

06 August 2018

The Secretary
Legislative Council Select Committee Short Stay Accommodation in Tasmania
Legislative Council
Parliament House
HOBART TAS 7000

VIA email: ssa@parliament.tas.gov.au

Dear Legislative Council Select Committee,

RE: Short stay accommodation in Tasmania

We are grateful for this opportunity to express our personal experience with short stay accommodation, specifically Airbnb properties in our small suburb of Hawley Beach. Our opinions are based on experience and not second hand gossip or innuendo and are not a reflection on the professionalism or character of any persons who own or operate an Airbnb property.

1. The growth of short stay accommodation in Tasmania and the changing character of the market including the recent trends in online letting of short stay accommodation.

From a few bed and breakfast establishments several years ago, Hawley Beach alone currently has 17 whole homes available for rent. Some of these homes are indeed family holiday shacks or substantial holiday homes that families choose to rent out while not in residence. Many of the properties are commanding over \$200 per night and indeed one of the homes was built for the sole purpose of being an Airbnb. Our observation is that the properties that command a higher price are generally larger homes with a range of sleeping options. These homes tend to attract several families or large groups of friends which is not something experienced previously with bed and breakfast establishments.

The growth is occurring in an environment that lacks regulations or parameters and the planning scheme has no impact on establishment of Airbnb's. The trends of increasing numbers of whole properties being converted to Airbnb's without the same scrutiny as other types of short stay accommodation and the complete irrelevance of council zoning is very concerning. For example if a suburb is zoned residential, we wouldn't expect that a large accommodation establishment would be an accepted use.

2 The impact of short stay accommodation on the residential housing sector.

As of 6 August, in Hawley Beach there is only one unit available for rent. Neighbours of ours sold their home six months ago and sought rental accommodation while waiting to build their next home. They found it difficult to source accommodation, a retired couple, no children of good character and means were struggling to find a home because all the usual rentals had been converted to Airbnb's. Even offering a long term lease didn't entice any of the owners of the Airbnb properties as they wanted their properties available during the Christmas and Easter holiday periods to command a higher rate.

We have other friends who have been unable to source a rental and have instead purchased a home while they built. The intention is to resell that home once the new build is ready to move into.

It does concern my husband and I that should we choose to sell our property at some stage in the future, sourcing a rental property in this area would be difficult and therefore we would probably not consider building but move into an established home.

3 The impact of short stay accommodation on the tourism sector;

We have observed that the Airbnb located next door to our home seems to have an even proportion of tourists and friends gathering for a celebration or attending a local event i.e. concert at Ghost Rock Vineyard or similar. We have also noticed that corporate people rent the home but they are the minority. We have no evidence to confirm what impact the short stay accommodation in Hawley Beach has had on the local economy or attractions/food outlets.

4 Regulatory issues including customer safety, land use planning, neighbourhood amenity and licencing conditions compared to other jurisdictions in Australia and worldwide; and

Our feedback relates entirely to these points in our location only and we will provide some context:

We selected our block of land in Paradise Place in Hawley Beach in 2007/08. Our selection was based on a number of priorities that included proximity to the beach, aesthetics and a quiet residential area. We did our due diligence and checked through covenants and other title and planning scheme information prior to purchasing. We were satisfied that this area would continue to offer the amenity we desired given the investment we were making.

Had we known that seven years later we would be living next door to what is effectively a hotel, we would not have chosen to live here. The fact that we had absolutely no right of reply or notification or any advice about the home next door upon sale, being fully converted to an Airbnb was extremely frustrating. We were looking forward to meeting our new neighbours and welcoming them to the street, only to find out that they were going to be neighbours in absentia, property managers only, running a business. It was bought as an investment property only. What disturbs us even more is if we chose to move, there would be nothing stopping the same situation occurring again. There is nothing in the land use planning scheme, in council zoning or in the regulatory space to manage Air BNs or seek consultation from residents who've also chosen to invest in a neighbourhood.

Since the Airbnb has been operating next door to our property we have experienced a number of issues which has impacted how we live in our home and even how we feel about our neighbourhood. While the owner of the property has always made an effort to respond to the issues, the reality is that the issues will always exist in some form and require management. These issues are specifically;

- *No onsite manager.* The Airbnb does not have a manager who resides onsite and therefore when issues arise and mostly late at night, it requires phone calls and lost sleep. Visitors have turned up to the property on many occasions and on finding no one is home, proceed to knock on our door and that of our neighbours. While I am all for being friendly, my home is just that, my home, my retreat and doesn't extend to supporting the Airbnb business model.

