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Regulation of Holiday Houses in the Shire of Esperance

*Consultation Outcomes Report
September 2022*

CONTENTS

1	INTRODUCTION	3
1.1	Background.....	3
1.2	Holiday House Definition	3
1.3	Development Approval Definition	3
2	CONSULTATION OVERVIEW	3
2.1	Approach	3
2.2	Stakeholders.....	4
3	SUMMARY OF OPPORTUNITIES FOR CHANGE	4
3.1	Excluding Holiday Houses in Certain Areas.....	4
3.2	Revised Occupancy Standards	5
3.3	Stronger Governance	5
3.4	Prohibiting Unattended Dogs.....	5
3.5	Periodic Renewal of Planning Approvals	5
3.6	Other Opportunities	6
4	PROMOTION AND ENGAGEMENT	6
4.1	Promotion	6
4.2	Engagement Reach.....	6
4.3	Submissions	6
5	QUALIFYING STATEMENT	7
5.1	Airbnb Comments	7
6	CONSULTATION OUTCOMES	7
6.1	Social Pinpoint Platform	7
6.1.2	<i>Consultation Survey</i>	8
6.1.3	<i>Interactive Map</i>	29
6.1.4	<i>Ideas Wall</i>	31
6.2	Direct Submission.....	33
6.2.1	<i>Written Submissions</i>	33
7	CONCLUSION	38
8	APPENDIX	39
8.1	APPENDIX A - Proposed Holiday House Areas Maps.....	40
8.2	APPENDIX B - Open Ended Survey Responses	43
8.3	APPENDIX C – Direct Submissions	48

1 INTRODUCTION

1.1 Background

This Consultation Outcomes Report (the Report) outlines the findings of a community consultation process undertaken by the Shire of Esperance (the Shire) over a six-week period between June and August 2022.

The consultation process recognised that Holiday Houses have been the subject of intense public interest in Esperance and surrounding areas for many years. The process explored what changes, if any, to the current regulation of Holiday Houses is desired by the community.

This report should be read in conjunction with the *Regulation of Holiday Houses in the Shire of Esperance Briefing Paper (June 2022)* prepared to accompany the consultation process. The paper extensively covers the intent and rationale for the review.

This Report broadly summarises community sentiment on the matter for consideration by Council. It is not intended to analyze community comments in detail or to recommend specific measures to be prioritised by Council. Further investigation, and community consultation, may be required to inform decision making regarding any scenarios proposed within the Report.

1.2 Holiday House Definition

The term '*Holiday House*' applies specifically to the exclusive use of a private dwelling for short-term accommodation, in return for hire or reward, and without a permanent occupant at the premises. An approved Holiday House could also be used for long-stay or permanent residential purposes.

The term Holiday House does not apply to similar land uses such as Bed and Breakfast, Holiday Accommodation, Serviced Apartment or Tourist Development. These are generally hosted forms of short-term accommodation with a permanent occupant on site.

Holiday Houses in the context of this consultation did not apply to the more traditional 'personal and occasional' holiday use of a privately-owned dwelling, where there is no contract of hire or financial reward.

1.3 Development Approval Definition

For the purpose of the report, the term 'planning approval' refers to 'development approval'.

2 CONSULTATION OVERVIEW

2.1 Approach

At a briefing session held in early 2022, Shire Councillors considered a range of issues, and potential opportunities to improve the regulation of Holiday Houses in local residential areas. This followed Council's endorsement to progress Amendment 8 to the Shire's Local Planning Scheme 24 (LPS24).

During the session, Council determined the need to explore community views, particularly those of stakeholders directly involved in the sector to inform any potential future changes to the LPS24 regarding Holiday Houses. Thus, a comprehensive strategy was developed to ensure that stakeholders were aware that a review was underway, and had an opportunity to express their thoughts on the proposed opportunities for change.

Key objectives of the consultation process were to:

1. Increase community awareness about the regulation of Holiday Houses in the Shire of Esperance;

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2. Obtain views from interested stakeholders about current issues and opportunities associated with Holiday Houses in the Shire;
 3. Diagnose issues and opportunities which can be addressed through changes to the regulatory framework; and
 4. Identify which changes are achievable and should be implemented by Council.

The consultation process occurred over a six (6) week period commencing on 20 June 2022 and concluding on 1 August 2022. Planning officers presented the findings of the review to Council on 13 September 2022.

2.2 Stakeholders

Various stakeholders were encouraged to comment and provide feedback on the regulation of Holiday Houses in Esperance, including:

- Home owners;
- Managing agencies;
- Managers;
- Online booking platforms;
- Neighbours;
- Real estate agents;
- Tourism providers;
- Incorporated community groups;
- Industry associations;
- Councillors;
- Shire staff;
- Visitors; and
- Community members.

The Shire directly contacted all registered short-term accommodation providers, and managing agents in Esperance. Officers also directly contacted a number of prominent online booking platforms to invite comment on the review.

3 SUMMARY OF OPPORTUNITIES FOR CHANGE

The Shire specifically sought comment on a number of potential scenarios, based on measures adopted by some other local governments, to improve the regulation of Holiday Houses in their localities.

Some changes would require formal changes to LPS24 whereas others could be introduced relatively easy with the required resources.

3.1 Excluding Holiday Houses in Certain Areas

In this scenario, the Shire would introduce changes to LPS24 to limit Holiday Houses to certain areas of the town. The potential changes would be to:

- A. Modify the LPS24 Zoning Table, which could clearly define a Holiday House as an 'X' (prohibited) use in relevant zones, meaning that no discretion of planning officers in a prohibited area could be exercised; and
- B. Introduce an 'Additional Use' right for those areas where Holiday Houses are otherwise an 'X' use (effectively 'excluding' some areas and 'including' others). *The areas for proposed additional uses are shown on Maps 1-3 in the appendices.*

If areas are excluded from the additional use area introduced through LPS24, the (already) approved Holiday Houses in non-permitted areas would become 'non-conforming' uses.

Provided that a registration remained current, non-conforming use rights would also remain current until the property changed ownership. In essence, a Holiday House that is currently approved would remain so until the property is sold, then it could not receive planning approval under the new owners.

3.2 Revised Occupancy Standards

LPS24 does not currently apply a maximum number of occupants or guests for a Single House or for a Grouped or Multiple Dwelling. An opportunity exists to strengthen these standards by revising land use definitions, and by introducing a new standard relating to the lot size.

In this scenario, the Shire would:

- A. Introduce a maximum occupant restriction in the Local Planning Policy (LPP), and subsequently in the Scheme, limiting the total number of people to no more than four (4) occupants in Multiple Dwellings.
- B. Introduce further restrictions in the LPP, and subsequently in the Scheme, based on lot size. This would limit the maximum number of occupants in Holiday House use classes for Single and Grouped Dwellings in the Residential zone. For instance, a maximum of ten (10) occupants for lots greater than 500m², seven (7) occupants for lots 300m² - 500m², and four (4) occupants for lots less than 300m².

3.3 Stronger Governance

The LPP already requires that a manager, within the vicinity of the property, is nominated for each Holiday House.

An opportunity exists to include stricter requirements within LPP and associated Property Management Plans to:

- Require the current contact details of the manager to be shown on a sign that can be visible from the street.
- Introduce a fair and reasonable amount of time in which a manager must respond to any contact relating to the Holiday House.
- Strengthen and clarify the conditions of approval, so that the manager is required to resolve complaints and ensure compliance at the premises.
- Introduce a **Code of Conduct** for Holiday House owners to outline minimum behavioural standards for guests to maintain the residential amenity of surrounding permanent residents. Managers would need to communicate the code to the hirer, obtain their acknowledgement, and ensuring the code is clearly displayed within the Holiday House.

In the event of a breach to the requirements, property owners could receive a Planning Infringement Notice or face revocation of planning approval requiring the Holiday House to cease operation.

3.4 Prohibiting Unattended Dogs

Dogs are not currently prohibited from Holiday Houses. However, LPP or LPS24 could be amended to strengthen and clarify the conditions of property registration to prohibit unattended dogs.

In the event of a breach to the requirements, property owners could receive a Planning Infringement Notice or face revocation of planning approval requiring the Holiday House to cease operation.

3.5 Periodic Renewal of Planning Approvals

Currently the Shire does not require a property owner who has obtained planning approval to renew their approval. In this scenario, the Shire could introduce an annual, or biennial, renewal requirement for each Holiday House.

A review process would allow for regular updating of property information to assist in emergency management and improve responses to matters that may affect the amenity of surrounding

If the Shire introduces areas of exclusion for Holiday Houses in Esperance, there would be a direct correlating impact to any approved properties which fall outside the 'approved' areas depending on the length of the renewal period proposed.

3.6 Other Opportunities

The Shire has considered the potential introduction of a Holiday Houses Local Law. However, it is unlikely that a new local law will be supported by the Joint Standing Committee on Delegated Legislation given the expected changes to the State Statutory Framework.

Other potential opportunities include the creation of community education materials and resources to better convey requirements and expectations of Holiday Houses, or increasing resources to undertake compliance and enforcement against non-complying properties.

4 PROMOTION AND ENGAGEMENT

4.1 Promotion

Promotion of the consultation process included newspaper advertisements, radio interviews, social media, e-News, industry newsletters, and direct engagement with registered Holiday House owners (some 150 properties).

General promotion was augmented by a dedicated online Social Pinpoint Platform that included a comprehensive document library, with links to the Shire's current policy framework, a Briefing Paper, relevant State Government documents and a series of Frequently Asked Questions.

4.2 Engagement Reach

The consultation process had a total reach of 100,828 people.

4.2.1.1.1 Engagement Reach

<i>Media Reach</i>	<i>Shire Flyer</i>	<i>Latest News</i>	<i>Instagram</i>	<i>Twitter</i>	<i>Facebook</i>	<i>Social Pinpoint</i>	<i>Total</i>
73,918	732	139	1352	110	23,694	833 unique users/2824 total visits	100,828

4.3 Submissions

The consultation process predominantly occurred via the Shire's Social Pinpoint Platform. Stakeholders were able to complete the Consultation Survey, access an Interactive Map, or post ideas on the Ideas Wall. Written submissions were also accepted by the Shire.

The process generated 236 submissions.

4.3.1.1.1 Total Submissions

Social Pinpoint Platform			Direct Submission	Total
Consultation Survey	Interactive Map	Ideas Wall	Submissions	
208	7	11	10	236

5 QUALIFYING STATEMENT

5.1 Airbnb Comments

A number of the public submissions refer to Airbnb, or Airbnb properties. The Shire notes Airbnb is a recognised brand but is not the only third-party provider of short-stay accommodation in the Esperance community.

The Shire assumes comments referring to Airbnb represent all online marketplace providers. The Shire makes no assumptions or statements regarding any specific accommodation provider in conveying the consultation outcomes.

6 CONSULTATION OUTCOMES

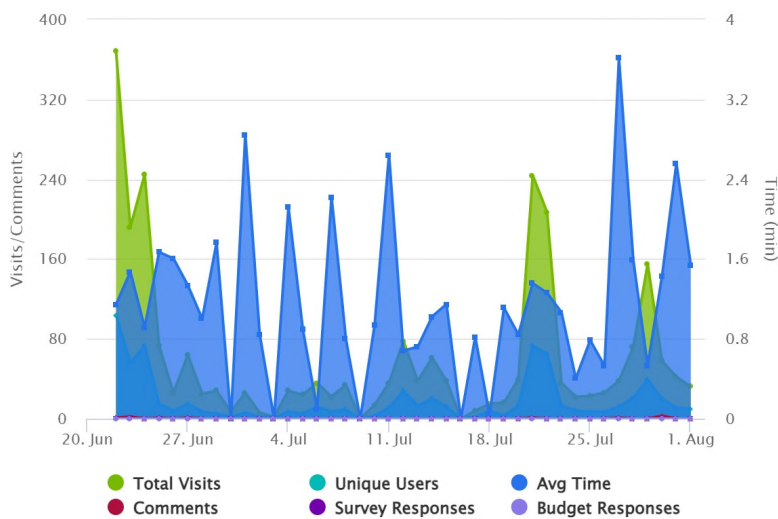
6.1 Social Pinpoint Platform

The dedicated project webpage was open between 22 June to 1 August 2022. A total of 2,824 visits were made to the page by 833 visitors.

6.1.1.1 Social Pinpoint Engagement Summary

Stakeholder Engagement Summary					
2,824	833	1:14	17	21	6
Total Visits	Unique Users	Avg Time (min)	Unique Stakeholders	Comments	Document Downloads

6.1.1.1.2 Social Pinpoint Engagement by Day



The peaks in visitation to the webpage coincided with social media promotion and scheduled marketing activities which occurred throughout the period.

6.1.2 Consultation Survey

The Consultation Survey, created in SurveyMonkey, was the most successful means of gathering data, achieving 208 responses. The survey had a 91% completion rate with an average completion time of 4m:2s.

The survey was comprised of seven (7) questions and structured to gain qualitative feedback. Respondents were restricted to a choice of predetermined questions depending on the respondent's:

- a) Satisfaction with the current regulation of Holiday Houses in Esperance; or
- b) Dissatisfaction with the current regulation of Holiday Houses in Esperance.

Officers did not set out to achieve a statistically significant sample based on the Esperance population size. This determination was made on the basis that respondents were likely to be stakeholders who were particularly interested in the subject matter (with some not residing in Esperance).

6.1.2.1 Respondent Profile

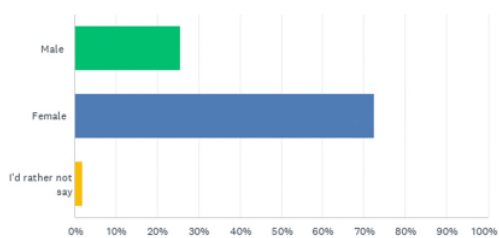
Respondents were asked to provide general information on their gender, age and location, and to identify with one or more stakeholder groups to assist in outlining bias and perspective on the subject matter.

Observations:

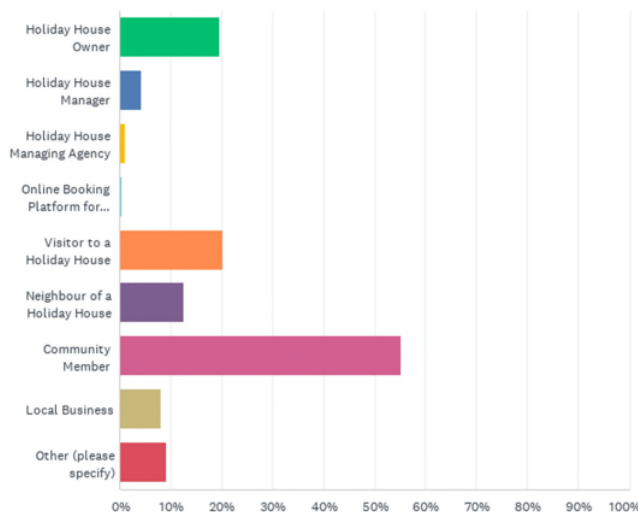
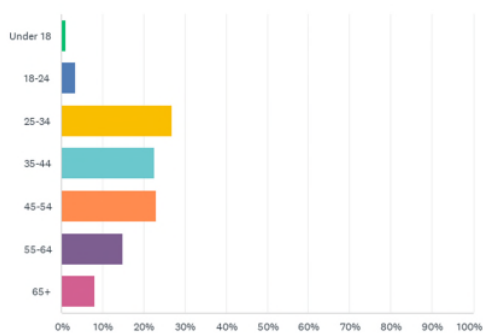
- The majority of respondents were female (73%).
- A diverse range of ages were represented in the survey.
- People between the ages of 25-34 represented the largest respondent cohort (27%).
- 99% of respondents were over the age of 18.
- Several respondents (N=64) selected multiple stakeholder groups.
- The majority (55%) of respondents were Community Members.
- 20% of respondents were Visitors to a Holiday House.
- 20% were Holiday House Owners.
- 12.5% of respondents were Neighbours of a Holiday House.
- The overall majority (84%) of respondents live within the Esperance district.
- 3% (N=5) of respondents were from Kalgoorlie-Boulder at postcode 6430.
- 10% (N=18) of respondents live at 'other' postcodes – all were Perth-based.
- Holiday House owners lived in Esperance, Kalgoorlie, Scaddan, Hopetoun and Perth

