

Dear Committee members

I make the following submissions in relation to short stay accommodation. I am not involved in short stay use in my local government district and I don't live in or own strata property. I make these comments solely in my private capacity.

1. Much of the short stay accommodation available in my local government district ("the District") is carried on without planning approval. Moreover, the District's Local Planning Scheme only allows the use in a limited number of areas, whereas the use extends throughout the entire district. Suggestions have been made that Local Laws or Local Planning Policies be used to regulate the practice. I understand that this approach has been taken by other Local Governments. I am concerned that this places the Local Government in the position where it is arguably giving tacit approval to a use contrary to its LPS. On the other hand, if the Local Laws or Local Planning Policies are confined in operation to those short stay uses allowed under our LPS, then they will capture only a very small fraction of the use throughout the District.

Effective regulation may need to be through either LPS amendment or via State Government regulation as has been done in other states.

2. There are at least 250 properties in the District advertised on two of the most popular websites (Airbnb and Stayz) available for short stay accommodation. Most are spread throughout the District in areas where short stay use is not allowed under the LPS. It appears that the practice is widespread, popular and given the relatively low number of complaints generated, is reasonably well managed and tolerated by the community. Anecdotally, many members of the community use short stay accommodation to accommodate visitors to Perth, and themselves use this sort of accommodation when visiting other cities. Families tend to prefer to stay in homes rather than hotels due to the facilities available and the cost. Many travelers claim to feel more immersed in the local life when staying in homes as opposed to hotels (or even permitted short stay accommodation properties which tend to be smaller and less well appointed).

Most local governments lack the resources to deal with unauthorized short stay use, and can only respond reactively when neighbours complain. As a result, the ability to use a property for short stay accommodation can depend to an extent on the tolerance of neighbours. This is not satisfactory.

Clearly, poorly managed short stay use is likely to cause amenity impact for neighbours. However, some short stay carried on with little or no amenity impact beyond what might be expected from, for example, regular tenancy, may nonetheless generate complaints from less tolerant neighbours. Such complaints may stem from an objection to short stay/Airbnb type accommodation rather than actual amenity impact.

On the other hand, neighbours become frustrated when no action is taken to stop short stay accommodation where it isn't allowed. Local governments lack resources to gather evidence sufficient to prosecute, and it is arguably not the best use of limited resources in any event. This leads to criticism of local government officers and places them in a difficult position.

3. In general, issues arise when properties are let for short stay use when there is inadequate management and supervision. Visitors can be noisy, inconsiderate of other residents, party more than expected in residential areas, deal inadequately with rubbish, misuse common property etc. However, these problems can be overcome by regulation requiring effective management and a responsive (ie 24/7) contact manager to promptly resolve issues arising, with penalties for non-compliance.

Short stay use of part of a property where the owner resides (a room in the house or ancillary accommodation such as a Granny flat) is unlikely to cause significant problems that can't be dealt with under existing regulations relating to, eg., noise, parking, littering etc. Similarly, with house-swapping arrangements and short stay letting of a property while the owners are on vacation, it might reasonably be assumed that the owners have a motivation to ensure that the amenity of neighbours is respected.

Where whole-property short stay use is offered, appropriate management, regulation and enforcement may be used to protect the amenity of neighbours.

Strata properties with shared common property and facilities experience more particular problems. They tend to be apartments where noise issues have a greater impact. Many of the properties have a shared common entrance with security coded access – the use of these properties for short stay accommodation results in many people having access to a feature that is intended to give security and peace-of-mind to residents. These properties may require special consideration to protect the amenity of neighbours. I understand that most problems with short stay use involve strata properties.

Another major concern with strata properties is that extensive short stay use of properties within a strata complex may have implications under the Building regulations. This may lead to issues with insurance for the property – with some properties left effectively uninsured. Many residents are unaware of this issue. This is a very significant – and unfair- problem for strata owners and needs to be addressed.

My local government district is a coastal suburb 4km². All properties in the District enjoy good access to the beach and to public transport. For this reason, short stay properties are popular with visitors and well used. It seems unlikely that the phenomenon of short stay use is going to go away. Appropriate, robust regulation is

therefore needed to ensure that it can coexist with residential use and to protect the amenity of neighbours.

4. No comment.

Kind regards

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