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8th August 2018

The Secretary
Legislative Council Select Committee
Legislative Council
Parliament House
HOBART Tasmania 700

Good morning,

I refer to a Public Notice published in the Advocate newspaper on Saturday 16th June 29 2018 entitled “**Short stay Accommodation in Tasmania**” and an invitation to make a written submission from various interested parties.

On behalf of members of the Burnie Tourism Association (BTA), I would like to make the following submission and in particular, reference to item 3 regarding the impact of short stay accommodation on the tourism sector.

Background

- The Burnie Tourism Association (BTA) is a non-profit association established in 1986 for the purpose of promoting the development of Tourism in the North West region of Tasmania.
- BTA receives no funding from Federal, State or Local Governments. The only form of income received by BTA, is a yearly membership fee received from its members to cover its administrations costs such as postage, stationary materials etc.
- The executives or members of the BTA do not receive any form of payment from the Association.
- BTA membership has in excess of 25 members associated with tourism in the Local area. In excess of 15 members are in the bed and breakfast accommodation sector.
- BTA works closely with the Burnie Chamber of Commerce (BCCI) and the Burnie City Council (BCC) in the promotion of tourism to the local and North West Region of Tasmania

Issues

- BTA has been concerned of the increasing number of unregulated private dwellings offering commercial bed and breakfast accommodation to the public.
- These unregulated private dwellings offer accommodation without adequate enforcement by any recognised statutory authority in regard to safety requirements relating to Duty of Care under public insurance liability, Occupational Safety provisions or adequate Fire & Evacuation procedures.
- A media article published in the Advocate newspaper as far back as May 13th 2014 highlighted a growing trend of unregulated premises that were largely free from safety requirements that may endanger tourist safety
- These concerns and other issues were also raised by the BTA to the Burnie City Council. A copy of the BTA letter to the BCC dated 25 May 2014 detailing these concerns is attached. **(Appendix 1)**
- BCC response to the above was most disappointing, advising of many inadequacies in present Local Council legislation relating to the Planning, Building and Construction of various types of premises. The following is just an extract of some of BCC's responses:
 1. There is currently no regulatory accommodation license system operating in Tasmania
 2. Local government has no authority to introduce and administer such a system
 3. A permit may be required if accommodation capacity exceeds 16 people
 4. There are no powers available to Council to intervene and ensure a minimum standard of accommodation for tourist
 5. Permits issued under the Food act does not generally apply for meals provided in a bed and breakfast establishment

A copy of Burnie City Council's full response by letter is attached **(Appendix 2)**

By comparison, there are many Planning controls and requirements place on the Community and Commercial interest when making application to build a residence or commercial building under Local Government legislation.

The lack of any controls place on unregulated accommodation providers is also now greatly contributing to a number of additional issues concerning a shortage of housing and rental affordability that is causing consternation to the current Government and all Tasmanian communities.

Consequence of failures to control public tourism safety

- One has only to follow current media reports and coroners inquiry concerning the Dreamworld “Rapid Ride” fatalities and the consequential publicity of the human emotional, financial losses and adverse publicity to the state tourism in the Gold Coast region.
- BTA members joining our Association from interstate reminded us of the Backpackers fatalities which occurred in Childers, Central Queensland when 16 backpackers loss their lives due to a sever fire in a hostel with inadequate fire protection and evacuation procedures.
- Closer to home, the Port Arthur massacre, whilst the circumstances were somewhat different, the impact on the Tasmanian tourism industry was such that the State Premier and colleagues visited the Mainland to convince the public, Tasmania was a safe place and promoted tourism due to the downturn of tourists for some time after the tragedy.

Recommendations to the Committee:

- Legislation be introduced similar to a Bill recently passed by the New York City Municipality (USA) that makes accommodation providers such as Airbnb and Expedia, submit listings of all their clients offering accommodation in the NY municipality.
- Existing legislation be strengthened to ensure accommodation premises comply with OHS provisions including Electrical safety, Fire safety and Evacuation procedure.
- Whilst BTA believes authority to ensure complying with these provisions should be given to the Tasmanian Municipal Councils or Shires as they are closer to its local community, other authorities could also be considered such as the Tourism Authority and its regional bodies.
- All or some of the expenditure could be recouped in audit fees similar to those presently paid by some BTA members to the Tourism Authority who ensure quality assured standards including public safety are maintained by subscribing members.
- This could be in the form of a state recognised accreditation process or licence requiring a field audit of accommodation premises at periodic intervals (i. e. 3-5 years) and include meeting several criteria such as OH&S, Risk & Environment management procedures, adequate Public Insurance coverage and staff training.

To dismiss the above recommendations on the grounds that the tourism industry is self-regulating is not satisfactory. Without adequate supporting legislation requiring minimum standards and a body able to enforce non-conformance of basic minimum standards in OH&S and fire safety, self regulation cannot work and is now contributing to issues detailed in our above submission.

It is hope the Committee will make sound recommendations that will enhance the quality of the Tourism Industry and the safety of the local public and tourists visiting

Tasmania. Failing this, will we have to wait until multiple fatalities such as those outlined above occur until some decisive action is taken?

I trust the above information and enclosed attachments will be of interest and assist the Committee in its inquiry.

Should the Committee require any further information or be visiting this region as part of its function, Executive Members of the BTA would be available to assist.

Yours sincerely

Derek Bellamy
Secretary/Public Officer
Burnie Tourism Association