6.1.2.1.4 Respondent relationship with Holiday Houses

6.1.2.1.1 Respondent gender



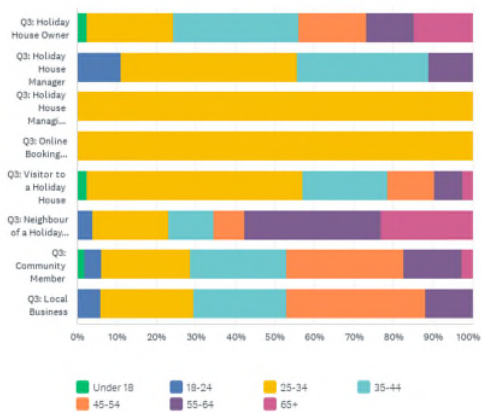
6.1.2.1.2 Respondent age



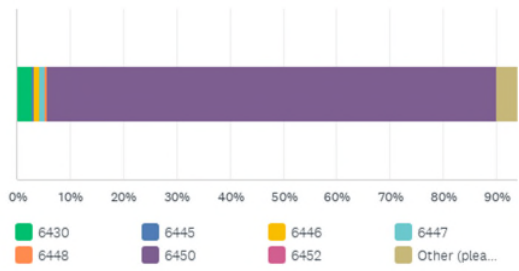
6.1.2.1.5 Number of Respondents

Type	N	%
Holiday House Owners	41	20%
Holiday House Manager	9	4%
Holiday House Managing Agency	2	1%
Online Booking Platform	1	0.5%
Visitor to a Holiday House	42	20%
Neighbour of a Holiday House	26	12.5%
Community Member	115	55%
Local Business	17	8%
Other	19	9%

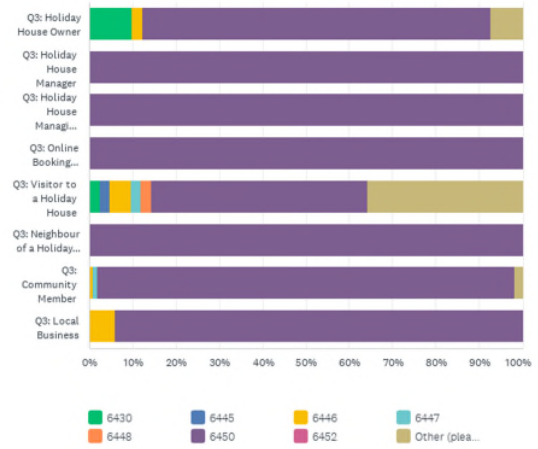
6.1.2.1.3 Respondent comparison age/stakeholder



6.1.2.1.6 Respondent postcode



6.1.2.1.7 Summary of stakeholders by postcode

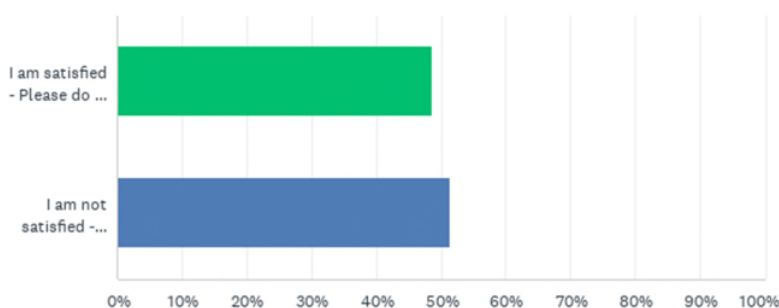


6.1.2.2 Satisfaction with Current Regulation

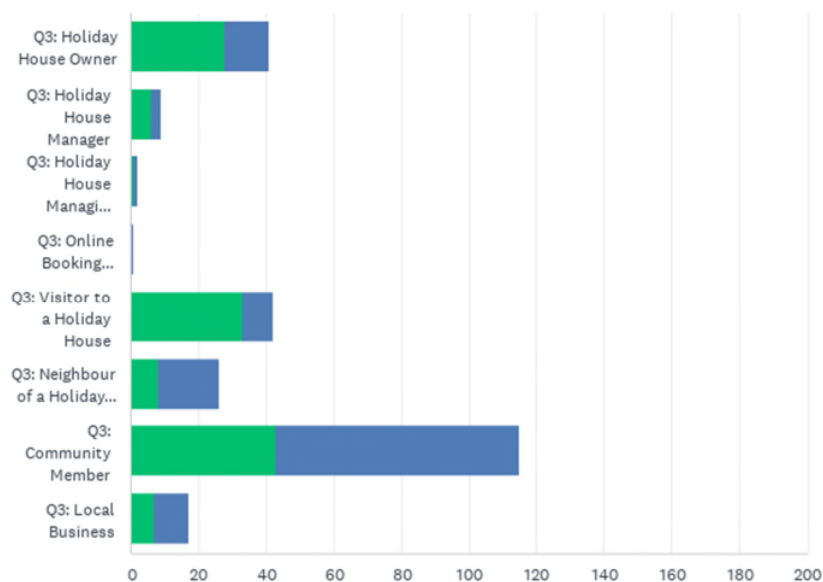
Observations:

- 49% of respondents were satisfied with the current regulation of Holiday Houses (51% were not satisfied).
 - 68% of Holiday House Owners were satisfied with current regulation.
 - 67% of Holiday House Managers were satisfied with current regulation.
 - 50% of Holiday House Managing Agencies were satisfied with current regulation.
 - The one (1) respondent from the Online Booking Platform was not satisfied with current regulation.
 - 79% of Visitors to Holiday Houses were satisfied with current regulation.
 - 69% of Neighbours of a Holiday House were not satisfied with current regulation.
 - 63% of Community Members were not satisfied with current regulation.
 - 59% of Local Businesses were not were not satisfied with current regulation.

6.1.2.2.1 Overall satisfaction with the current regulation



6.1.2.2.2 Satisfaction by stakeholder

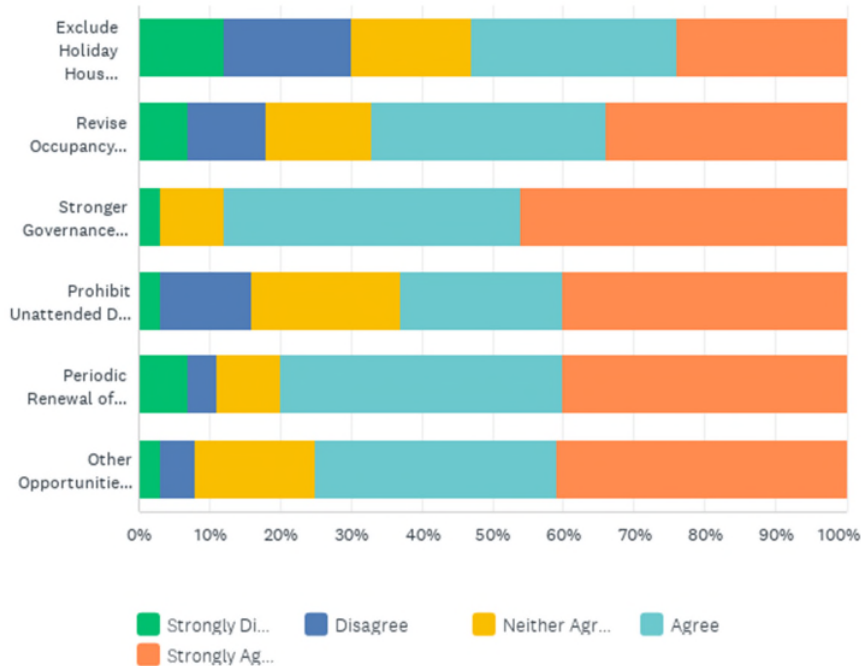


The survey was structured to redirect respondents who were ‘satisfied’ with the current regulation of Holiday Houses to an open-ended question to share their views on current regulation.

6.1.2.3 Opportunities for Change

Respondents who were 'not satisfied' were redirected to rate proposed Opportunities for Change, prior to completing the open-ended question. 102 respondents were 'not satisfied' with the current regulation of Holiday Houses in Esperance.

6.1.2.3.1 What opportunities should be pursued to improve the regulation of Holiday Houses?



Observations:

- *Excluding Holiday Houses in Certain Areas* - 53% of respondents agreed with the proposal to limit Holiday Houses to areas of high tourism amenity.
- *Revised Occupancy Standards* - 67% of respondents agreed with the proposal to apply occupant restrictions on Holiday Houses based on the property Lot size.
- *Stronger Governance* - 88% of respondents supported stronger governance of the sector.
- *Prohibiting Unattended Dogs* - 63% of respondents supported the proposed prohibition of unattended dogs.
- *Periodic Renewal of Planning Approvals* - 80% of respondents agreed with the introduction of an annual or biennial renewal process for Holiday House approvals.
- *Other Opportunities* - 75% of respondents supported the introduction of other opportunities to regulate the sector.

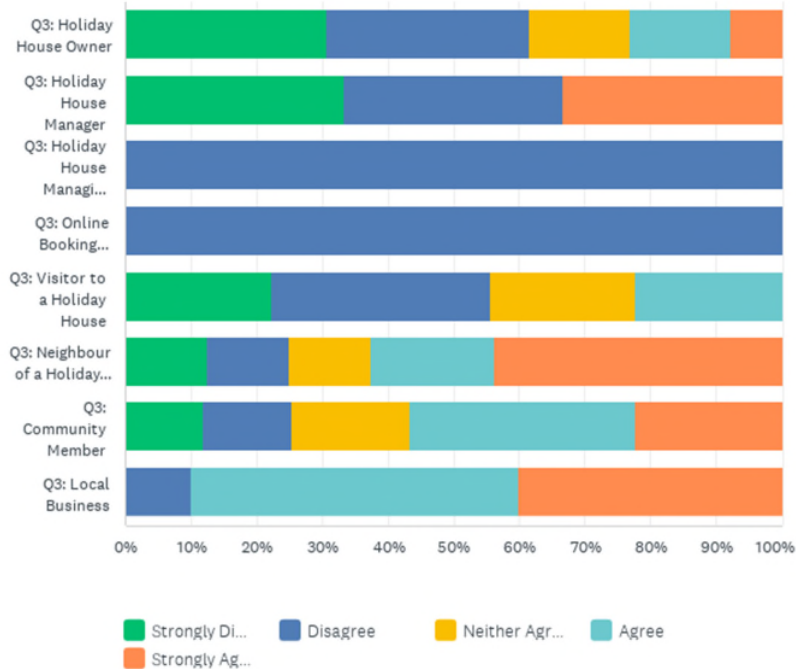
For the purpose of further analysis, stakeholders were grouped into the following key stakeholder groups:

1. Directly Involved in the Industry (comprising Holiday House Owners, Holiday House Managers, Holiday House Managing Agency, Online Booking Platform);
2. Visitors to a Holiday House;
3. Neighbours of a Holiday House;
4. Community Members; and
5. Local Businesses.

The views of 'Others' (Short term accommodation owners/managers, serviced apartment owners, owners of multiple long-term properties, relatives of people in Esperance, and previous and prospective Holiday House owners/hosts) are analysed and presented under a separate heading.

6.1.2.4 Exclude Holiday Houses in Certain Areas

6.1.2.4.1 Exclude Holiday Houses in Certain Areas



Observations:

Overall there was limited support for the proposal to limit Holiday Houses to areas of high tourism amenity - only 53% of respondents agreed the proposal.

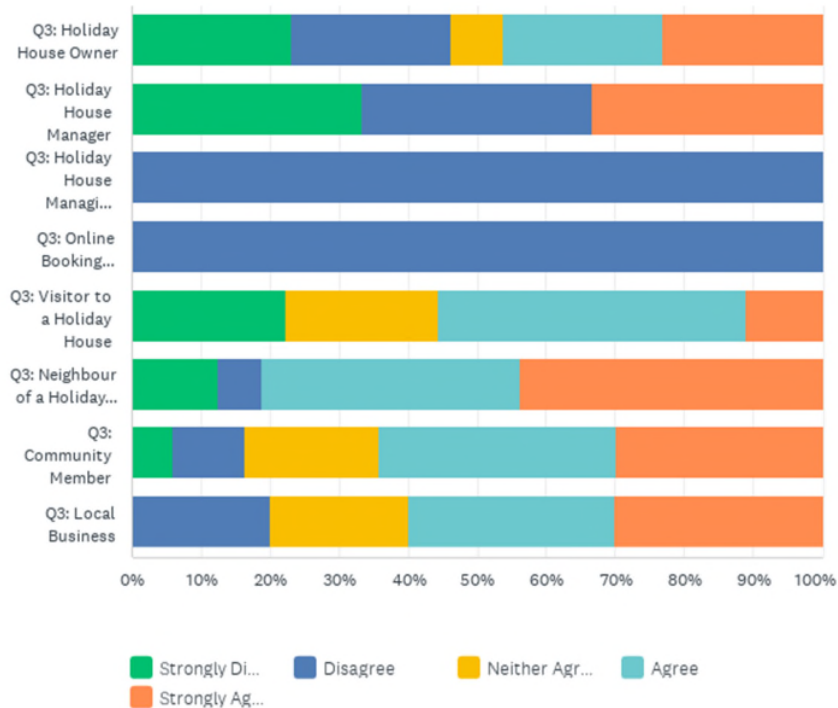
- 62% of respondents Directly Involved in the Industry disagreed with the introduction of exclusion areas, half of these strongly disagreed with the proposal.
- 55% of Visitors to a Holiday House disagreed with the introduction of exclusion areas, with only 22% indicating support.
- 63% of Neighbours to a Holiday House agreed with the introduction of exclusion areas, 44% of these strongly agreed with the proposal.
- 56% of Community Members agreed with the introduction of exclusion areas.
- 90% of Local Businesses agreed with the introduction of exclusion areas.

Respondent Comments:

- *“Although I agree holiday houses shouldn't be allowed in certain areas I have concerns about where these areas are to be.” – **Holiday House Owner***
- *“Give residents opportunity in inclusion zones to have a say if they wish to have this happen.” – **Visitor to a Holiday House, Community Member***

6.1.2.5 Revise Occupancy Standards

6.1.2.5.1 Revise Occupancy Standards



Observations:

Overall, there were mixed reviews on the proposal to apply occupant restrictions on Holiday Houses based on the property Lot size - 67% of respondents agreed with the approach.

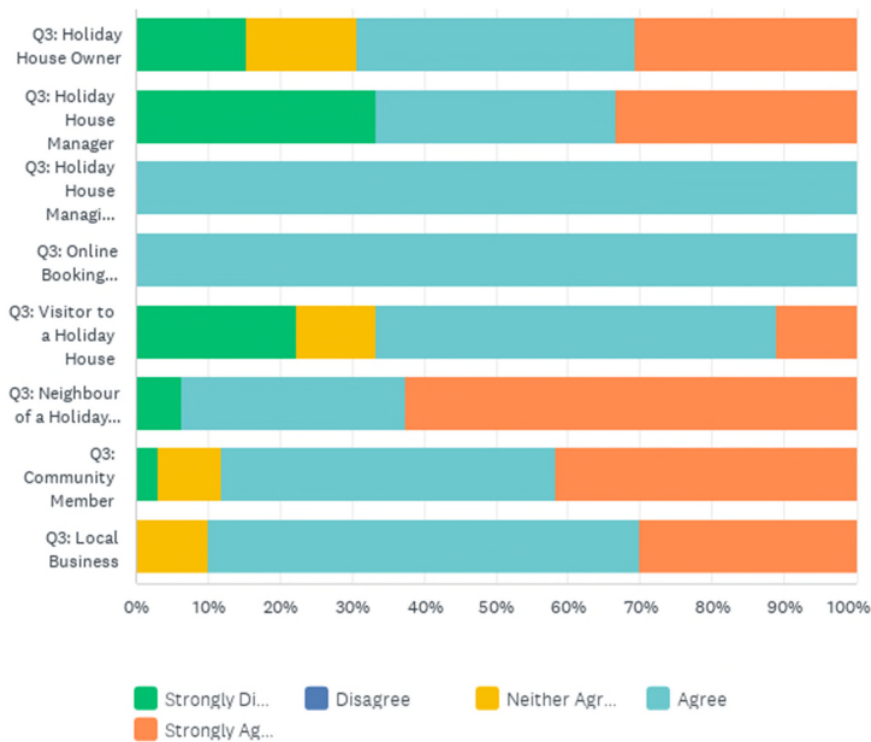
- Views were equally split on the introduction of revised occupancy standards for properties for those Directly Involved in the Industry
- 55% of Visitors to a Holiday House supported the introduction of revised occupancy standards for properties
- 81% of Neighbours of a Holiday House supported the introduction of revised occupancy standards for properties
- 64% of Community Members supported the introduction of revised occupancy standards for properties
- 60% of Local Businesses supported the introduction of revised occupancy standards for properties

Respondent Comments:

- *Limitations on maximum accommodation based on the size of house and number of bedrooms, with an overriding restriction based on size of effluent disposal systems to catch people with undersized leach drains - **Other***

6.1.2.6 Stronger Governance

6.1.2.6.1 Stronger Governance



Observations:

Overall, there was strong support for stronger governance of the sector - 88% of respondents agreed with the approach.

