

## Council Response cont.

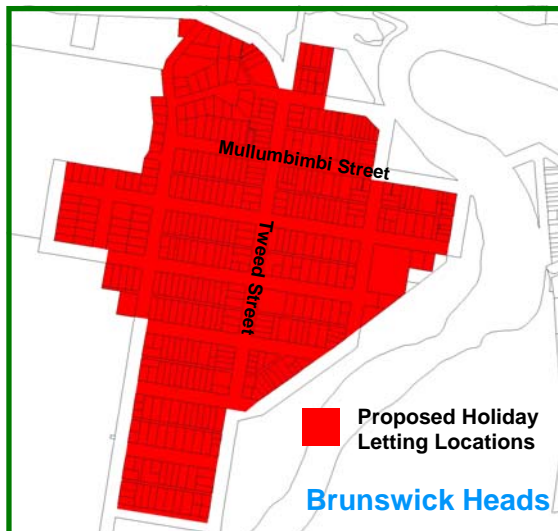
In other locations holiday letting will not be permissible.\*\* The locations where it is proposed that it can be carried out are identified on the maps shown in red on this brochure.

## Proposed Approval Process

The proposed process for approval is likely to be through complying development certification. Council's proposed draft Shire-wide Local Environmental Plan will provide a definition for holiday letting that distinguishes it from other tourist and visitor accommodation.

If you are in an area on Council's map, and you meet the complying development criteria, then either Council or a private certifier will be able to issue you an approval. There will be conditions attached to the approval that relate to things like:

- Guest numbers;
- Visitor car parking;
- Fire safety;
- Garbage services; and
- Signage.



All approvals will also have to pay a contribution to Council which will be calculated on the number of persons that can be accommodated in the holiday accommodation. This contribution will be consistent with other forms of tourism accommodation and will be used on public infrastructure and services such as surf life saving facilities and parks on Shire beaches.

As an alternative, Council is pursuing the ability to licence holiday letting on an annual basis through Section 68 of the *Local Government Act 1993*. This would require an amendment to the Act and the development of licencing criteria, a fee structure for the licence and mechanisms for regular reviews / re-licensing.

\*\* Refer to FAQ Brochure for more details and this reference.

### Submissions:

Submissions will be accepted in relation to the proposed approval process and locations where holiday letting will be permissible if this model is adopted by Council.

They should be made in writing to:

**General Manager, Byron Shire Council**

by **Friday 20 March 2009** via:

**Email - [council@byron.nsw.gov.au](mailto:council@byron.nsw.gov.au)**

**Mail - PO Box 219, Mullumbimby NSW 2482**

**Fax - 02 6684 3018**

### More Information

For more information:

Visit Council's website at [www.byron.nsw.gov.au](http://www.byron.nsw.gov.au)

OR

Contact Councils Community Planning Section  
on **02 6626 7126**

*Please note that this is informal consultation and is not part of the draft Shire-wide LEP process.*



# Holiday Letting in Byron Shire

## What is Holiday Letting?

Holiday letting is the term used to describe the short term rental of houses or units as holiday accommodation, as distinct from a permanent place to live.

## Holiday Letting & Tourism in Byron Shire

Byron Shire is an iconic tourism destination and attracts over 1.5 million visitors each year. There are many types of tourist accommodation provided in Byron Shire. Some examples are motels, tourist apartments, bed & breakfasts, rural tourist facilities, back packer hostels and holiday houses.

All forms of tourist accommodation should be regulated to require owners to comply with specific building and management controls relating to issues such as safety and amenity. Approvals could also require contributions from developers to assist Council in providing services and infrastructure to meet the needs of visitors and the community.

## History of Holiday Letting

There is nothing new about family holiday houses in private ownership in Byron Shire. One well known early example is White's cottage next to Clarks Beach caravan park in Byron Bay. It was built in 1933 specifically as a holiday home for the White family who resided in Lismore and travelled to Byron Bay by train to occupy their house with friends and family in the summer months.

## Recently

More recently there has been a trend to purchase a house or unit in Byron Shire, furnish it and then rent it out as holiday accommodation through an agent or over the internet. Often they are still available for family and friends but generally they are available permanently to the wider public for holiday accommodation. No one actually lives in these houses or units on a permanent basis.

Council's draft Tourism Management Plan identified holiday letting as an issue which needs to be resolved.

## Statistics

The popularity of this practice has spread such that a 2007 study of tourist accommodation found that approximately:

- 39% of all holiday accommodation bed spaces in the Shire were either in holiday apartments or holiday houses.

This popularity has been focussed on Byron Bay where approximately:

- 36% of all holiday accommodation bed spaces were either in holiday apartments or holiday houses, and

- 20% of all houses and units in Byron Bay are used for holiday accommodation and don't have a permanent resident.

Source: Draft Byron Shire Tourism Management Plan Situational Analysis & Tourism Product Audit & ABS

## Consequences

There are consequences to the widespread conversion of residential accommodation to holiday accommodation. Complaints received by Council about holiday letting accommodation include:

- Noise and anti social behaviour, particularly from late night parties;
- Excessive numbers of people and cars;
- Parking which may block driveways or impede visibility or traffic movement; and
- Excess, or poorly managed, garbage.

There is also the loss of permanent resident housing stock, the inflation of housing values and rents in response to holiday rental income and the loss of permanent residents that normally contribute to a sense of community.

Holiday letting is also a major component of the holiday accommodation industry but typically has

not made any direct financial contribution to services or infrastructure comparable to that paid by other forms of tourist accommodation.

Land owners who holiday let houses and units without meeting required safety standards, particularly in relation to fire safety and other hazards, may also be putting occupants of the houses and units at risk.

## What's been happening in planning?

Council and the community have been discussing this issue for the last five years. This includes:

- Workshops;
- Consideration of numerous submissions; and
- Representations from both sides of the debate.

## Council Response

Council values the rights of residents and the tourism industry and has proposed regulation.

Council's proposed solution is to allow holiday letting in some locations subject to an approval process.\*\*

