
| STRA in class 2 or 4 buildings | <p>Due to STRA being permitted as exempt development, there is no trigger for an amendment of the fire safety schedule for class 2 or 4 buildings, even though new fire safety measures are to be installed to satisfy STRA requirements.</p> <p>It is recommended that class 2 or 4 buildings not be permitted to be used for STRA under exempt development as:</p> <ul style="list-style-type: none"> • the buildings are of a higher risk; • the scope of works required by the fire safety standard is generally greater; and • there is no mechanism for the newly installed fire safety measures to be maintained. <p>While there are many new class 2 or 4 buildings, class 2 or 4 buildings also represent an ageing building stock that usually contain fire safety defects that should be addressed with any potential new use, particularly where persons are unfamiliar with the building.</p> |
| Definition of STRA | <p>Pursuant to Part 1, Section 4, Clause 2 of the SEPP, 'short-term rental accommodation' is defined as:</p> <p><i>short-term rental accommodation</i> means an existing dwelling—</p> <p>(a) <i>that is lawfully used by the owner, tenant or permanent resident of the dwelling (the host) to provide accommodation on a commercial basis for a temporary or short-term period, with or without the host residing on the premises during that period, and</i></p> <p>(b) <i>that, if it were used predominantly as a place of residence, would be one of the following types of residential accommodation—</i></p> <ul style="list-style-type: none"> (i) <i>an attached dwelling,</i> (ii) <i>a dual occupancy,</i> (iii) <i>a dwelling house,</i> |

| | |
|--|--|
| | <p>(iv) <i>multi dwelling housing,</i></p> <p>(v) <i>a residential flat building,</i></p> <p>(vi) <i>a rural workers' dwelling,</i></p> <p>(vii) <i>a secondary dwelling,</i></p> <p>(viii) <i>a semi-detached dwelling,</i></p> <p>(ix) <i>shop top housing.</i></p> <p>For regulatory action to be taken pursuant to the SEPP, consideration should be made to providing clarification and/or definition for the word 'predominately' referenced under Item (b).</p> |
| Hosted STRA as complying development | Clarification is needed regarding the lack of provisions under the SEPP for 'hosted short-term rental accommodation' as Complying Development. |
| Enforcement of the Code of conduct | <p>It is unclear as to which regulatory authority will enforce the draft Code of Conduct. Pursuant to Section 4.1.2 of the draft Code:</p> <p><i>'The Commissioner may delegate any of the functions conferred on the Commissioner by this code to a suitably qualified person, including to a suitably qualified arbitrator.'</i></p> <p>Hornsby Shire Council's Compliance staff are not delegated under the <i>Fair Trading Act 1987</i> to enforce the Code. If local councils were required to enforce the Code, it is noted that multiple sections within the Code cannot be enforced legally by local Councils and would require regulation by NSW Police (e.g. Sections 5.5.1 and 5.5.2). Clarification should be made regarding the regulatory authorities/arbitrators that may be conferred powers pursuant to the Code by the Commissioner.</p> |
| On-site sewage management system capacity | <p>Part 3, Division 1, Sections 11 – 13 of the SEPP require the number of persons residing in the dwelling at any one time must not exceed –</p> <p>(i) <i>2 persons for each bedroom in the dwelling, or</i></p> <p>(ii) <i>12 persons in total for the dwelling,</i></p> <p><i>whichever is the lesser.</i></p> <p>Approximately 2,500 of dwelling houses within the Hornsby Shire Council utilise septic systems, of which the number of persons and bedrooms vs. tank capacity is taken into consideration pursuant to AS/NZS 1547:2012 On-site domestic wastewater management, when approving the installation of a septic system at a residential property. Correct operation relies on not exceeding the number of persons per bedroom per dwelling house and ensuring excess water usage is controlled. The SEPP does not adequately consider that the number of persons for each bedroom or total persons per dwelling house may exceed wastewater tank capacity. Such factors may affect a septic system's capacity to intake and hold waste and water which may result in uncontrolled environmental pollution incidents.</p> |



16 November 2018

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

Dear Sir/Madam,

Submission – Proposed amendments to planning rules for short term rental accommodation

Thank you for the opportunity to provide comment on the Explanation of Intended Effect (EIE) for the proposed planning framework for Short-term Rental Accommodation (STRA). The proposed reforms provide a much needed state-wide planning framework to guide and manage the expansion of short term rental accommodation in NSW.