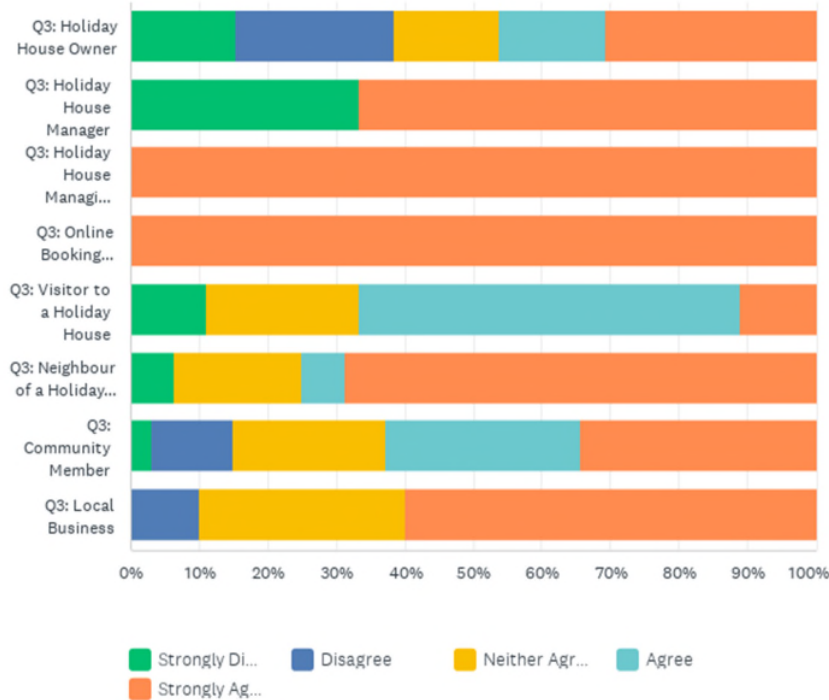
- 69% of respondents Directly Involved in the Industry supported stronger governance of the sector
- 67% of Visitors to a Holiday House supported stronger governance of the sector
- 93% of Neighbours to a Holiday House supported stronger governance of the sector
- 88% of Community Members supported stronger governance of the sector
- 90% of Local Businesses supported stronger governance of the sector

Respondent Comments:

- *Make holiday home registration mandatory so as to better manage the impact on the Esperance area. – **Directly Involved in the Industry***
- *Needs to be compulsory to inform Shire and neighbours of managers contact details should issues arise. – **Community Member***

6.1.2.7 Prohibit Unattended Dogs

6.1.2.7.1 Prohibit unattended dogs



Observations:

Overall, there was mixed support for the proposed prohibition of *Unattended Dogs* - 63% of respondents agreed with the approach.

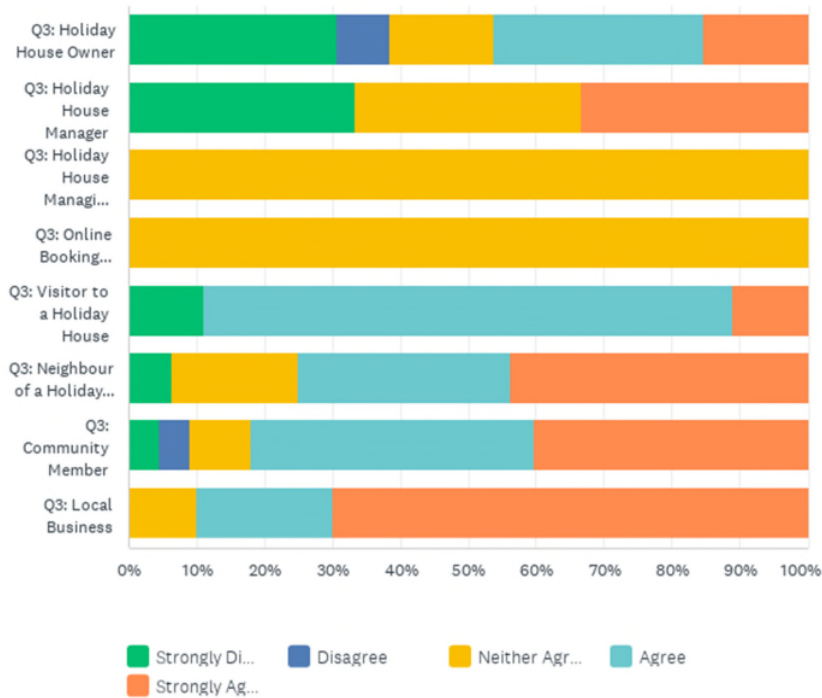
- 46% of respondents Directly Involved in the Industry supported the prohibition of unattended dogs, a further 15% were undecided
- 67% of Visitors to a Holiday House supported the prohibition of unattended dogs
- 75% of Neighbours to a Holiday House supported the prohibition of unattended dogs
- 62% of Community Members supported the prohibition of unattended dogs
- 60% of Local Businesses supported the prohibition of unattended dogs, a further 30% were undecided

Respondent Comments:

- *Really like the prohibition of unattended dogs idea. – Neighbour of a Holiday House*

6.1.2.8 Periodic Renewal of Planning Approvals

6.1.2.8.1 Periodic Renewal of Planning Approvals



Observations:

Overall, there was strong support for the proposed introduction of an annual or biennial renewal process for Holiday House approvals - 80% of respondents agreed with the approach.

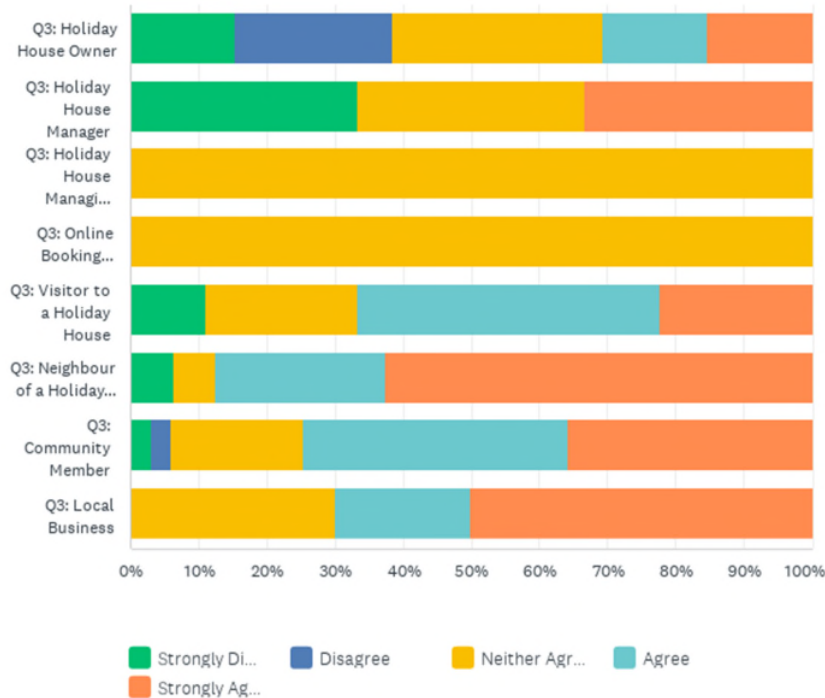
- 46% of respondents Directly Involved in the Industry supported periodic renewal of planning approvals, a further 15% were undecided
- 89% of Visitors to a Holiday House supported periodic renewal of planning approvals
- 75% of Neighbours to a Holiday House supported periodic renewal of planning approvals
- 82% of Community Members supported periodic renewal of planning approvals
- 90% of Local Businesses supported periodic renewal of planning approvals

Respondent Comments:

- N/A

6.1.2.9 Other Opportunities

6.1.2.9.1 Other Opportunities



Observations:

Overall, there was general support for the other opportunities to better regulate the sector - 75% of respondents agreed with the approach.

- 38% of respondents Directly Involved in the Industry disagreed with other opportunities to improve regulation of the sector, a further 31% were undecided
- 66% of Visitors to a Holiday House supported other opportunities to improve regulation of the sector
- 87% of Neighbours to a Holiday House supported other opportunities to improve regulation of the sector
- 75% of Community Members supported other opportunities to improve regulation of the sector
- 70% of Local Businesses supported other opportunities to improve regulation of the sector, a further 30% were undecided

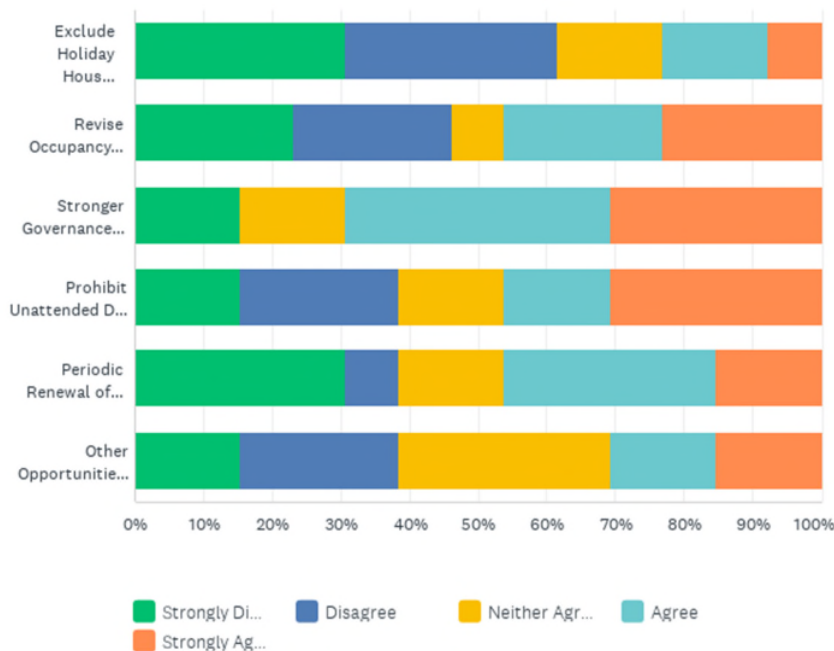
Respondent Comments:

- *Partnership with holiday home owners, recognition of the role they play in tourism and how that can be elevated for community benefit. – **Directly Involved in the Industry***
- *Reduce the number of holiday homes as this is having a significant impact on availability of rental accommodation, and then flowing on to increase the cost of rental accommodation. – **Community Member***
- *Increasing educational resources. – **Community Member***
- *Monitor amount of holiday house vs long term rentals available in areas. – **Community Member***
- *Increase rates for unattended holiday homes – **Community Member***

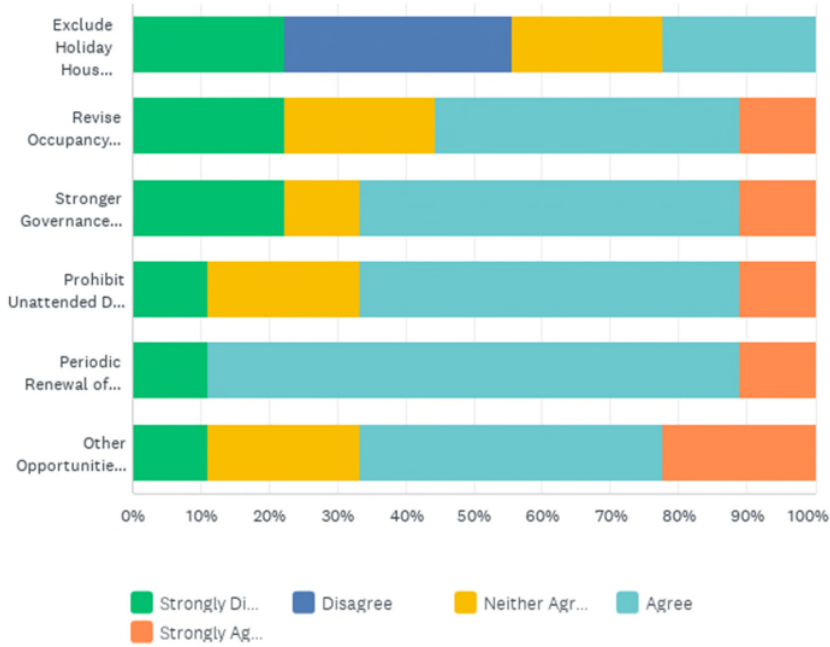
- Owners should be directly liable and responsible for their tenants. Owners should reside in the town to be eligible to host a holiday house. Likewise motels should always have a contact on call to deal with issues with their tenants. – **Neighbour of a Holiday House, Other**
- Airbnb listings should be made to pay commercial rates. This will make it more of an even playing field. Current hotels/self contained holiday business in town pay high commercial rates where as the majority of Airbnbs listing etc – **Directly Involved in the Industry, Neighbour of a Holiday House, Local Business**
- Increase the Shire holiday home fees that are paid by Holiday Home Owners (an annual fee that matches the homes rates) to help fund dedicated staff member(s) to monitor compliance etc. Cap the amount of holiday homes that are allowed. Mandatory installation of sound monitoring equipment such as (minut) to be monitored by holiday home owner/management so neighbour's are having to complain or issue noise complaints with police. If pets are allowed property assessed for suitability i.e. yard can contain an animal and pet areas are not near fences of adjoining neighbours or the street. Owner or management team must ensure bins and letterboxes are maintained on a daily basis rather than bins being left on the street for days or weeks and letterboxes overflowing. – **Neighbour of a Holiday House**
- Limit the number of Holiday Homes per owner; and a requirement to have properties in rental market where own multiple dwellings. - **Other**
- Allow for building of holiday houses in new allotments in town – **Community Member**
- Charge business rates for holidays homes – **Community Member**
- Do we need a cap on the total number approved? – **Community Member**
- Overall planning of town to include certain percentage of rental, low income and affordable housing to meet the requirements of the population. – **Visitor to a Holiday House**

6.1.2.10 Summary Charts – Key Stakeholders

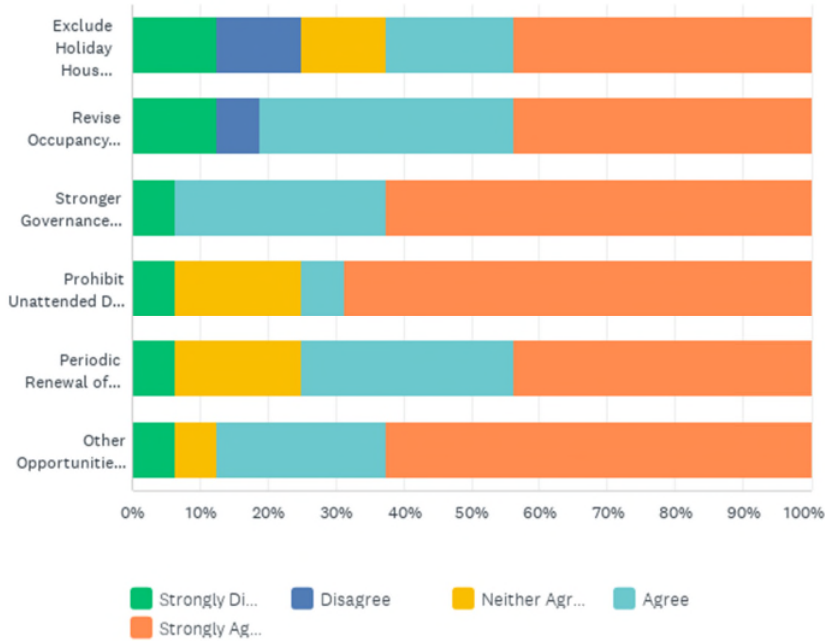
6.1.2.10.1 Directly Involved in the Industry (comprising Holiday House Owners, Holiday House Managers, Holiday House Managing Agency, Online Booking Platform)



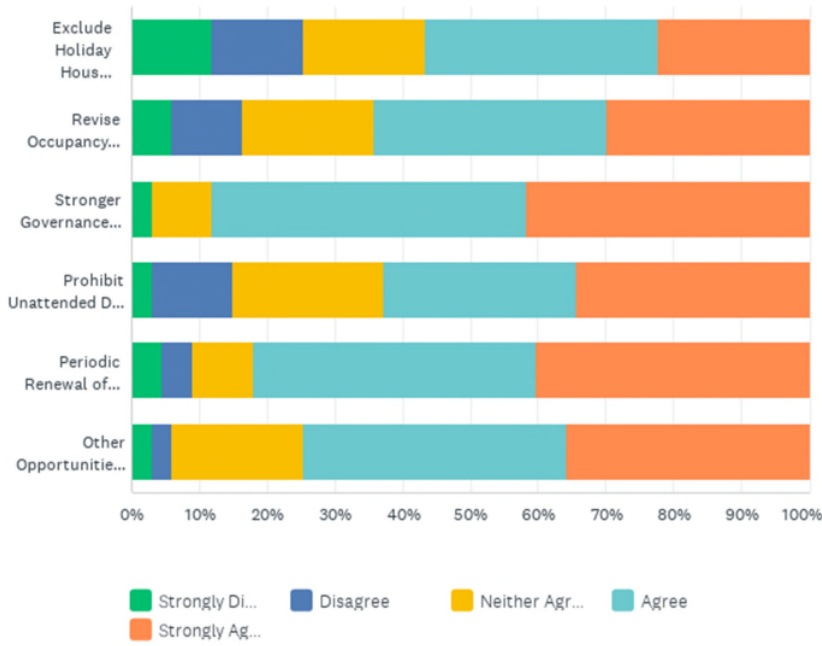
6.1.2.10.2 Visitors to a Holiday House



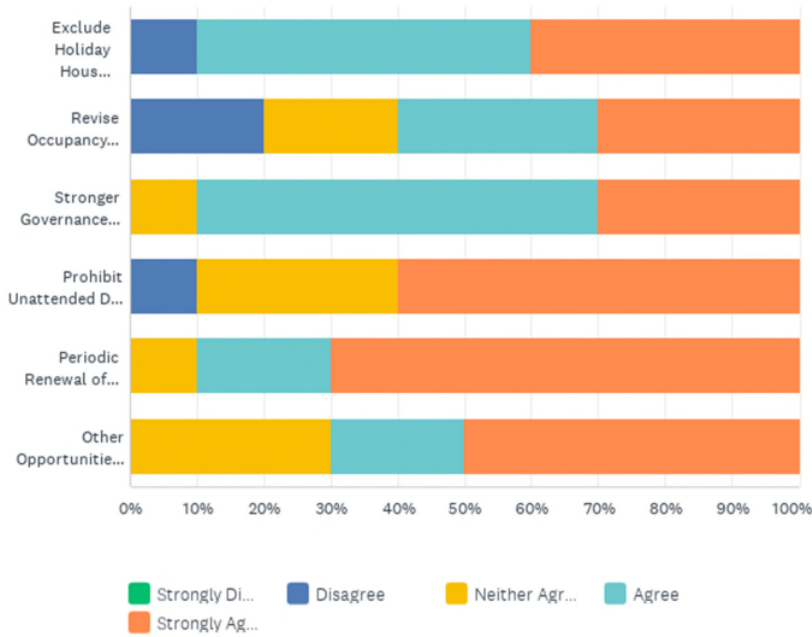
6.1.2.10.3 Neighbours of a Holiday House



