

**Submission
No 49**

INQUIRY INTO TOURISM IN LOCAL COMMUNITIES

Organisation: Victims Of Holiday Letting

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Victims Of Holiday Letting

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THE DETRIMENTAL IMPACT OF TOURISM ON RESIDENTS OF COASTAL TOWNS SPECIFICALLY BYRON BAY.

Dear Madam Chairman,

We are an organisation of people who are opposed to Holiday Letting in Residential (2a) zones in Byron Shire. The 1988 Byron Shire LEP clearly states that: "tourist facilities" are prohibited in these 2a zones.

VOHL is campaigning for this short term letting to cease in our residential suburbs. Byron Shire Council has issued notices of proposed Orders to Cease to several owners and has followed this up with Court action.

VOHL was hoping that a definitive legal judgment would be made. The local Holiday Letting Organisation continues to adamantly maintain that a residential property used for short term holiday letting is NOT a 'tourist facility'.

VOHL asks the question: If HLO are so certain of this why do they NOT take action through the Courts to have their case proven or at the very least not obstruct our Council when it is seeking a definitive judgment?

There are hundreds of Holiday Lets in Byron Bay and each of these has neighbours.

Our members have had their lives continually disrupted, often over many years.

The impacts include:

- noise at any or all hours
- drunkenness of guests
- sleep deprivation
- litter and garbage
- large numbers of motor vehicles spilling on to neighbouring areas
- arrivals and departures at unsocial hours.
- verbal abuse
- physical abuse
- intimidation from occupants and some owners.

Our members often feel isolated by not having the normal social interaction with permanent residents.

At peak times the disruption is refreshed by new arrivals on a weekly or even shorter basis. This has a grinding down effect on our residents.

Our town is now infamous for late night drunkenness and violence. This is frequently transported to our residential suburbs.

Anecdotally through taxi drivers and hospital staff there is a rape nearly every day. Many are not reported and knowledge of these terrible incidents is often suppressed so as not to damage the "Tourism Industry".

Other social impacts of tourism including Holiday Letting are lack of supply of permanent rentals and the consequent high rental costs.

There is an abundant supply of cheap labour for the Tourism Industry as there is a huge transient and unstable population which thinks it can "make it" in Byron Bay.

It is claimed that Holiday Letting creates business and that if it were to cease "the town would die". We are in a world that is dominated by market forces. Former Holiday Lets would still need ongoing maintenance through various tradesmen.

Unemployment would not increase as the transient workforce would melt away.

If the "Grog Industry" were properly controlled and its long opening hours were cut back perhaps family holidays could flourish once again. Restaurants would benefit as demand would switch from fast food outlets serving low quality fodder. Our limited hospital resources are constantly diverted to treatment of fight and assault victims.

Local residents are largely afraid to be in town from later in the evening.

Professor Waldersee recognised long ago tourism in Byron Bay is not sustainable.

We can do better here. Our beautiful natural environment need not be trashed by drunken youths.

REGULATION

VOHL is waiting to discuss with Councillors how to control Holiday Letting. Self regulation, as with so many other industries, has never worked to the satisfaction of our members so is not an option.

Although VOHL believes Holiday Letting is illegal we also are aware that it makes no contribution to Council commensurate with its lucrative commercial profits. Council spends its limited resources on damaged infrastructure and cleaning up the early morning detritus from the night before; EVERY night. It cannot afford any substantial beautification work in the CBD and tourist areas.

VOHL is in the process of developing a plan on how Holiday Letting would be restricted and how any possible compliance and compensatory regime could be brought about.

It is to be noted that the recent case brought by the Dobrohotoffs in Terrigal resulted in that particular holiday let having to cease. Clarity was brought to the definition of what constituted a dwelling and the case was determined on planning grounds and not "behavioural" grounds as sought by HLO of Byron Shire Council in our ongoing battle.

VOHL is not opposed to Tourism but believes its excesses have to be curbed and its sustainability nurtured.

Please note that VOHL is representing dozens of Byron Shire residents.

Sincerely yours,

Doug Luke
Coordinator
VOHL