

INQUIRY INTO TOURISM IN LOCAL COMMUNITIES

Organisation: Gosford City Council

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Hon Natasha MacLaren-Jones MLC
Committee Chair
General Purpose Standing Committee No. 3
gpsc3@parliament.nsw.gov.au,

Dear Ms MacLaren-Jones,

Inquiry into tourism and local communities

Thank you for the opportunity to make a submission to the General Purpose Standing Committee No. 3 inquiry into tourism and local communities.

In relation to facts regarding the value and extent of tourism on the New South Wales Central Coast, a detailed response will be directly provided by Central Coast Tourism.

Council will however, provide information in relation the reduction of red tape, the regulatory burden on local tourism operators and delays in the assessment of tourism related development applications. Council will also supply information relating to short term holiday letting of dwellings and their land use permissibility.

The matters raised in our submission have a direct impact on the value and future viability of tourism within the City of Gosford and the greater New South Wales Central Coast region.

The reduction of red tape, regulatory burden and delays in the assessment of development applications

Gosford City Council's "Open For Business" campaign is taking a grass roots approach to assisting local businesses by understanding their requirements, redesigning our service delivery processes, and introducing initiatives that proactively encourage economic growth within our region.

Gosford City Council supports intended reforms of the State's planning system to help provide a stronger policy framework to specifically support the tourism industry, including the reduction of red tape and delays in the assessment of development applications.

The majority of tourism operators on the New South Wales Central Coast are micro, small or medium-sized enterprises. We urge the NSW Government to ensure that the recently appointed Small Business Commissioner acts as the principal advocate for local tourism

operators and plays a key role in addressing unnecessary and burdensome regulation for small businesses within our region.

Gosford City Council also supports the NSW Government's red tape reduction target of \$750 million in savings across government for business and community partners by June 2015 and its 'one on, two off' policy for new regulations.

Short term holiday letting of dwelling-houses

Short term holiday letting of dwellings has, for a number of generations, been a source of vacation accommodation for many Australian families. The activity provides a source of income for owners as well as providing economic support through tourism for many towns and villages.

Use of apartments and dwelling houses for this activity has generally been seen by local communities as a land use that, due to its historic status, is part of the living environment of seaside locations such as Gosford.

The legal standing of the holiday letting of dwellings for vacation purposes has largely remained unquestioned due to the historic status of the use. Gosford City Council has viewed the use as being akin to the accepted practice of medium to long term renting of dwellings.

Council, in recent years, has begun receiving complaints about the use of some 'holiday houses'. The complaints relate primarily to the anti-social behaviour of the temporary occupiers of a small proportion of holiday houses in the city, usually associated with hens and bucks parties.

The issues that are being raised by residents in the Gosford Local Government Area are also being experienced in other coastal areas of NSW. Councils along the coast have responded to the issues by undertaking a range of different actions.

It has been suggested by Council to the State Government that a government policy direction on this State-wide significant issue would provide the opportunity for a consistent Local Government approach in dealing with the issues associated with permitting short-term holiday letting.

Gosford City Council was informed in 2009 by the former NSW Department of Planning, as part of the documentation in relation to authorising exhibition of its new city wide draft Local Environmental Plan (i.e. DLEP 2009), that the Department would be preparing a State-wide policy in relation to short-term holiday letting of residential dwellings. This policy was not prepared. In its place, the Department prepared in 2012 a 'Holiday Rental Code of Conduct' for operation of the use. The code does not provide any policy support for the continued operation of this important economic activity in coastal areas like Gosford.

Gosford City Council had incorporated provisions relating to the permissibility of short term holiday letting into its DLEP 2009.

This DLEP has some way to go before it is made by the Minister. A recent NSW Land and Environment Court case (see *Dobrohotoff v Bennic* {2013} NSWLEC 61) determination that short term holiday letting is not permitted under Council's current planning provisions for the residential zone, has resulted in Council commencing preparation of a Planning Proposal to enable the use to continue (as proposed in DLEP 2009).

The Court's determination will have potentially significant effects on tourism, economic growth and employment within the City of Gosford and the Central Coast region.

It is envisaged that the above circumstances and expected impacts would be common in many tourist areas throughout the state.

Council has written to the NSW Minister for Planning and Infrastructure as a result of the recent court case, again requesting a State-wide policy approach relating to land use and its support for this important industry, whilst recognising valid community concerns with any anti-social behaviour.

I trust that the information provided will assist the General Purpose Standing Committee, should you have any questions please contact Council's Executive Officer, John Mouland on

Yours sincerely

Paul Anderson
General Manager