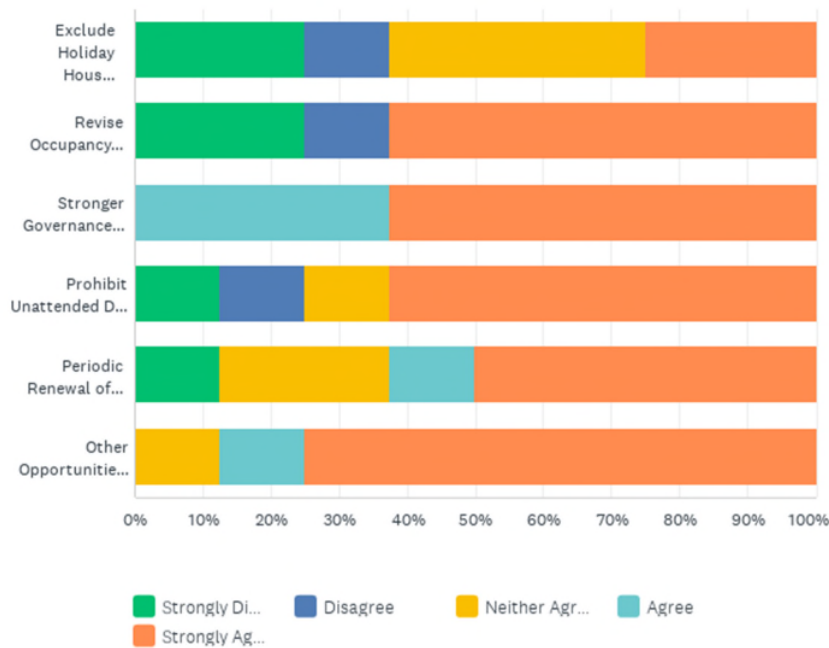
6.1.2.10.4 Community Members



6.1.2.10.5 Local Businesses



6.1.2.10.6 Others



Observations:

- 37% of respondents disagreed with the introduction of exclusion areas, a further 37% were undecided
- 62% of respondents strongly supported the introduction of revised occupancy standards for properties
- 100% of respondents supported stronger governance of the sector
- 62% supported the prohibition of unattended dogs
- 62% supported periodic renewal of planning approvals
- 87% supported other opportunities to improve regulation of the sector, a further 30% were undecided

6.1.2.11 General Comments

136 responses were received to this question. Officers filtered this question by:

1. Comments relating to the Opportunities for Change;
2. General Views on current regulation;
3. New Concepts for consideration.

In cases where the views of respondents covered several of the above categories, responses were separated from the initial comment. This process resulted in a further 15 responses, bringing the total number of responses to 151.

6.1.2.12 Comments on the Opportunities for Change

6.1.2.12.1 Exclude Holiday Houses in Certain Areas

1. *I feel there are more negative impacts to restricting the areas then having houses spread over a greater area. It's a great income potential to Esperance, creating jobs and income streams to investors. – **Directly Involved in the Industry***
2. *Centralizing Holiday Houses is not a good outcome for tourism or to assist locals in this community and this should be given high importance. Spreading out the Holiday houses allows tourists a more individual experience of Esperance and the opportunity to be close to family or friends they are visiting in areas where motels are not. It also means locals can live centrally too which lowers traffic and is important for the elderly. – **Other, Neighbour of a Holiday House***
3. *Don't think zoning certain areas is suitable especially the LARGE area in Castletown which removes local owners & renters from living close to beach. Owners in this area would become outnumbered. This area has a significant amount of rentals in the town. Why not sections of West Beach or Sinclair?? - **Community Member***
4. *Zoning laws are inefficient and do not allocate land to its most efficient use. The market is clearly expressing a need that is currently not being met due to a severe lack of investment. Keep the current system in some form or another. - **Local Business, Community Member***
5. *If you take the Esplanade's zone for example there would very few of these residents who will be considering making their property available for holiday accommodation. - **Community Member***
6. *The Quays aren't included but huge chunk of residential Castletown is? And none of West Beach where tourists/short term accommodation love to stay due to beach proximity and views. - **Community Member***
7. *I think zoning out the areas where a short-term rental is allowed is not a good idea. It would not help with the rental market as we would not rent our house out long term. It would take away the possibility to use the house ourselves when we need to. – **Directly Involved in the Industry, Community Member***
8. *I don't understand how holiday house zones can make it better. And how to make A fair border? One house can be a holiday house and neighbour can't. – **Other, Directly Involved in the Industry***
9. *If these homes are needed by holiday makers and are regularly occupied, what's the problem? Some of these issues will still be a problem, in a zoned area. I strongly disagree with zoning an area for this purpose, it would only encourage the wealthy to become more wealthy. - **Local Business, Neighbour of a Holiday House***

6.1.2.12.2 Revise Occupancy Standards

- N/A

6.1.2.12.3 Stronger Governance

10. *More weight being placed on objections from adjoining properties regarding concerns re privacy issues in established residential areas. - Neighbour of a Holiday House*
11. *As an experienced and highly rated holiday home owner I agree with improved regulation, particularly around the quality and safety compliance. However it should be recognised that many holiday homes provide an important and high quality service for the visitor experience. There is a shortage for private rentals and holiday / worker accomodation. Over regulation of holiday homes will not provide value or address this issue and only create a admin burden on council workers and risks reducing interest in visiting or investing in Esperance... – Directly Involved in the Industry*
12. *I think there should be greater regulation on holiday houses so we can ensure they are managed to the same standards. - Community Member*
13. *If there are issues the Shire needs to allocate more resources towards enforcing compliance. – Community Member*
14. *Allowing people the choice of accommodation is critical in Esperance. There is not sufficient holiday accom in Esperance even with the current number of holiday houses available. I see no benefit in reducing this number by increasing restrictions. Enforcing compliance of existing holiday homes would be sufficient. – Visitor to a Holiday House, Directly Involved in the Industry, Local Business, Community Member*
15. *Applications should be assessed by home by home basis, not by Street. – Other, Visitor to a Holiday House, Community Member, Neighbour of a Holiday House*
16. *I believe the regulations should only cover the standards of the holiday homes. The shire should be regulating each home on a circumstantial base, taking into consideration the quality of the home, the location and whether the home can be maintained by cleaners and/or constant upkeep of the home, depending on whether the owner is local or interstate/overseas. – Visitor to a Holiday House, Directly Involved in the Industry*

6.1.2.12.4 Prohibit Unattended Dogs

17. *I think dogs should be prohibited to be left unattended but I'm not sure about penalising the home owner as they have no direct control over this. It might cause a reduction in people willing to host guests with pets, which could deter holiday makers traveling with pets. It would need careful consideration as to what the consequences to the home owner would be. – Directly Involved in the Industry*
18. *There needs to be greater regulation due to the impact on permanent residents. The idea about restricting unattended dogs is a great idea due to the nuisance they create. - Community Member*
19. *Keep allowing all pets including dogs to be still up to the discretion of the owners of the accommodation - Community Member*
20. *As a dog owner, it is so lovely to be able to bring our fur babies on holiday with us. We choose to come to Esperance because it is such a dog friendly town with dog friendly holiday homes. Our dogs are always so exhausted from the daily beach walk that they never bark. I truly don't know anyone that would bring their dog on holiday and then just leave it unattended all day. There are times when you need to leave the dogs unattended - including going to the supermarket or spending money in the many businesses in town. There will definitely be less tourist dollars being spent if dogs cannot be left for short periods of time unattended. – Visitor to a Holiday House*

6.1.2.12.5 Periodic Renewal of Planning Approvals

- N/A

6.1.2.12.6 Other Opportunities

21. *It should be recalled that, for example, Airbnb and some property managers already apply high standards and check them. From my point of view better checking of the compliance of holiday house standards and enforcement would be necessary. – Directly Involved in the Industry*
22. *I feel setting quality control measures, including inspections will ensure properties are suitable for holiday stay. Compliance, penalties/regulations, annual fees and reviewed rates may allow some control to measures. – Directly Involved in the Industry*
23. *A better approach would be to limit the number of holiday houses able to be registered in each zone (including the CBD). It also allows council the opportunity to withdraw registration completely (say a 3 strikes and you are out policy) if regulations are not adhered to eg. if the owner does not have an available contact in Esperance, if dogs are left unattended, if noise is an issue or if bins are left on the roadside for extended periods. What we really need are responsible and well prepared Holiday House owners as we expect of our motels. – Neighbour of a Holiday House*
24. *There needs to be a limit of holiday houses within Esperance and surrounds to ensure the availability of rental properties and support out hotels industry. - Other*
25. *Houses that are not registered need to be fined and regularly checked on, there are too many owners making a lot of money and not having the appropriate safety or amenities for guests. A physical inspection of the property before registration to physically see that everything is as it should be and perhaps random inspections. – Other*
26. *I don't think a review of holiday homes should be conducted more than once every 2 years. – Directly Involved in the Industry*
27. *Think there should be a number limit on holiday homes within town limits NOT zones. Zones will create the same effect as locating all social housing in Nulsen that occurred in the past. – Community Member*
28. *Why not stop absentee owners (Kal, Perth) from buying in Esperance full stop or charge penalty on rates. – Community Member*
29. *As long as providers register and adhere to planning regulations there should be no changes and definitely not exclude areas in town particularly West Beach with all the best beaches. I own a local restaurant and constantly get feedback on lack of accommodation in town. - Local Business, Community Member*

6.1.2.13 General Views on Current Regulation

General Views on Current Regulation are contained in the Appendix B.

6.1.2.14 New Concepts for Consideration

6.1.2.14.1 Advocacy

30. *Tourists are going to be a huge area of growth for Esperance's future and there will need to be accommodation for them or they will not come here. I do think we also need to look at more motel kind of accommodation as well and be pushing the current closed hotels to moving more quickly towards redevelopment. - Community Member*
31. *A minimum accommodation standard should be pursued as this best promotes Esperance as a tourist destination. Currently there is a wide spectrum of providers, from those who strive to be professional to those who are opportunists with little motivation beyond making \$'s. - Community Member*

6.1.2.14.2 Incentives

32. *It is not the responsibility of asset owners to provide “a plentiful supply” of rental properties. If the Government would like citizens to own properties and rent them out to people requiring accommodation, then there needs to be financial incentives to do so. - **Community Member***
33. *Incentives for long term lease properties. – **Visitor to a Holiday House***

6.1.2.14.3 Limits

34. *Regulation needs to address the lack of long-term rentals in Esperance. Maybe a ratio of long vs short needs to be improved. Owners can only have 1 holiday house property. Limit number of holiday houses in a particular street. - **Community Member***
35. *Limit the number of them. There are no rentals in town due to owners using the homes for short stay. Council must address the housing Crisis - **Local Business, Community Member***
36. *Limits on how many times a holiday home may be rented throughout the year. - **Community Member***
37. *I think a system of limited total numbers works best. Once those numbers are allocated, you have a waiting list for those that want to be able have a HH. I think limiting the numbers of HH's in an area is a good idea, not excluding them exclusively. For example someone may want to stay in west beach as it's near their family when they visit, rather than be in the CBD. A percentage based on the number of homes available in that area should be allocated. Vice Versa someone might want to be rurally located for their stay. – **Directly Involved in the Industry***
38. *Have a cap on how many holiday homes there are. As much as tourism is a major part of this town, unfortunately as a business owner we can't get staff due to having nowhere for them to live. - **Community Member***
39. *Has to be incorporated into the overall planning to ensure existing housing - rentals, low socio economic and affordable exists for the residents of the town. Otherwise they go somewhere else and it becomes a tourist town only with no local industry. Holiday Houses should be restricted to a certain number - once at capacity for HHs it is one in and one out for applications. – **Visitor to a Holiday House***
40. *The Shire need to limit the number of homes approved and monitor them rather than limit their location. - **Visitor to a Holiday House***

6.1.2.14.4 Management

41. *All the issues could be solved by having holiday houses pay for a security/complaints/management company on call. Just knowing there is somewhere to get quick help when issues arise would help so much. - **Community Member***
42. *I think there could be a better system whereby complaints could possibly be lodged with a certain department within the Shire and perhaps when a certain number of 'warranted' and 'provable' complaints have been lodged then the property involved is given a warning. Perhaps it should work something like - 3 strikes and you're out so as to speak?? There must be a better way to put the onus back on the owner of the home to ensure that the management of the Holiday Home is happening in an acceptable way that it is not affecting their neighbours lives hugely. – **Community Member***
43. *Holiday homes and houses rented by companies for workers need a complaint process. We have been affected by some horrific tenants with no help from the owners as they are earning \$1,200 a week from the rental but this is our home and it affected us mentally and physically. – **Visitor to a Holiday House, Community Member, Neighbour of a Holiday House***

6.1.2.14.5 Pets

- *Dogs - maybe limit unattended dogs to daytime only so they can visit the National Parks. – Visitor to a Holiday House*

6.1.2.14.6 Planning

44. *Allow for approval for holiday units to be built in new sub-divisions in town to boost construction industry but also raise quality of holiday house stock to 21st century - Community Member*
45. *As a home owner on 5 acres we have an additional granny flat that has been approved to be holiday accommodation. We would like to have a 2nd 'granny flat' for holiday accommodation but at the moment we are not allowed under shire recommendations. It would be a good idea to allow more granny flats to be built to accommodate holiday makers. – Directly Involved in the Industry*

6.1.2.14.7 Policy

46. *Introduce a requirement that booking agents/tourist operators complete a submission to Shire when adding new holiday homes to their listings. - Other*
47. *Holiday and or short term accommodation housing should be restricted and be advertised for public review before any approval - Local Business, Community Member*
48. *As a managing agent for holiday homes and a local of our small town, Esperance, I think this is great that we have the ability to offer such accommodation. The only thing i can suggest to the shire is too possibly be a little bit more picky about what properties they are approving, eg. making sure they look great, you don't want tourists coming to our town and staying in a property that doesn't looking nice and isn't well equipped. Only doing zones i think would create more of a hassle, as everyone would know all of their neighbours are visitors so will not care about noise etc, having normal long term neighbours are great, majority of them can keep an eye on the property and can advise when things go wrong etc. – Directly Involved in the Industry*
49. *Holiday Houses should be individually assessed on a case by case basis. As I understand currently Council considers all the facts presented and they make an informed decision based on all the information. – Other, Community Member*
50. *Could you have a law that say 1 year in 5 your holiday house had to be made available for a 12-month lease? – Other, Community Member*
51. *Hosts of holiday homes should live locally to provide proper management. They are becoming a business (sometimes with multiple properties) saving money by bypassing laws other accommodation providers must adhere to. – Visitor to a Holiday House*

6.1.2.14.8 Rates

52. *Additional tax on homes that are deemed short term accommodation – Community Member*
53. *Hate the idea of only having houses in some areas. Very unfair if your already live in those areas. Could be persuaded with a huge cut to my rates for the inconvenience (meaning higher rates in the holiday house free areas) - Community Member*
54. *Rates and fees need to be dramatically increased on Temporary holiday housing in order to reduce the current housing crisis, with planning approval fees for switching current housing stock to temporary holiday homes needing to be massively increased. With some minor exemptions for newly built housing to encourage building. - Community Member*
55. *It is not regulated enough. They need to taxed and charged business rates - Community Member*