The proposed amendments outlined in the EIE have been reviewed with regard to potential impacts on the Hornsby Shire and other Council areas more generally. The following matters are raised below for your consideration.

Implications for Development Applications

The proposed amendments to the *Standard Instrument Order 2006 (Standard Instrument)* include a land use definition of STRA in the Dictionary mandating the permissibility of STRA in any zone where dwelling houses are permissible. Defining STRA in the dictionary without providing controls within clause 5.4 of the *Standard Instrument* will have significant implications.

The amendments proposed to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)* include provisions to restrict the number of nights (for un-hosted STRA) and maximum occupancy as exempt and complying developments. For STRA on land greater than BAL29, a development application will be required. These restrictions for STRA on maximum occupancy and number of nights apply within the proposed amendments to the Codes SEPP only and are not incorporated in the proposed amendments to the *Standard Instrument*.

Concern is raised that introduction of the standard definition of STRA in the Dictionary and mandating permissibility across any zone where dwellings are permitted, without providing development standards in Clause 5.4 of the *Standard Instrument* to limit maximum occupancy or number or nights, will result in large scale STRA being proposed as part of a development application which could have significant impacts on the amenity and character of neighborhoods. Further, the lack of restrictions on scale and intensity STRA will be on land with the greatest bushfire risk (being BAL29, BAL 40 or Flame Zone) which raises concerns for bushfire safety and evacuation of visitors. It will be difficult for Councils to refuse, or uphold repeals of refusals, for large scale STRA without the support of development standards to restrict number of nights and the maximum number of guests permitted. Whilst Councils can develop controls in a Development Control Plan (DCP), Council requires time to develop the controls, consult with the community and implements the DCP amendments.

Recommendation:

Amend Clause 5.4 of the *Standard Instrument* to provide development standards such as a maximum number of days and people, consistent with those proposed for the Codes SEPP, to ensure the scale and intensity of STRA permitted through the DA process is limited. If this amendment is not proposed, allow Councils sufficient time to prepare amendments to DCPs to create development controls appropriate to limit number of nights and occupancy for STRA before implementing the new planning framework.

Bushfire Risk

As discussed above, properties identified as BAL29 or above will require a development application for STRA. Further to the comments above with respect to limiting the scale and intensity of STRA on properties with high bushfire risk, clarification is sought as to whether the STRA will be included within the definition of a 'special fire protection purpose development' in the *Rural Fires Act 1997*. Clarification also sought whether STRA will be permitted on land identified as BAL40 or Flame zone, as *(Pre-Release) Planning for Bushfire Protection 2018* states that STRA is not to be exposed to radiant heat levels exceeding 29kW/m² (1090K).

Recommendation:

The Department provide clarification on this matter to ensure Councils are informed as to:

- whether DAs for STRA are permitted on land identified as BAL40 or Flame Zone; and
- whether STRA on bushfire prone land is Integrated Development.

Water Access Only Properties

Hornsby Shire Council has a number of water only access properties in the localities of Berowra Creek, Coba Point, Milsons Passage and Dangar Island. Council has received a number of complaints from residents of these areas about STRA operating in water only access properties and issues relating to boating safety and inadequate berthing facilities at Berowra Creek and Brooklyn to cater for visitors.

Mandating the permissibility of STRA in the all zones and locations where dwellings are permitted may increase the number of properties in these areas being used for STRA and is likely to compound the issues with boat safety and inadequate berthing facilities. Mandating the permissibility of STRA in all areas does not have regard to the capacity of these areas to accommodate additional STRA.

