

**ADEQUACY OF THE REGULATION OF SHORT-TERM
HOLIDAY LETTING IN NEW SOUTH WALES**

Name: Name Suppressed

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Partially Confidential

I wish to lodge a submission to the Legislative Assembly Inquiry into the adequacy of the regulation of short term holiday letting in NSW, especially with regards to AirBNB. I wish to address the issues of land use planning and neighbourhood amenity cited as item e) in the terms of reference.

A house opposite to where I live was approved by Byron Shire Council as a principal house of residence with a secondary dwelling on the same lot of land, to be rented on a long term basis. The conditions under which the Development Application was approved do not provide for holiday letting, bed and breakfast or guest house. However both residences on the property are routinely posted online at AirBNB. With Byron Bay a strong tourist destination it is not uncommon for both residences to be fully occupied with as many as 10 occupants at times, often with the owners absent from the property. There is no provision for parking, the building is not regulated as a guesthouse nor is it registered with Council as a change of purpose from the original Development Application. The constant flow of tenants impacts on the immediate neighbourhood, with no off road parking, noise late at night as tenants return home in a holiday mood, and a constant flow of new arrivals impacting on neighbours. What is considered as a residential area now functions as a low cost holiday letting area with no regulation and no responsible authority regulating how it operates. The house that I refer to is one of 18 in Shelley Drive listed on AirBNB for holiday letting. Complaints to Council have been ineffectual, Council asserts that the fact that the building is advertised on AirBNB is not sufficient evidence for Council to take formal enforcement action. Any other business in Byron Bay would be required to make a financial contribution to Council for customer parking, they would also have to comply with various building codes and safety codes and be subject to health and safety inspections. I submit that Local Councils need to be provided with the authority that allows them to follow up AirBNB landlords and require them to confine their letting to one room in the principal place of residence and to ensure that adequate parking and health and safety regulations are implemented and maintained, and that the amenity of the area designated as residential/non commercial be upheld in regulation so that local Councils are given the powers to act.