-
56. *Are the rates increased on the potential rental income would be higher and should be highly regulated to make sure insurance public liability, fire alarms etc are in place. - **Community Member, Neighbour of a Holiday House***
57. *Holiday houses should be paying commercial rates for services the same as other commercial accommodation operators (or higher than residential at least). - **Community Member***
58. *I also think that short-stay unattended holiday houses are businesses, and their Shire rates should reflect this. The rates for these properties should not be the same as a privately-owned home or a long-term rental, which are not businesses. Unattended holiday houses in general use more Shire staff time, being more likely to require attention from Ranger, Building, Planning and Health staff, and rating should reflect this, with at least 2 - 3% more rates being paid than a normal residential house. – **Community Member***

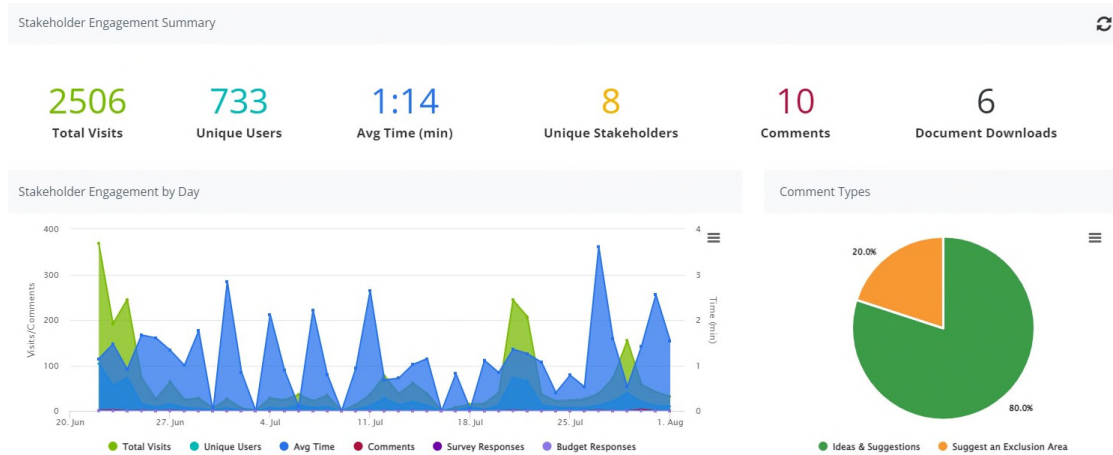
6.1.2.14.9 Renewal

59. *I think Planning Approval for unattended Holiday Houses should be periodic at every 3 or 4 years, to keep these facilities up to date with planning and health requirements, without putting too much extra work on the staff at the Shire who have to assess each application, or excessive financial and time burdens on property owners. – **Community Member***
60. *A periodical renewal system where someone has first option to renew before their “spot” is handed off to the next person in line who has to go through the application process. I think you’ll find that people have completed the process as a HH but aren’t using it as such. Not undoing the HH which already have approval, just make them renew to ensure they join the new system. – **Directly Involved in the Industry***

6.1.3 Interactive Map

The Shire received 10 comments on the Interactive Map from 8 different stakeholders. Users spent an average time of 1m:14s on the Interactive Map. 3 of the 10 comments were administrator posts demarcating the proposed exclusion zones.

6.1.3.1.1 Interactive Map Engagement Summary



6.1.3.1.2 Interactive Map Comments

Comment	Theme	Location
<i>Why should the rest of Castletown/Sinclair/West Beach/rural townsite not have the same economic opportunity as those in the proposed zone? The inclusion/exclusion zoning simply creates haves and have nots. If someone wishes to have a holiday house on their property and is compliant with the relevant regulations, there is no reason they shouldn't be able to.</i>	Excluding Holiday Houses in Certain Areas	Various
<i>There only seems to be suggestions for exclusion zones I'd like to suggest the activity has a slant towards answers that suit what the policy makers are trying to achieve.</i>	Excluding Holiday Houses in Certain Areas	General Comment
<i>I am a current owner of a home that is a short stay provider on Goldfields Road. This has been a short stay accommodation in Esperance for the past 6 years. It is not in the new proposed approved zones. As a contributor to the community and supporter of local businesses as well as playing an integral part in providing an economic boost to the Shire of Esperance, I was wondering what the negotiation options would be to someone like myself?</i>	Excluding Holiday Houses in Certain Areas	Goldfields Road
<i>Allow granny flats and in home accommodation to be built on the semi rural blocks and used as holiday accommodation with owners also living in the main home accommodation to manage the stay. These areas also offer tourism attractions and peacefulness tourists wish to have, like local beaches, walking trails, national parks, pink lake, and golf clubs. With being on larger properties, noise levels and disturbances are minimal to neighbours, especially when owners live on the property aswell.</i>	Planning	Canning Drive

<p><i>What about this area? It caters to a different kind of holiday maker e.g. People who want a reclusive stay away from town and amenities to unwind and enjoy the stunning views!</i></p> <p><u>Forum Discussion</u></p> <p><i>- Agree. There should not be restrictions on areas where there can or cannot be holiday/short stay houses.</i></p> <p><i>- The areas in blue are where there are already motels. Most people who do not favor the traditional motel style accommodation want to stay away from the center of town, such as West Beach/Blue Haven, close to people they are visiting or out amongst the lakes where they get access to beaches and waterways rather than shops and lots more traffic. I think this needs to be factored into the zones for tourism reasons however there does need to be safeguards for local residents.</i></p>	<p>Excluding Holiday Houses in Certain Areas</p>	<p>West Beach</p>
<p><i>Staying outside of the main tourist beat can appeal to foreign travellers. Short-term stays in residential areas can improve the amenity of the area by upgrading housing stock.</i></p>	<p>Excluding Holiday Houses in Certain Areas</p>	<p>Proposed Area</p>

6.1.4 Ideas Wall

The Shire received 11 comments on the Ideas Wall from 9 different stakeholders. Users spent an average time of 1m:28s on the Ideas Wall.

6.1.4.1.1 Ideas Wall Engagement Summary



6.1.4.1.2 Ideas Wall Comments

Idea	Theme	Category
What about an "incentive program" to promote good neighbour relations? Holiday House owners could give their guests a discount at the end of their stay based on whether they receive good reviews from the neighbours (e.g. no noise or nuisance behaviour)!	Incentives	New Concept for Consideration
How about a contracted security group to respond to issues out of hours, that holiday home owners share the cost for? <u>Forum Discussion</u> - Brilliant idea. Agree. Knowing there is somewhere to get help when needed would be very useful.	Management	New Concept for Consideration
Instead of placing restrictions on where holiday homes can be placed, increase funding for resources to focus on compliance	Monitoring	New Concept for Consideration
On dogs, I encourage Shire to assist a suitable person to set up a day/overnight centre for dogs arriving with tourists so that they can pay to have their dog sat while they explore places prohibited or difficult to take dogs . This would make it easier to enforce a policy of not allowing dogs to be left unattended in Holiday Home, take some pressure off rangers and create a new business. Land near the turn off to Cape le Grand would be favorable for convenience.	Pets	New Concept for Consideration
An alternative suggestion to alleviate the accommodation problems in Esperance and allow Holiday Houses to continue to function throughout the Shire would be to help provide cheaper land/homes for people in need. This could be done by providing a park home estate/tiny home village in a nice setting which would allow people who cannot afford or	Planning	New Concept for Consideration

<p>don't want a standard aussie home. Rules could be put in place to stop them being used as holiday rentals, worker accommodation, etc.</p> <p><u>Forum Discussion</u></p> <p>-High density development should be encouraged to alleviate the issue as well. Zoning does not help this issue by encouraging excessive lot sizes and making it difficult to allocate land more efficiently.</p>		
<p>Please look to include the below for easy consideration and approval - Granny flats on larger properties such as semi rural. the owner lives in the main home and rents out the granny flat for holiday accommodation. - In home holiday accommodation.</p> <p><u>Forum Discussion</u></p> <p>Agree. It is disappointing to see so many options excluded in Table 1.2 in the discussion paper. All the Xs in zones 1-11 should be changed to D or A</p>	<p>Planning</p>	<p>New Concept for Consideration</p> <p>Opportunities for Change</p>
<p>Annual renewal of a Holiday House should be introduced. It allows neighbours a voice to issue concerns and the shire to be aware of any issues.</p>	<p>Renewal</p>	<p>Opportunities for Change</p>
<p>What about the West Beach Area?</p>	<p>Excluding Holiday Houses in Certain Areas</p>	<p>Opportunities for Change</p>

6.2 Direct Submission

6.2.1 Written Submissions

The Shire received 10 written submissions to the consultation process. Stakeholder groups represented in the submissions included:

- Community members;
- Local businesses; and
- Those directly involved in the industry.

The full submissions are contained within the report Appendices. Key points contained in each submission are summarised below.

6.2.1.1.1 Summary of Submission Comments

Submission 1 – Directly Involved in the Industry
<p><i>I do not wish to advertise anywhere on my property that it is a holiday home, to reduce the chance of the wrong people scoping out holiday homes for vacancies to break into the home.</i></p> <p><i>I would propose that it is mandatory to give contact details to all adjoining land owners and even neighbours across the road</i></p> <p><i>I would like to see occupancy capped at two people per bedroom (unless a room is large, then perhaps four for that room with bunk beds) Also dependent on bathrooms/toilets available.</i></p> <p><i>If at any time a home becomes a nuisance to neighbours due to guests being unruly, and on more than a few occasions that home be revoked of approval. Airbnb already prohibits parties, of course some guests will do as they please regardless of what the “rules” of the home are - so some leeway will need to be given to home owners for this reason, but if it is consistently being used as a party house and the owner/manager does nothing to remedy, then definitely revoke approval.</i></p> <p><i>I am a pet friendly home, and my guests love it (I love taking my dog with me too when I go away) I have not had any neighbour contact me complaining of pets being left unattended or barking. Perhaps requiring that pets are not left all day, but a couple of hours is allowed as long as there is shade and shelter available for the pet in the back yard. Also, it should be a fully fenced yard. If a property accepts pets there must be no opportunity for that pet to escape.</i></p> <p><i>Annual or Biennial re-application: Absolutely! Keep the good ones and remove the ones not doing the right thing. If zoning changes and where a home falls into a new area no longer accepting holiday homes they should be grandfathered in until the home is sold or they no longer do the right thing.</i></p>
Submission 2 – Community Member
<p><i>I am not happy with local shire or government telling me what I can and can't do with my property.</i></p> <p><i>I am not the solution to your rental crisis or housing problems. Keep long story short basically my property is my business I support local give work to local businesses and people they rely on me for income and I am thankful for their work and good job I will not be told how to operate my business investment property.</i></p>
Submission 3 – Community Member
<p><i>There is no doubt that the current rate of expansion of holiday homes is leading to a distortion of holiday accommodation available to visitors.</i></p> <p><i>The ease to establish a holiday home and the financial rewards are the main attractions. This imbalance leads to many problems which have been clearly identified. I do not think that restricting future expansion to certain areas will help as often people prefer other areas and a better solution would be to strike a balance of what percentage of the total town should holiday homes occupy. Once struck then it would only expand with the town.</i></p> <p><i>Currently it is a disincentive for larger tourism accommodation providers to expand as competition from this sector is often not submitted to the same levels of scrutiny and compliance as others.</i></p>

Submission 4 – Community Member, Directly Involved in the Industry

Excluding Holiday Houses in Certain Areas (condensing a problem)

- a. *The concentration of Holiday Houses in certain areas would see opportunity for theft and criminal activity during the off-peak season.*
- b. *The inequality to other property owners in the community is something I feel should be highlighted. To offer those outside of the area a non-conforming permit, is acceptable for the current owner but will reduce Return on Investment, devaluing the house, when advertising the property for sale. Not allowing the new owner the opportunity to get the same returns, should they choose. Giving these already premium locations, a further advantage on re-sale price. This is also driving the re-sale value for the area, making them even more unaffordable for homeowner/occupiers.*
- c. *Containing holiday housing to certain areas, isn't giving tourists the opportunity to choose where to stay. Specially for those tourists looking for alternative accommodation. Why would you not want to offer your consumers choice? This is what gave such rise to Airbnbs and Stayz is giving their customers variety and choice. Natural selection process weeds out location, quality, and pricing. This idea is restricting tourism in Esperance, which seems contradictory to employing a tourism speciality to increase tourism in Esperance. Reducing affordable accommodation to tourists is directly reducing the tourism economy in Esperance.*

Revised Occupancy Standards (on the land size not living space) – while I feel there would be minimal problems of this nature, there is no way for someone accepting a booking for 2 adults and 2 children to know they are going to arrive with 10 Adults and 10 Children. A property owner or manager would not accept large numbers of tenants causing additional wear and tear to their property.

Stronger Governance (A fair standard to all adhere to, and addresses the quality for tourists) – I read in the briefing paper that a justification for “Excluding Holiday Houses in certain areas” was to give the tourist proximity to key attractions for a better experience. While the intention is there, you are not addressing the quality of the houses in the area. Just because a house is located in a certain area, does not mean the appropriate condition of the house is being adhered to when the initial inspection or assessment took place. A stronger governance would keep owners and managers accountable for the property that is being leased. This is also assisting the guest to ensure the property they arrive to after a long drive, offers what have been described in the advertising.

Prohibiting Unattended Dogs (Long term tenancies have these same issues) – The problem would be short lived for those tourists visiting Esperance, compared to those who have the same issue with long term tenancies. To govern this would be difficult, the amendments could be an addition to the above stronger governance and form part of the code of conduct.

Periodical Renewal of Planning Approvals - An area most owners would be upset with but will understand the reasons behind the implementation and would run alongside the stronger governance initiative.

Rental Crisis – We are seeing a national housing crisis, this is not an Esperance related problem with. If these houses were available for lease, the owners would be charging exorbitant prices to replace the income lost from Airbnb.

Survey Feedback - I feel the flaws in your survey is that it really wasn't engaging to seek answers on each of the items proposed in the briefing. One question to say what are your thoughts... wasn't addressing feedback on all the mentioned options and not highlighting to current Airbnb operators 12.5 option that would stop their operation within 1-2 years.

Out of the 150 approved houses, what is the percentage that falls into these “approved” zones? Because I feel like their engagement in the survey would be very little considering they are within the approved zone and would feel these changes would not affect their business and livelihood. Furthermore there would be disengagement from owners reading the ‘approved zones’ proposal only and reading “those with current approvals would remain” if they don't read the briefing in full, where it states this could be utilized with 12.1 and therefore taking away a large source of income in as little as 12 months.

Submission 5 - Directly Involved in the Industry

Creating exclusion zones within the community will not meaningfully address the issues that the Shire of Esperance is attempting to solve and will create clear divisions within the community.

First, the proposal to introduce “zones” where holiday homes can and cannot operate within the LGA would mean a family living in an exclusion zone would be unable to share their whole home when on holiday themselves - even for just one week. It unfairly excludes residents of Esperance from sharing their home, whilst their neighbours on the other side of the boundary line are able to take advantage of the economic opportunity. For many Hosts, sharing their space and making extra income is an economic lifeline that goes towards paying off

the mortgage, keeping up with the rising cost of living, or allowing them to more fully participate in their community.

It's clear that consumers want more choice in where they stay and the experiences they want when travelling. An overwhelming 61 percent of guests surveyed by Airbnb who stayed in a listing in Australia in 2019 said their choice was motivated by the location. Further, more than two-thirds (approximately 70 percent) of guests surveyed said they would have cut short their trip if Airbnb were not an option, and one in four (27 percent) guests surveyed said that the reason they chose to stay with a Host on Airbnb was to "live like a local". Any moves to arbitrarily limit consumer choice could have negative consequences for consumers and negative flow-on effects to the local economy.

Moreover, the economic benefits and the jobs created by Short term rental accommodation would likely be hampered by such a proposal and have negative impacts on the community. We acknowledge that the Shire of Esperance appreciates the economic contributions of short-term rental accommodation to the local community, however exclusion zones will not resolve the stated issue of preserving residential amenity. Instead, we suggest the introduction of an industry-wide Code of Conduct that sets baseline expectations for community behaviour, and transparent complaints-handling processes and avenues for recourse based on the severity of offending conduct. This has been proposed to the State Government for further consideration and we are confident that such a tool will more meaningfully address the Shire's concern in this regard.

At a time when governments, industry, and communities must be working hand-in-hand to rebuild the tourism economy sustainably, any moves by the local Council to limit where a holiday home can and cannot be let would be ill-judged and serve only to dampen economic growth. Such a move could in fact divert tourists and spending to neighbouring regions. It will place the visitor economy in the Shire of Esperance at a serious competitive disadvantage, limiting the accommodation choices for visitors and likely leading to fewer visitor nights and thus fewer visitors injecting valuable tourism dollars into the local economy.

Opportunity 2: Occupancy – Airbnb requests that the complicated occupancy provisions that designate limits based on the size of the lot be removed from the proposed and existing Short term rental accommodation planning framework. We recommend that this be replaced with a provision that is simple and straightforward for Hosts to understand and comply with.

Opportunity 3: Governance – The proposed obligations with respect to governance are overburdensome and the relevant issues are already addressed through the existing local planning scheme and internal policies that Airbnb actively enforces. Imposing stricter requirements on Hosts and property managers to improve responsiveness will only serve to create additional red tape and confusion.