Recommendation:

Consideration be made to the capacity of water access only properties to accommodate STRA and measures to be included on the Code of Conduct to manage visitor access to water access only properties, boating safety and berthing facilities. Further, consideration be made to prohibit STRA as either exempt or complying development on water access only properties. Such properties that propose a STRA should require a development application so the proposal is publically notified and Council is able to adequately consider each proposal and assess its potential impacts.

Monitoring, Registration and Compliance

Concern is raised regarding the additional burden on Council's compliance functions as a result of the likely rise in public complaints associated with STRA. To assist Council's in their regulatory functions, consideration should be made to developing a registration system requiring hosts of STRA to record the number of nights occupied. The registration of STRA could be in a similar manner to registration of swimming pools in NSW. The registration system should also include a declaration by the owner that the fire safety provisions required by the Codes SEPP have been implemented. This allows Council's in their regulatory functions a suitable means of investigating complaints on specific matters such as days/nights occupied and places the onus on the host to ensure fire safety measures are implemented.

Recommendation:

The Department of Planning and Environment (DP&E) should require property owners of STRA to register their STRA development.

Complaints Register

In a teleconference recently held by the DP&E, Councils were advised that a complaints hotline will be implemented. Further clarification on the process surrounding the complaints register is required and the following questions are raised:

- Is there a legislative process for dealing with complaints received?
- Will complainants be contacting the hotline first, then Council?
- Should Council be directing complainants to the hotline and if matters are not resolved, lodge a complaint with Council to investigate?
- Where will the dispute resolution process be advertised?
- How will the '3 strikes and you're out' policy be implemented and managed?
- Will the mandatory Code of Conduct be exhibited for comment?

Recommendation:

Information be published on DP&E's website so there is a clear process for dealing with complaints. The code of conduct should be exhibited for comment prior to implementation.

Fire Safety Measures

Section 4.2.4 of the EIE identifies the fire safety measures to be implemented in STRA premises. Further clarification is required to clearly identify how STRA premises will implement and maintain fire safety measures.

- Will STRA developments constitute a change in Classification under the Building Code of Australia (BCA)?
- What process or mechanism will be in place to ensure the minimum fire safety requirements prescribed by the Code SEPP amendments and also as required under the BCA will be implemented?

Recommendation:

It should be mandatory for a fire safety schedule to be submitted with any STRA application and consideration should be given for how STRA will suit the existing certification provisions contained in the *EP & A Act 1979*. i.e. requirement's for construction certificates, occupation certificates and annual fire safety statements.

Access for People with Disabilities

The EIE does not address any requirements for the provision of access for people with disabilities in STRA. Will there be any provisions in the Codes SEPP to require accessible design for STRA as exempt or complying development? If a DA is lodged for STRA (on land greater than BAL 29), should Councils be requiring STRA to be upgraded to provide access for people with disabilities?

Recommendation:

Provide clarification on this matter so Councils are equipped to assess and apply appropriate conditions for access for people with disability (if required) in STRA.

Once again, thank you for the opportunity to comment on the proposed planning framework for STRA. Should you wish to discuss any matter raised in this submission, please contact Debra Clydsdale, Principal Strategic Planner on 9847 6729.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'K Vickery', with a stylized, cursive script.

Katherine Vickery
Manager Strategic Planning

From: HOWARD SPENCER <howard.spencer54@gmail.com>
Sent: Wednesday, 11 September 2019 2:22 PM
To: DPE PS STHL Mailbox
Subject: Submission to Short Term Rental Accommodation Discussion Paper

Categories: Rob submission, Air BNB run

Dear Director, Housing and Infrastructure Policy,

As a local Airbnb host I wanted to provide my feedback on the Government's proposed regulations.