- *Noise.* People who choose to stay in Airbnb do so for many reasons, mostly for a holiday or catching up with friends. It is natural that they should choose to relax and treat the Airbnb as a hotel. Visitors do not know who the neighbours are, what their work patterns consist of (shift work), normal daily routines, whether they are unwell and require a quiet environment etc. Their only concern is to generally enjoy themselves and in some cases to our disadvantage.

The home next door is of four bedrooms but capable of sleeping ten people, many cars can turn up late at night. As a result all the security lights are turned on which shine into our bedrooms and sometimes they are left on all night. The banging of car doors, dragging of luggage, greeting each other as if it was the middle of the day; tired cranky children looking for bed all contribute to interrupting our sleep. This could happen on a week night or weekend. Sometimes we have altered where we sleep in our house due to the light and noise. (We have a modern home with double glazed windows that are closed during winter, we can still hear the noise and in summer we have to close our windows to reduce the noise).

We have had to live with loud music and parties, noisy conversations on the balcony that carry down the street, fighting adults, adults using foul language in the middle of the day (children live in our street), adults playing chasings through the house, banging doors etc. This can occur at any time and we are naturally apprehensive when people come to stay.

It is to be expected that when people have celebrations they invariably consume alcohol and we are no saints in that regard. However, neighbours don't have parties regularly, it might be once a year and generally we would talk to each other and explain what to expect including what controls were in place with regards to noise. While the owner of the property makes it very clear to their guests the rules regarding noise, in all seriousness, the visitors are only there for one or two nights, do they really care about the neighbours?

The EPA regulations regarding noise are of no use. Visitors next door can turn up every Friday and Saturday night for weeks on end and make as much noise as they like until midnight within the guidelines. Without an onsite manager, there is no one aside from the neighbours to witness the noise and suffer the consequences. While we can raise this with the owner who does respond, the reality is we shouldn't have to.

That impacts our amenity, it impacts our way of life and we did not choose to have that environment. We believe that new noise regulations should be drafted specifically for Airbnb properties similar to what you would experience at any other hotel or accommodation provider. Caravan parks have curfews, they don't refer to EPA guidelines, and they develop their own rules for the sake of other visitors and neighbours in the area surrounding the park.

- *No. of visitors.* Not often, but there have been occasions where the number of people booked in next door expands rapidly once the owner of the property has completed the welcomes and left. The impact of extra people (besides lost income for the owner) is additional cars which are parked on the street and interrupts the flow of traffic, additional noise and in some cases resulting in raucous behaviour.

In other types of accommodation, such as bed and breakfast or hotels, managers are onsite to deal with these issues.

We are happy to have an Airbnb beside our home if it has absolutely no impact on the way we live, our amenity and the culture of our street. The reality is it has impacted relations between neighbours, mainly due to noise. It has altered the feel and homeliness of our street because it is temporary accommodation, not a home that is lived in and loved, not by people who reach out and care for one another.

In conclusion, we appreciate that a diverse economy provides opportunities however there is a reason why regulations exist. In the case of Airbnb's, it has been permitted to blossom without parameters and has taken our suburbs by storm. They neither exist without care or consideration to the impacts nor fully developed rules and penalties to govern its operation. We believe that;

- Homes to be converted to Airbnb's should be assessed for its impacts on the neighbourhood by Councils (parking, licence to operate, number of persons permitted to reside in the home).
- New guidelines for acceptable noise be developed in line with other short stay accommodation providers and be enforceable with fines for non-compliance
- A cap is placed on the number of Airbnb's permitted in any one neighbourhood alleviating the depletion of rental properties and reducing the impacts on neighbourhood amenity.
- Neighbours are advised that a home in their street is to be offered as an Airbnb and have an opportunity to be consulted around operating conditions.
- Where possible the model of an onsite manager be adopted as Airbnb's were initially marketed as offering bedrooms for rent but have now emerged as whole houses without supervision.

We look forward to the outcomes of the Select Committee and hope our submission is useful.

Yours sincerely,

Philip and Gina Harvey
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