Opportunity 4: Unattended pets – The accommodation needs of guests are changing and it is imperative that regulation is appropriately calibrated to strike an appropriate balance. Many guests are travelling for longer - they are working remotely, travelling with their family as a way to spend quality time together and travelling with their pets.

Hosts on Airbnb use their House Rules to set important guidelines with their guests – such as quiet hours, occupancy limits, rules on pets and smoking, and much more. House Rules appear on each listing's page, as well as on the booking confirmation page and confirmation email guests receive to remind them of their Host's expectations before they arrive. This helps communicate those important rules while aligning expectations between Hosts and guests to try to ensure respectful treatment of properties and neighbours during stays.

There is no demonstrable reason for an outright ban on pets being left alone at a holiday home. Instead, targeted approaches for managing effects such as noise control should be adopted to manage these isolated incidences when they do occur.

Opportunity 5: Periodic Renewal of Planning Approvals – Airbnb considers that requiring renewals of planning approvals is unnecessary and presents additional administrative burdens on the local Council that are disproportionate to the issues identified. A convoluted and administratively burdensome renewal process risks creating unnecessary hurdles and alienating everyday Western Australians from participating in the home sharing economy.

For the reasons outlined, Airbnb recommends that the Shire of Esperance abandons its review of the regulation of Holiday Homes and, instead, awaits the outcome of the State Government's consultation on the Position Statement and associated Guidelines.

Airbnb is committed to working with both the Shire of Esperance and the Western Australia Government to help achieve the right statewide regulatory settings and compliance measures to enable the home sharing economy to grow sustainably, with clear rules which are easy to understand and comply with.

Submission 6 - Directly Involved in the Industry, Local Business, Community Member

All Holiday Houses need to be approved and meet an agreed standard. Shire Staff or 3rd party engaged to inspect the property as part of the application with relevant charges applied.

Any owners/occupiers not approved to receive warning/fines. Annual renewal fee.

Reasonable review of Shire Rates for those registered. Cap the number of approved holiday homes and review biannually/annually.

Areas should not be restricted. Why? Risks to security. Pooling same type accommodation could bottleneck issues (restrict buying market, devalue homes, restrict investment, group issues. Current investors may have negative impact due to rezoning. Negative impact on owner/occupiers reasonable peace, quiet and enjoyment in "holiday zones".

From a compliance point of view and owners doing the right thing I would be highly surprised if there are only 30 properties that are not approved / non-compliant. I would suggest at least double this number - possibly more.

Personally, I strongly feel that any individual has a right to invest in any format they want without 3rd party interference. If it's lawful it should not be restricted. Local Government should be setting and ensuring the required standards and fees are adhered.

I understand the arguments and social commentary around Holiday Stay vs Residential property. The current proposed changes to the Residential Tenancies Act (RTA) will have a far greater impact on availability and investors in the housing market than anything we have seen in recent times. If housing is a conscious part of this briefing then Local Government should be voicing concerns to State Government around the proposed changes.

Submission 7 - Directly Involved in the Industry, Community Member

Introducing exclusion zones will limit the number of holiday homes in Esperance. At certain times of the year there is not enough tourist accommodation required which lowers the income coming to the town.

The requirements at this stage are appropriate. Though if required an annual or bi-annual check that would be appropriate to confirm all properties are up to standard.

We are aware of the obligation of running a holiday home, though an education campaign could be handy for some. Growing number of listed properties without Development Approval is an issue that the shire needs to work out. We believe that Esperance is too big a town for dilution of the community to be a problem.

Many dogs that live in owner occupier and long term rentals have dogs that are left alone for long periods of time. This is not a situation that is exclusive to holiday homes.

If these changes go ahead, especially the zoning and as our house is in the exclusion zone, we will still not be renting the house out long term. This would decrease our income received for the home and would affect our livelihood. This would also affect the cleaning company, gardener, maintenance man etc whom we rely upon to maintain the house. These people will also lose income.

Also long term renters will not spend their holiday money on the tourist industry. Esperance is a tourist town so there should be the aim to get tourists into town to spend money at local businesses. If there is nowhere to stay, then tourists don't come and then money doesn't get spent at local tourist adventures. It will be a loss to all involved.

We are concerned that once again a government body is discussing a potential negative scenario to halt home owners in making an income for themselves.

Submission 8 - Directly Involved in the Industry, Community Member

Although we support some exclusion zones we are concerned that even though our unit is right in town it is situated in an area not marked as acceptable. We've had our unit since 2017 & it is registered with the Shire for short term holiday rental.

Apparently it is now possible to have holiday accommodation managed by some local real estate agents. They have a hard enough time keeping on top of ordinary rentals so it's hard to see how they could have the same level of diligence in managing a holiday rental as a locally based owner.

Submission 9 - Directly Involved in the Industry

Holiday Houses represent a key component of tourism accommodation in Esperance. Holiday Houses provide suitable accommodation to targeted high yielding markets and the flow on effects to the Esperance tourism and hospitality industries is significant.

Holiday Houses play a major role in providing quality accommodation for families in the absence of 4 and 5 star hotel facilities in Esperance. The primary booking vehicles for Holiday House letting for example Airbnb and Stayz play a significant role in creating destination awareness for the Esperance Region.

Without Holiday Houses being available in the Esperance Region accommodation mix the region would miss out on significant visitation and spend as this market will not stay in motels or camp. Holiday House accommodation restrictions should not be seen as a "silver bullet" solution to current residential housing shortages. Would not like to see restrictions put in place that restrict or detrimentally impact the Holiday House inventory. Attention would be better focussed on existing governance and compliance.

Submission 10 - Community Member

Blue Haven - I believe it would be wise to bring in an Exclusion Area here to safeguard the lifestyles of current property owners. If there are currently ANY approved Holiday Home's in this area I feel it would be discriminatory not to give other SUITABLE property owners this opportunity too. If this was the case I believe these NEW Blue Haven Holiday Home applications should be assessed by Shire / Council with greater scrutiny on a case - by - case basis.

I believe the only safe way to ensure Blue Haven is protected going forward is for the Shire to introduce specific property requirements and guidelines for properties in this area who wish to apply to become a Holiday Home in the future, to give clear guidelines to Council and empower them not to bow to public pressure from individual property owners and make a wrong call which could impact the entire Blue Haven area negatively.

I think the important property requirements for future Blue Haven properties to be eligible to become a Holiday Home if they so wished should include:

- a. The size of the property and minimum setbacks from neighbouring boundaries Eg 6000sqm and minimum 10m neighbour setbacks (the minimum neighbour setbacks are clearly of great importance to maximise neighbour privacy)*
- b. Exclusive Property Access (not shared). This is a very important point for Blue Haven as many driveways / access roads are 'shared' in the area and hence impact neighbouring properties hugely. I believe this should also include all the Peek Road Properties that 'share' the same access road that their driveways come off (there are 2 such access roads at the very south of Peek Road) also including any other properties that have 'shared' driveways*
- c. CCTV Cameras required to be installed so manager can monitor 24/7*

Only 4 lots within the area are over 6000m². Setbacks are controlled by the LPS for all development, not just a land use. It is impossible to administer as many of the situations identified have reciprocal rights of carriageway over the battleaxe legs. CCTV is not controlled by development control

The number of properties needs to be kept to a fair ratio. A proportion of the industry, or a proportion of the total number of residential houses or it can be a hard number, but I believe there needs to be a cap.

Increasing compliance, governance etc means the Shire needs to take in to account that they will need to allocate resources to manage this new policy.

7 CONCLUSION

Evidently, there are mixed levels of support for increased regulation of Holiday Houses in Esperance. Perspectives on current regulation also differs greatly depending on the type of stakeholder and their level of involvement with Holiday Houses.

Survey results indicate there is marginal support, at best, for the introduction of exclusion areas for Holiday Houses. The greatest levels of opposition to the proposal were from those directly involved in the industry who felt they would be unfairly penalised by the measure and visitors to Holiday Houses who sought diversity regarding locations at which to stay. While there was support for the proposal by local businesses and neighbours, the difficulties in establishing 'fair' borders were of concern to the broader community.

Levels of support for revised occupancy standards were greatest amongst neighbours of a Holiday House as the stakeholders most impacted by noise and other amenity issues. While there was direct opposition from those directly involved in the industry, there is evidently a level of support for the proposal from community members and local businesses.

The strongest level of support was for stronger sector governance, which was broadly supported across all stakeholder groups. Levels of support for stronger governance were based on the need for improved approval conditions, quality standards, complaints responsiveness and management practises. The concept of a Code of Conduct was also supported.

The proposal to prohibit unattended dogs at Holiday Houses received mixed levels of support from respondents. The strong demand for travellers seeking pet-friendly accommodation was evident in the survey results however the nuisance caused by anxious pets was greatly felt by neighbours of Holiday Houses.

The concept of introducing periodic renewals of planning approvals was well-supported. Support was expressed across all stakeholder groups, apart from the those directly involved in the industry who were largely undecided on the proposal. The frequency of renewal will need to be considered against the administrative impost on the Shire in the event this option is explored further by Council.

Other opportunities that were identified by respondents included the possible introduction of caps or limits on the total number of properties approved and increased fees, rates or property valuation practices which recognise the commercial nature of Holiday Houses.

Addressing the current shortage of housing and rental properties in Esperance was identified as a priority by many respondents. It is recognised that the Shire has an ongoing role to play in advocating for greater community outcomes in this regard, which has been identified in the Council Plan 2022-32.

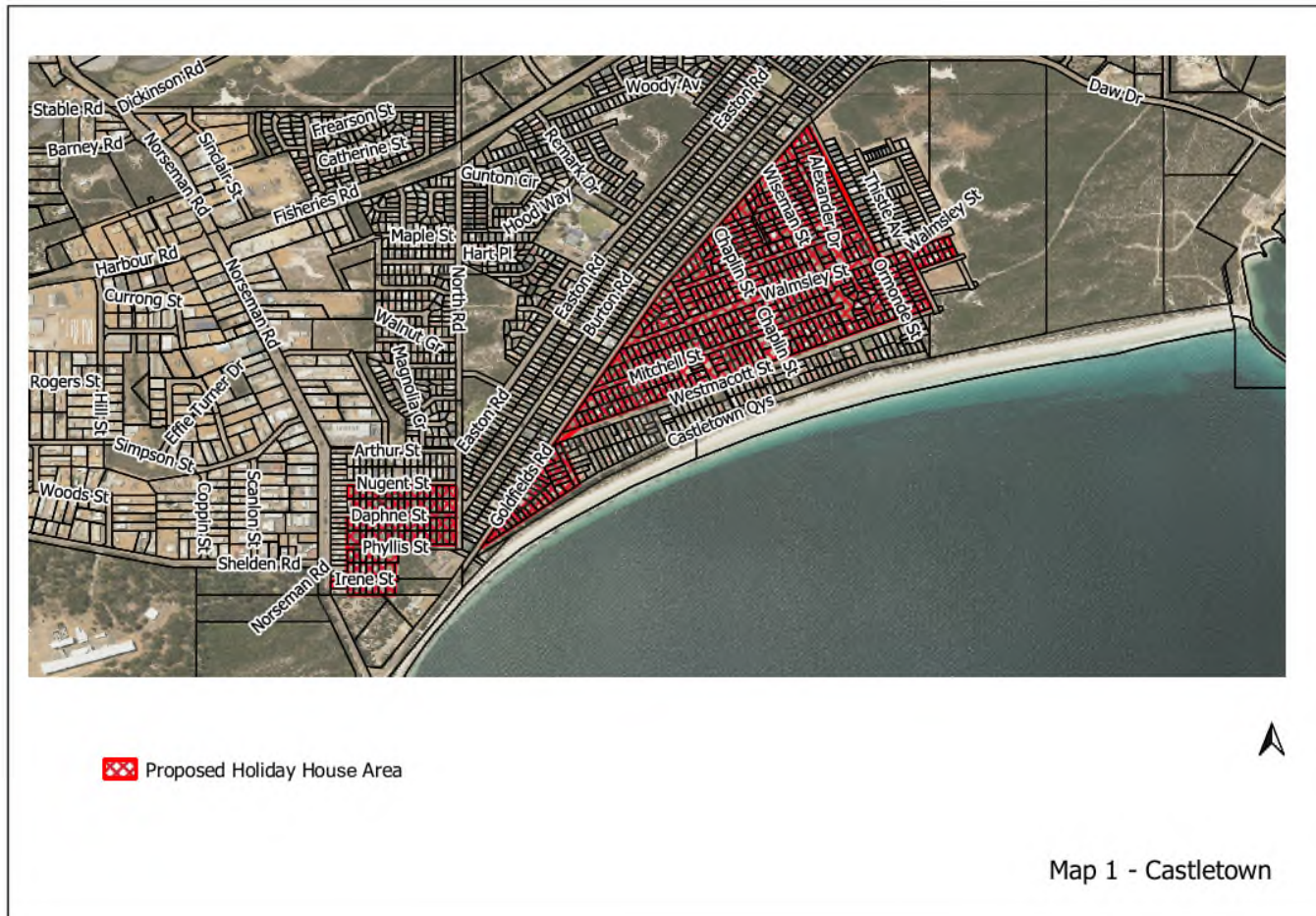
In all respects, increased resources are required to achieve a satisfactory level of service provision, administration and enforcement activity related to Holiday Houses in the community. The introduction of any of the opportunities for change, or other measures, will not be achievable without this.

Certainly, the process of consultation has generated a rich profile of stakeholder and community sentiment towards the management and prevalence of Holiday Houses in Esperance. This information will be invaluable in considering which measures warrant further investigation by Council into the future.