I host on Airbnb because it enables us to meet so many interesting people from all over the world and different parts of Australia. It also helps us enormously to help cover our significant mortgage repayments and takes a lot of financial stress out of our lives by having this extra income stream.

I also recommend my favourite cafes, restaurants and shops so small businesses get a boost from local tourism.

I am deeply concerned that the NSW Government's proposed short-term rental accommodation (STRA) rules will make it harder and more expensive for me to share my home.

I understand that the Government has made commitments to support "fair short term rental accommodation (STRA) regulation that supports the sharing economy".

Generally I support the Government's approach, however parts of the current proposals are unfair and fall short of the Government's commitments.

Specifically, I want to comment on the following:

STRA State Environmental Planning Policy

I oppose the requirement for costly complying development permits. This expensive permit will make hosting out of reach for most people who will be forced to pay hundreds or thousands of dollars for a permit to simply share their home. For hosts who share their home for a few weeks a year, this is a significant barrier to home sharing and will make hosting uneconomical. For holiday homes up and down the coast, and in the regions, these have existed for decades without these expensive permits which will end up making holidays across NSW more expensive.

Environmental Planning and Assessment (STRA) Regulation 2019

I oppose the unprecedented requirements to introduce red tape to make costly alterations to my home before hosting, such as expensive lighting systems. Both South Australia and Tasmania state clearly that hosting is an ancillary use of an approved residential dwelling – for the vast majority of hosts, this means there are no requirements to alter a home to be compliant with regulations. Put simply, if my house is approved to be safe for me and my family to live in, it's safe for my guests. Why create unnecessary red tape and penalise hosts who take all the responsibility and liability themselves at present. This is a further intrusion into our personal choices and right to invite anyone into our home.

I support the NSW Government streamlining safety regulations which:

- Respect the ancillary use of my home for home sharing
- Mandate smoke alarms – either battery operated or hard-wired
- Require evacuation or emergency plans and guest education

STRA Property Register

I oppose the potentially costly, complex, and onerous STRA property register. At every stage of consultation, registration has been considered, debated, and ultimately rejected. 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 – and a data sharing framework.

Code of Conduct

I support the Code of Conduct which overall is reasonable and representative of the home sharing community, and provides strong protections for hosts and guests from vexatious or frivolous complaints. I ask that the Government amend the Code to allow hosts such as myself to be covered by insurance directly provided by a booking platform.

As the NSW Government considers how best to regulate home sharing, the message of hosts across NSW remains the same - we want to work with you and have a say on developing fair, innovative rules that reflect how people travel and use their homes today, not last century. We don't want severe home sharing rules, overly complicated planning requirements, or expensive or complex registration systems.

Thank you for reading my submission.

Regards,
HOWARD SPENCER
68 Bundock St
Randwick, Nsw 2031

From: Hugo Croci <hugocroci@optusnet.com.au>
Sent: Tuesday, 27 August 2019 12:28 PM
To: DPE PS STHL Mailbox
Subject: Holiday rental regulations for NSW

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Purple category, sent

Dear Minister,

Short-term rental accommodation is an important driver of economic growth and job creation for the NSW tourism industry.

As a result, regulation for our sector should avoid unnecessary burdens on our operations.

As a responsible operator, I support the creation of a register of all holiday rental properties listed on a platform and the code of conduct. However, I oppose the night limits and use restrictions for our properties – restrictions of this kind will put an important holiday tradition at risk and deprive many holiday homeowners of income they have come to rely on.

My wife and I have operated an Airbnb property for many years and we have never had any complaints from neighbours. Our experience, both as providers and users of STHL, has been very positive. STHL is our preferred accommodation option when we travel. It would be a shame if government regulation results in onerous costs and unreasonable limitations being imposed on operators and users.

As holiday rentals like mine become more important to the tourism economy, it's my strong belief the NSW Government should build a regulatory solution that ensures the sector can reach its economic potential.

Thank you for reading my submission.
Hugo Croci