

**Submission  
No 127**

**ADEQUACY OF THE REGULATION OF SHORT-TERM  
HOLIDAY LETTING IN NEW SOUTH WALES**

**Name:** Mr Adrian Gattenhof

**Date Received:** 8/11/2015

I have lived in [REDACTED], since 1997. The street consists almost exclusively of owner-occupied homes, with a few permanent rentals. It is a quiet area wherein a real sense of neighbourhood and strong community ties are well-established. It represents the kind of neighbourhood that I believe most people cherish and want to see protected from the noise, disruption and compromise of community that short-term holiday letting brings to a neighbourhood. Holiday renters - especially the party-oriented young attracted to Byron Shire - come into residential areas expecting to party and roister without restraint and typically show no respect to adversely-affected neighbours. In quiet, established residential areas this is a recipe for nasty conflict between permanent residents and non-resident owners.

For the last three years, one of my neighbours has permanently used her house for holiday letting. In March 2014, together with four other affected neighbours, I wrote to Byron Shire Council calling on them to require the owner to cease this illegal activity. Council's responses were paltry, with no attempt to enforce the residential zoning restrictions, even though local councils should use the "Terrigal Case" of 2013 to strengthen their hands and rightfully force owners to cease this illegal activity.

It is clear to me that local councils need to be compelled by State Government to enforce zoning restrictions. Holiday letting is a commercial activity that should be confined to commercial areas.

Further, it is obvious that owners carrying out this illegal activity (for no better reason than greed) are acting like parasites towards fellow ratepayers. They are exploiting the pathetic, negligent failure of Council to do its duty to law-abiding ratepayers. And Council is tacitly allowing them to rot the rates system. Commercial activities should mean commercial rates. Yet the rotters are paying no more than their neighbours. The rotters are extorting a subsidy from law-abiding ratepayers and Council does nothing!! Negligent, lazy, timid - what excuse?

The rotters are also loading Council infrastructure to the detriment of us all. During one holiday period I counted (and photographed) 7 cars in my neighbour's yard. Previously the house had two cars. So that's five more cars loading our roads. Plus the extra sewage and water supply loads. These extra loads should be reflected in a commercial rating, hence holiday letting should be confined to commercial areas.

Government at all levels has a responsibility to enforce the law fairly and equitably. It should be obvious that the negligence so far shown by State and local government on this issue is leading to a festering rancour in many parts this Shire and no doubt in similar popular holiday areas. Imagine if citizens, sick of seeing their rates rotted and their amenity destroyed, while lazy or timid Councils sit by doing nothing, organised a rate strike! If Council's refuse to do their job, why should we pay them?

I call on the NSW Government to require local government to act promptly to eradicate the disruptive and unfair practice of holiday letting in residential areas.