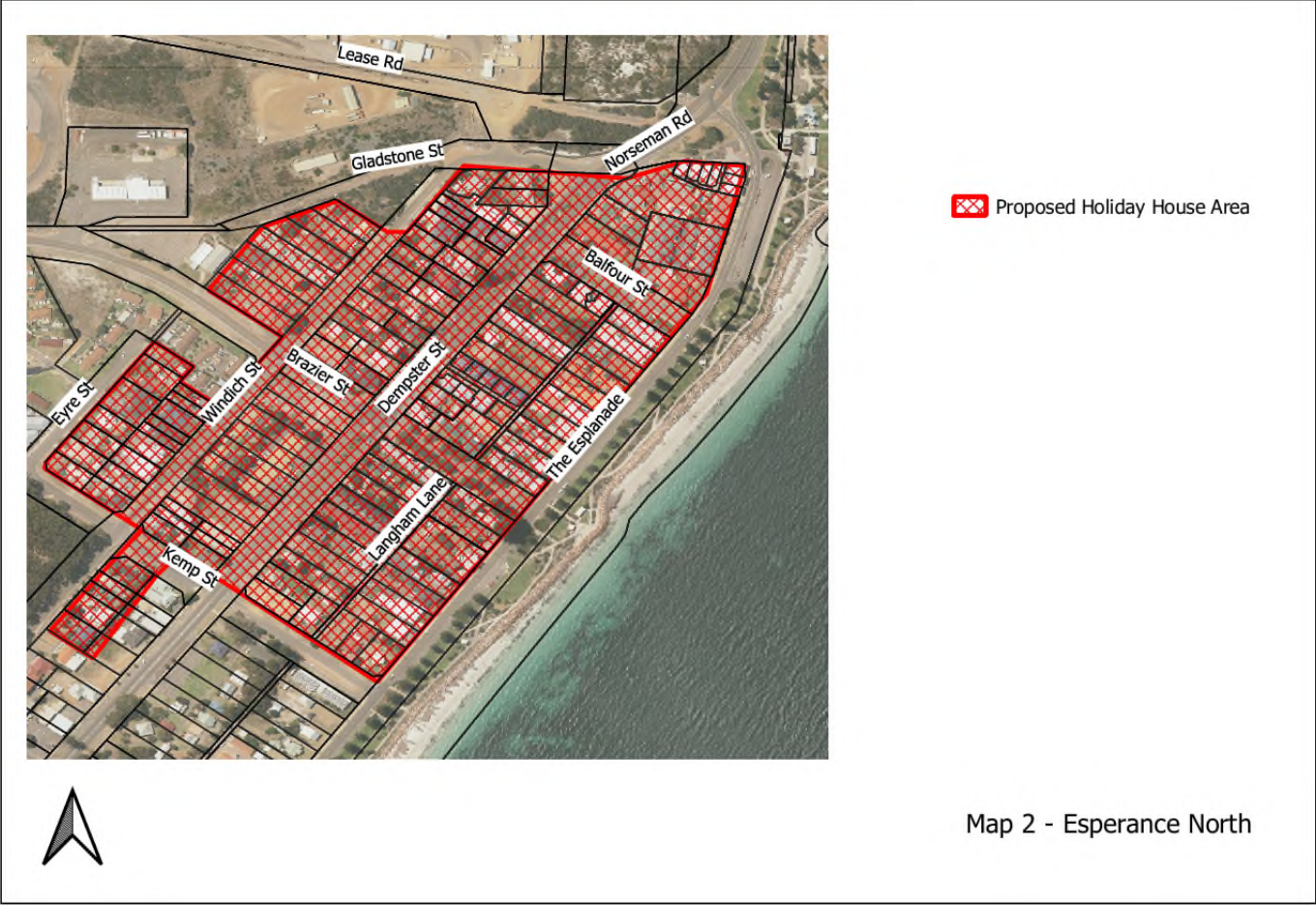
8 APPENDIX

8.1 APPENDIX A - Proposed Holiday House Areas Maps

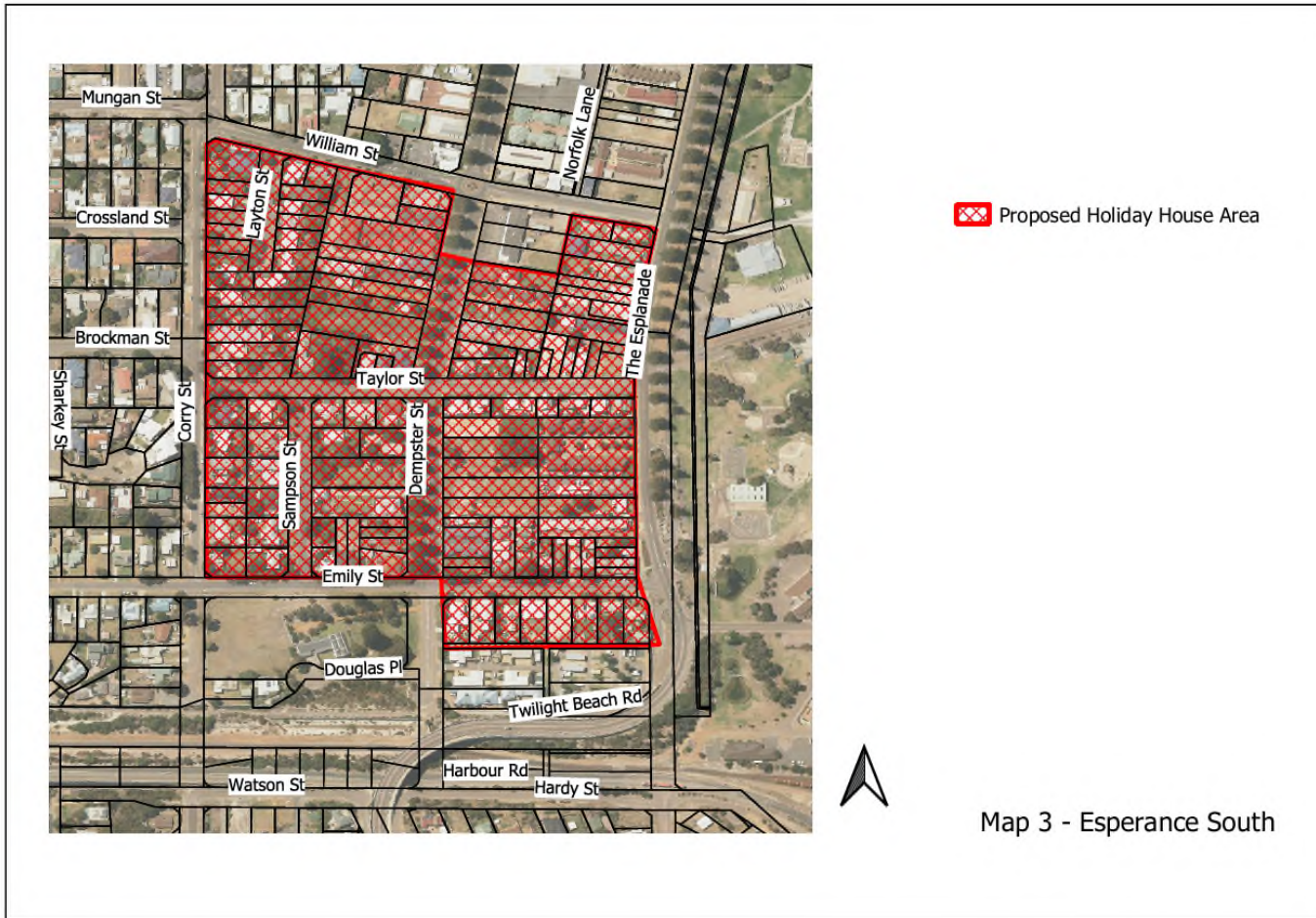
8.1.1.1 MAP 1



8.1.1.1.1 MAP 2



8.1.1.1.2 MAP 3



8.2 APPENDIX B - Open Ended Survey Responses

8.2.1.1.1 Please share any thoughts or comments on the regulation of Holiday Houses in Esperance - Respondents who were 'satisfied' with the current regulation of Holiday Houses in Esperance

61. Please leave as they are. – **Directly Involved in the Industry**
62. We have operated holiday houses in Esperance for the past 15 years. I am interested in the rhetoric around holiday houses causing disturbance and lowering the amenity of residential areas. This has certainly not been our experience. In fact, we have had more cause to apologise to guests staying our accommodation for the behaviour of long term residents causing disturbance than the other way around. I'm interested as to whether we are talking about perceived or actual issues here. It is clearly not in the interest of owners to host a "Party House", so why would they allow it to happen. I acknowledge, it is a risk, but it is no more risk than any other resident in the neighbourhood. It is far more difficult to deal with bad tenants in a standard rental. This really is a serious issue if you are unlucky enough to own or rent the house next door. I don't think Esperance really needs to extend on what is already being proposed by the state lawmakers. – **Visitor to a Holiday House, Directly Involved in the Industry, Community Member, Neighbour of a Holiday House**
63. While I am satisfied personally with my experiences in seeking and gaining approval and staying at other Holiday Homes while in Esperance, I understand that maybe some additional resources may need to be allocated to find and chase up the illegal HH's. It isn't really fair that they can be allowed to operate without approval when others have done the right thing to seek approvals. – **Visitor to a Holiday House, Directly Involved in the Industry**
64. Holiday houses are the only suitable accommodation for visitors who travel with their pets. - **Neighbour of a Holiday House**
65. Regulating what people can do with investment properties is limiting innovation, ideas and causing a negative concentration for those who are bringing wealth and tourism into the community. While I believe guidelines and recommendations do assist people to make the right decisions. – **Visitor to a Holiday House, Directly Involved in the Industry, Neighbour of a Holiday House**
66. My house is my property its taken me 20 years to get my own house finally the last thing I need is the Government and local Shire and State telling me what I can and cant do with it if they do my property will sit vacant and my business for this town and the people I support a income too will no longer be there or I will sue you can not tell someone how they can run there business its illegal in this country to do so there is my thoughts thankyou. – **Directly Involved in the Industry**
67. Asking the owner of a property to accept minimal profit of their own asset that they pay for is like telling the masses they should be happy with \$6.50 an hour as a pay rate instead of a reasonable living wage. People aren't turning their properties into Airbnb's So people don't use them. Their turning their properties into Airbnb's to maximise the profit on their investment. - **Community Member**
68. We live in a capitalistic society. The rental situation derives from people not being able to buy their own property and not enough properties available as it is. The biggest income from tourists is accommodation. Don't try to cut the throat here! - **Community Member**
69. As a home owner to several investment properties in town I believe we should have control of how we choose to operate our investments. We have both long term and short stay properties in town. We have worked hard towards building our business and this is our livelihood and retirement plan. We as owners have worked hard to have our investment properties and we also have the mortgages to pay, we should have the choice how we invest to create a return. Our properties allow me to be a stay at home working Mum which allows me more time to be able to give back to our community. There is not just a rental crisis in Esperance it is across the whole of Australia as we are also owners of properties in South Australia and they have the same issue currently. When we first started our holiday home there was much more of a demand in Esperance for Accommodation than long term leases for our fast growing tourism which is only getting busier. I believe tourism is a huge factor of our economy here in Esperance and we need to also accommodate for them. From speaking with other people in the industry and noticing it for myself as a property owner/manager a lot of the complaints towards there not being enough rentals are people who have poor rental history and or cannot afford the rent of a lot of the houses that do become available. As an owner we are always going to put in the best tenant for our homes. Perhaps instead of punishing and controlling hard working investment home owners, more should be done to provide government housing for these people who are doing most of the complaining in the community. – **Other, Directly Involved in the Industry, Community Member**
70. I am sure that the current regulations are sufficient to protect existing homeowners in Esperance. Also contributing to this belief is the generally high tariffs charged by holiday-house owners as people paying these fees are less likely to travel the long distances from, say Perth, and cause local problems. The behaviour of the typical holiday-makers who rent the next-door Airbnb has been/always is exemplary. I strongly object to ANY suggestion that the Shire of Esperance invest Ratepayers money to provide Permanent Rental Accommodation anywhere within the Shire. This is the business and province of Private enterprise or the State/Federal Govts. NOT Local Govt. - **Neighbour of a Holiday House**
71. People should be entitled to do what they want with their house. If they're not breaking any laws don't make new laws and restrictions. It's just stupid Short stay / holiday homes generate income to our town, supporting local business. Creates jobs from all trades example plumbers, electrician, cleaners ect. Local businesses are promoted. A lot of time and money is spent to make holiday makers comfortable and they able promote our town. Why would want to regulate something that's already working well in our town. – **Visitor to a Holiday House, Directly Involved in the Industry, Local Business, Community Member**
72. Sadly there is only two options offered. I had to tick "happy with current....." as I definitely wouldn't choose the second choice. My actual choice would have been, take off the policies and red tape that's already there! Why can't people get to choose how they make their money and run their property that they worked hard for. Some of the people who have tried renting their houses out only to be trashed, costing them thousands to get fixed just to have someone else do it again. It's their house, it's their way of making an income, it should be none of the governments or shires business what people do in the privacy of their own home." - **Community Member**
73. The current management framework if conducted correctly by those managing, works for all participants incl neighbours. – **Directly Involved in the Industry, Community Member**
74. Home owners should have the choice to use their homes as they see fit. Many investment property owners rely on the increased income to pay mortgages over the income from long term rentals. Home owners have worked hard to own their properties and should be able to make the decision on how they use that property to generate income. Many of the individuals and families that are complaining about not being able to find homes either could not afford to rent these holiday homes at the usual rental prices, they have poor rental history, unemployed or are not the type of people that someone would want to rent their home to. - **Community Member**
75. I think people should be able to do what they wish to do with their investment properties. Also Esperance is a growing tourist town. A lot of tourists prefer the option of short stay accommodation. Especially when travelling with children and or pets, or large groups/families. It makes for a lot more comfortable and affordable stay. A home away from home. It gives them more options on where to stay whilst enjoying our town. I think regulating holidays houses restricting them etc could potentially be a downfall in attracting tourists to the town to stay in the future. – **Directly Involved in the Industry**
76. Holiday houses are an opportunity for employment for many community members. I hope this continues to be the case. - **Community Member**
77. Please keep the short-term housing situation as is. As a young couple we would like to stay here and invest. - **Community Member**
78. I think that the paper outlines the potential problems that have been expressed by the community - my stance is that I think we want to see people able to be free to use their properties in a way that they choose. Housing supply has always been limited here, and more restrictions will not help to solve this - **Community Member**
79. As Esperance Tourism grows we need to accommodate our visitors. – **Directly Involved in the Industry**
80. It must be an invested Home Owners choice to regulated to accommodate short term visitors. It also needs to be taken on board that it maybe a necessary income to a home owner to afford living expenses. Plus short term accommodation allows the invested home own to control the immaculate state of their property on a regular basis not currently afforded to them with long term rentals. The short-term regulations do not need to be changed." – **Directly Involved in the Industry**
81. They are a vital part of the tourism accommodation mix. The last thing Esperance needs is a "robbing Peter to pay Pay" response to impact self-stay to stick a band aid on the elephant in the room which is the dire residential shortage-sure home stay impacts that-but it only represents a small proportion of the residential demand. - **Community Member**
82. Hearing that the council is trying to create more rules and make opportunity for income more difficult for the residents of Esperance is sad and disappointing. – **Visitor to a Holiday House**
83. Home owners should be able to determine who goes in their property. Long term rental is not viable for me. Short term is needed as well. Please do not penalise those of us trying to get ahead by owning property and creating tourism dollars being brought into our town. Perhaps incentivise those who can long term rent with cheaper rates and charge a yearly fee to short term rentals. I'd be happy to pay a reasonable yearly fee. My neighbours have all commented on how much better my property looks now since it's short term. It also means we can clean and maintain our investment regularly which in turn improves property prices around us as well as our own. I take great pride in my short term rental, my guests love it and my neighbours are considered too. – **Directly Involved in the Industry**
84. We run a fairly successful Holiday House in Esperance. All above board & Shire approved. We as hosts & our guests are loving the experience of sharing our town. We have returning guests each year & have had no complaints. Home away from home which is perfect for families. – **Directly Involved in the Industry**
85. I do not believe changes are required to the existing regulations. I will be sending a detailed email to the shire on the reasons I believe this. – **Directly Involved in the Industry**
86. Esperance already falls short on its ability to accommodate larger groups or families. Don't change the rules and move backwards. - **Community Member**
87. Absolutely ridiculous, there aren't enough holiday houses as it is, how is Esperance meant to thrive and grow without tourists?? - **Community Member, Neighbour of a Holiday House**

88. We ran a Holiday house in Esperance for 4 yrs and it was a no brainer vs permanent renting. Holiday houses are legitimate business' run by people who are tired of having their property damaged and no rights to inspect or remove bad tenants. The Shire needs to act quickly to provide cheaper permanent homes for people, not more big blocks with big homes, downsize now. – **Other**
89. The regulation should not change – **Visitor to a Holiday House, Directly Involved in the Industry**
90. Not enough accommodation as it is – **Visitor to a Holiday House**
91. Making changes will only affect the people of Esperance negatively. - **Neighbour of a Holiday House**
92. Keep the holiday house regulations as they are, there is absolutely no need for change or control. - **Community Member**
93. Do not change this people love to holiday in your beautiful town and would like the opportunity to do so in all areas of Esperance not just certain areas – **Visitor to a Holiday House**
94. Leave as is, as a lot of honest people have invested time & money to have holiday houses for the benefit of people like me. Crack down on the illegal ones. – **Visitor to a Holiday House**
95. I feel like if there were more regulations/less holiday homes the price for a night stay here could increase more than a lot of people would be able to afford and it's expensive enough as it is. Let our beautiful town be accessible for everyone to enjoy. – **Visitor to a Holiday House**
96. Further regulation would be overreaching and abuse of Council powers. Council should be looking beyond short sighted solutions and be more proactive in approving and/or encouraging holiday accommodation investment in the many unused pockets of Esperance. - **Community Member**
97. At least let the holiday houses that already exist keep existing please – **Visitor to a Holiday House**
98. Shire is making it too hard for home owners to provide holiday accommodation to visitors. There is a huge shortage of rentals already in town, more accommodation would also help with this. Provided the dwelling could handle the sewage, parking etc, I see absolutely no reason to decline Airbnbs and holiday housing. - **Community Member**
99. My sister and her fiancé have nearly completed renovations to a holiday home and with the new regulations the time and money spent would have been a waste. I don't see any need to change current regulations – **Visitor to a Holiday House**
100. As a local home owner, I think it would be unfair to home owners and investors who purchased with the intention of using their property as a holiday home - to now decide that holiday homes are only allowed in certain areas. I know locals (myself included) who have poured their hard earned money and time into transforming spaces to not only meet local demand for holiday homes, but to make a "wage" off of their investments. Regulating holiday homes further could not only damage tourism but damage the livelihoods of locals who are using tourism demands to their advantage. This idea that the existing system is broken and needs fixing, just seems to be a way for the shire to interfere and ultimately take a piece of the pie from holiday home owners. - **Other**
101. "Regulation of holiday houses will reduce the amount of visitors In the area. Most people already prefer camping, and with most camp sites booking out, less people would come to Esperance if there are restrictions on short stay accommodation. There is now also an increase in work groups in surrounding areas, and most of these companies are relying on short stay accommodation. Pubs and motels aren't always suitable in these situations as they don't always provide the option of home cooked meals or laundry facilities. " – **Visitor to a Holiday House, Directly Involved in the Industry**
102. As long as there has been approval through neighbours/shire and the correct regulations have been met I don't see an issue. – **Visitor to a Holiday House, Directly Involved in the Industry, Local Business, Community Member**
103. We need to look at ways of solving the "rental crisis" without affecting the tourism business. Holiday homes and "Airbnb's" are essential to Esperance and providing tourist with homes for their families. Having a young family myself, staying in a motel or hotel is not an option. WE need full homes to be able to make it affordable and comfortable for families to travel. this includes having a full kitchen, separate bedrooms and entertaining areas that are far more affordable for travelling families and the like comparison to the options in a motel or hotel accommodation. The owning holidays homes bring essential income to the local families / owners that they then use to spend in the local community, supporting local businesses. Find another solution to the rental crisis, without crushing the tourism industry and locals income. Residential property developers perhaps to build more homes for people to rent?" – **Visitor to a Holiday House, Directly Involved in the Industry**
104. It is your property to do with as you wish as long as you meet all safety and shire approval standards. – **Directly Involved in the Industry**
105. There are simply not enough traditional holiday accommodation options available in Esperance to meet the demand. As ratepayers, we ensure that we adhere to all the local laws and policies and our "holiday house" is like any other private rental agreement. We believe the LGA should not interfere in the free market - lack of housing options for residents is not the responsibility of individual land/property owners. A mix and a balance is required. Should the Shire deem it appropriate to regulate the holiday house market, it will simply push the process "underground" - it is impossible to enforce the rentals to family, friends, through social media, if not listed on reputable home sharing sites with the relevant insurances in place. – **Directly Involved in the Industry**
106. I have no issue with the holiday house regulations as is - **Community Member**
107. I do not believe that there is any issue with the current regulations, I think the shire needs to be supportive of investors and allow them to use their house in whichever way they wish. As a potential investor in this town and already owning one house this has put me off looking further into investment as I would want the house to be for short term stay. - **Community Member**
108. People don't want to stay in hotels anymore! It's 2022. The shire needs to wake up and move on, ratepayers have rights. - **Other**
109. Changing the short term accommodation laws will slow investment in the town by locals in short term accommodation, and will not help the immediate strain on rental market for the majority of people searching for rental properties. Also , companies needing houses for contract work in esperance, and tourists alike, both use short term accommodation stays whilst in town and the area, boosting the local economy in this area. To ban or limit new short term accommodation would be futile in responding to the housing shortage for renters. - **Local Business**
110. People should be able to purchase holiday apartments. I hope to become permanent resident and also hold a property for the purpose of short stay accommodation. - **Other**
111. Hfbdfbdfb. - **Other**

8.2.1.2 Please share any thoughts or comments on the regulation of Holiday Houses in Esperance - Respondents who were 'not satisfied' with the current regulation of Holiday Houses in Esperance

112. A lot of people like me work night shift. I find the disturbance of living next to a holiday home significant. It does impact on my sleep, often going to work sleep deprived which is not safe. so I feel that holiday homes should be restricted to already approved zones, eg town centre – **Community Member**
113. Shire should allow Esperance home owners to convert their house to a holiday house. – **Community Member**
114. It is too easy to convert from Residential to Holiday Housing. Our town is already struggling with Rentals. This may give us a slightly bigger tourism period, but limits the town growth over all. If people can't move here our businesses (including tourism) will continue to struggle to find employees. – **Visitor to a Holiday House, Local Business, Community Member**
115. Compliments, compliance, compliance. Should be even playing field with hotel compliance. - **Local Business**
116. I feel that there needs to be a balance between the number of Holiday homes made available and the number of rentals that are available for families. Being part of the aged care service in Esperance lack of rentals available is impacting on the ability to attract long term staff to the region. - **Local Business**
117. I more concerned about the impact holiday homes have on rental opportunities. I have read that some shires are restricting the number of nights a holiday house can be rented - **Neighbour of a Holiday House**
118. We've had our holiday unit which is located in a complex between the Esplanade & Norfolk Lane since 2017. In that time we've hosted many guests from overseas (pre-Covid) as well as Australians. Only two guests are permitted per booking. No dogs allowed. We manage this ourselves so have got to know the neighbours who all seem supportive of the current situation. Our unit is in the Resortwest complex which was built in 1985 for holiday accommodation. The units are a simple one room studio style with a separate bathroom. It concerns me very much that your map shows this to be an exclusion area even though it is in the centre of town. Our guests have repeatedly said how much they appreciate the location. The unit is registered with the Shire for short term holiday stays. We use the Airbnb platform for bookings & have been very happy with the quality of our guests. Because of the limit on numbers I think this helps. The number of unregistered holiday properties is a problem that needs to be addressed. – **Other, Directly Involved in the Industry**
119. I believe there should be far more stringent rules on Airbnb listings. Local accommodation businesses have spent millions on buildings in commercial areas to offer a holiday home for visiting tourists. Now anyone with a spare room can undercut these businesses as they have nowhere near the same overheads. Commercial rates, commercial electricity usage etc... We are even charged more commission by Airbnb as we are a commercial property. Regular Airbnb's that people operate out of their home are charged 3% commission. As a commercial business we are charged 15% commission. This is a massive difference that puts us at a competitive disadvantage. While covid restrictions were in place and Western Australians were only able to travel within the state it was not such an issue due to supply and demand. The town was very busy and there was enough patronage to go around. Now that travellers have the option to go overseas it is much quieter in town and the Airbnb/accommodation market is flooded. This is driving businesses with large overheads to continually put their prices down to try and compete. This is not sustainable and can't continue. Commercial business employ staff, pay super etc... Many of these Airbnb do everything themselves. Meaning they don't support the community in the same way and make it very difficult to compete with. Despite all of the above creating an unfair competitive environment there is also the huge issue of zero rentals being available in town. Many people have turned their rental into an Airbnb. The rental shortage is in a dire situation. People can't find places to live, and businesses can't attract workers because there is nowhere for them to live in town. I commend the shire for undertaking this review. I know Airbnb are a huge organisation and are pushing back against any change as it effects their bottom line. I am not suggesting that you abolish Airbnb or stop them from operating in our community as I think that would be bad for tourism. Just make it fair so that everyone is operating under the same rules. – **Directly Involved in the Industry, Neighbour of a Holiday House**
120. Would like to see investment into more affordable homes. Lower paid workers DO exist in Esperance. And are very much needed but not enough accommodation. There is a huge imbalance in Esperance's rental market. If we need more holiday accommodation, create more caravan parks don't take homes away from locals to make a quick buck for a couple of months - **Community Member**
121. Need more rentals available for private and GROH houses. We can't attract anyone of skill to the region if their standard of living isn't up to scratch. We still have teachers, nurses etc with no house in short term accommodation with their clothing and furniture in storage. Many have been there for 6months- 1 year and they all want to leave. - **Community Member**
122. Airbnb should be registered and numbers limited, they take business away from those who have – **Directly Involved in the Industry**
123. Fire alarms in all bedrooms is excessive. I've stayed in a lot of holiday homes around Australia & Esperance has way too many regulations. Build more houses! Look at Mackays population over the last 10years. Holiday homes are the least of the shires worries, open up more land to build on like on way out near surf club with views." – **Visitor to a Holiday House, Community Member**
124. Parking, particularly on footpaths is a problem with the holiday houses in our street. We have a b&b (2 rooms) across the road so when that is booked and the family of young adults are home, there are cars everywhere! - **Neighbour of a Holiday House**
125. I am incredibly pleased that the Shire of Esperance is currently reviewing Holiday Homes in Esperance as I and our neighbours have spent years with a problem holiday home and the current guidelines do not allow for rectifying the issues we are having. The onus has been placed on us as neighbours to complain whenever there is noise, pet, parking, bin, littering etc issues and we just want to live in peace in our lovely residential area. We feel that the onus and cost should be placed directly with the holiday home owner who is making money from their property to ensure that no imposition or reduction of amenity of a residential area is made to neighbours. There is so much technology available to owners of holiday homes to monitor noise and guests compliance with rules that I hope the changes to the Shire rules and regulations allow for a more peaceful experience for neighbours and holiday makers in our beautiful town. - **Neighbour of a Holiday House**
126. I honestly think there are way to many here in Esperance they were a quick boom money grabbing chance while covid hit but now have left less rentals available even for the people that need to move here for work .I honestly think there should be a limit how many per town - **Community Member**
127. I believe the biggest hindrance that Holiday Houses cause is the lack of long term rental accommodation for our local, working community members. Without our locals, we won't be a tourism town because we won't have anyone to man the shops, the fuel stations, the supermarkets because we won't have locals to work, because they can't find places to live or are being asked to move out of their homes so they can be sold off and used as short term accommodation. We have a new mine opening up not even 3 hours from our home, we want to encourage people to work there, without a place to live long term, that won't happen. The mine won't help tourism or our local economy because those workers will be flown in and flown straight back out again, because they can't find anywhere closer to live. Business don't want to pay \$1000's of dollars on short term accommodation to house their workers! People don't want to live long term somewhere they can't call home. I know this problem isn't isolated to Esperance, but as our Shire, you can ensure that the locals of this town are protected, are prioritised, that our suburbs aren't being sold off to people who aren't even local, just to be turned into something that our locals can't use. As someone who is currently facing homelessness, with two kids and a husband, it is terrifying to think that people have the mentality of "the needs of self outweigh the needs of many". People don't want to rent their homes long term because they can make a quick buck hiring their homes out in stints for gross profit! Rather than helping the single mother with 3 kids who can afford to pay you long term, have somewhere warm and safe for her kids to sleep. Please, Esperance is suffering, locals are leaving in droves simply because they can't find anywhere to live. People wanting to move here for work are giving up work opportunities because they can't find places to live. What we are allowing now, is NOT SUSTAINABLE! let the needs of the masses outweigh the wants of a few. - **Community Member**
128. Local community members cannot afford or find housing, having homes available to long term rent and these community members should be the priority, not tourists and or investment property owners. Airbnb and the like- helping the rich get richer at the detriment to the locals. - **Community Member**
129. I am particularly concerned about the limited number of rental properties for Residents as a result of holiday accommodation increases. - **Neighbour of a Holiday House**
130. ALL holiday house swellings should be required to have shire approval and meet safety standards. I also believe strong rules and penalties should apply if said rules are broken with pets in holiday accommodation. Holiday accommodation in the form of Airbnb's is sometimes the only viable way a family can afford holiday accommodation and have it meet the needs of their family. Holiday houses in Esperance are also feeding money into small local businesses, there is a need and a demand. From our managing side of the things, we also find a lot of owners issuing longer term leases in the off peak times which is helping with other contract work happening in town. – **Directly Involved in the Industry, Local Business, Community Member**
131. Definitely needs some investigating. Not good how their is illegal holiday houses. They should not be allowed to operate and be turned back into rental properties. - **Community Member**
132. "Currently I live next to 2 Airbnb properties. They are vacant. They have been since the April school holidays. There are teachers who have been unable to be placed in residential homes still staying in hotels because there are no suitable rentals available via GROH. They have been there since January. They have families who they are unable to have stay with them. It is now July. More houses needed in Esperance - in decent sized lots. This is costing the Esperance community in so many ways - mental health professionals, highly skilled tradespeople, service industry workers, nursing staff for the hospital. More houses and land are needed and fewer vacant properties in the name of tourism!" - **Community Member**
133. Providing opportunities for multiple visitor accommodation types is essential. However some regulation is needed to ensure the quality remains high giving the visitor a positive customer experience when in our town. Additionally I don't want a football team staying at the house next door living their best lives for a week and impacting on those who live in the area. - **Community Member**

-
134. Holiday houses should be rated higher because owners are earning income from their property. - **Neighbour of a Holiday House**
135. Holiday houses need to be rated higher than residential properties. This could discourage some people from this option and leave holiday houses available for long term tenants. Parking space needs to be regulated. - **Community Member**
136. I like holiday homes like Airbnb as it adds a great dimension to what is offered but feel a stronger regulation is required. - **Community Member**
137. All accommodations should have the same licenses rules and regulations. - **Other**
138. We have had no issue with the holiday home across the road. However I am aware the owner is highly accountable and manages this property well. I think some regulations would ensure all owners do the same. I am very concerned about the overall lack of rentals in town and hope the regulations include a balance of supporting tourism but also ensuring sufficient housing is available to house those who service the town and the tourists." - **Neighbour of a Holiday House**
139. It seems that every application for a holiday home is approved by the shire no matter where it is, no matter who has concerns. The only exception to this is those within Strata whereby the corporate body fights against it and even the. The shire would have been willing to agree to an Application. How is this good for the workforce in town? How is this good for locals? - **Local Business, Community Member**
140. So many jobs in Esperance needing to be filled for businesses to be able to operate but no accommodation for people wanting to move into the town. Long term more permanent tenets that are contributing to the community is better than people just passing through. - **Local Business, Community Member**
141. You should not be restricted what we can do with our property - **Community Member**
142. Businesses rent holiday homes as well and we have had experience of having the people who rented the home having no respect for the people next door. The owners were receiving \$1,200 a week and the rental agency was no help

- either. We had people who worked hard but played even harder on weekends which effected out physical and mental health for a period of 4 months. This is our home. - **Neighbour of a Holiday House**
143. Tiny houses should not be included as a form of holiday house as they do not meet basic BCA requirements, sewage and electrical state requirements and effectively having the potential to create public health risks. - **Community Member**
144. Main concern is lack of rental properties for local and new to Esperance people. More money to be made by holiday houses - **Community Member**
145. I think that there should be regions which holiday houses should be more regulated as people are getting kicked out of their houses because people would rather run an Airbnb/holiday home over offering their residence as a rental which creates a housing crisis when rental costs are already through the roof – **Visitor to a Holiday House, Directly Involved in the Industry, Community Member**
146. How can we expect business to employees people when they have no long term suitable accommodation - **Local Business**
147. Let's remove regulations on what people do on their own land – **Visitor to a Holiday House, Directly Involved in the Industry, Community Member, Neighbour of a Holiday House**
148. I'm responding to this survey as a holiday rentals/ short stay accommodation not just a holiday house. - **Community Member**
149. Not sure how to limit holiday houses in order to free up longer term rentals - **Community Member**
150. Lack of regulation has allowed an oversupply while causing a massive undersupply of rental properties for local community members to access - **Community Member**
151. Great to see the Shire consulting with the community on this important topic. - **Community Member**

8.3 APPENDIX C – Direct Submissions

Archived: Friday, 9 September 2022 1:28:19 PM

Submission 1

From: [REDACTED]

Mail received time: Tue, 12 Jul 2022 13:40:11

Sent: Tue, 12 Jul 2022 13:39:06

To: [Shire of Esperance](#)

Subject: Holiday House Review

Importance: Normal

Sensitivity: None

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hello,

Just sending some feedback on a couple of aspects mentioned in the briefing paper.

Contact details of the manager to be shown on a sign visible from the street:

As a Holiday Home owner, I do not wish to advertise anywhere on my property that it is a holiday home, to reduce the chance of the wrong people scoping out holiday homes for vacancies to break into the home. (I do not have a sign displayed showing the name of my STR or photos of the outside of the home on the platform I advertise on either, for this reason)

I would propose that it is mandatory to give contact details to all adjoining land owners and even neighbours across the road (I already have given my details to four of my neighbours who help keep an eye out on my property as I live across the other side of town)

Occupancy:

I would like to see occupancy capped at two people per bedroom (unless a room is large, then perhaps four for that room with bunk beds) Also dependent on bathrooms/toilets available. My STR is a two bedroom unit and I have my occupancy capped at four guests plus one infant with use of a travel cot provided.

Party Homes:

If at any time a home becomes a nuisance to neighbours due to guests being unruly, and on more than a few occasions that home be revoked of approval. Airbnb already prohibits parties, of course some guests will do as they please regardless of what the "rules" of the home are - so some leeway will need to be given to home owners for this reason, but if it is consistently being used as a party house and the owner/manager does nothing to remedy, then definitely revoke approval.

Pets:

I am a pet friendly home, and my guests love it (I love taking my dog with me too when I go away) I have not had any neighbour contact me complaining of pets being left unattended or barking. Perhaps requiring that pets are not left all day, but a couple of hours is allowed as long as there is shade and shelter available for the pet in the back yard. Also, it should be a fully fenced yard. If a property accepts pets there must be no opportunity for that pet to escape. (I've seen one property say there's no gate so dog should be supervised outside, I think that's asking for trouble)

Annual or Biennial re-application:

Absolutely! Keep the good ones and remove the ones not doing the right thing. If zoning changes and where a home falls into a new area no longer accepting holiday homes they should be grandfathered in until the home is sold or they no longer do the right thing (as mentioned at some point in the paper)

Some of us STR owners are very responsive and really care about our properties, guests and neighbours. Our properties are well maintained because we have access between guests to clean and fix issues regularly. We help to accommodate the tourists in our peak season and we are very much needed at this time.

Some owners are absent and only care about getting as much out of their property as possible with as little outlay as possible, this is where more regulation should be directed. Possibly even a cap on how many properties one management team can represent if the owner is using a management company.

Thanks for your time and listening to us :)

Please do not publish my name with this feedback if it is used in any publication, thank you.



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~

From: [Steven Drake-Brockman](#)

Submission 2

Mail received time: Thu, 28 Jul 2022 14:23:39

Sent: Thu, 28 Jul 2022 14:23:19

To: [Shire of Esperance](#)

Subject: Short Stay Accommodation Survey

Importance: Normal

Sensitivity: None

Archived: Friday, 9 September 2022 1:29:06 PM

Hi my name is Steven Drake-Brockman and I have only just become a home owner in investment property for myself in the last over 2 years since December 2020. And I am not happy with local shire or government telling me what I can and cant do with my property. It has taken me over 20 years to finally have my own property I owe alot of thanks to my younger brother for his help in the process.

I am not the solution to your rental crisis or housing problems.

And this town has had bad management from its own self that is not my problem we have 2 pubs shutdown in town from bad management and we still dont have a big 5 star resort for better incentives for people to fly down here and then dont get me started on Rex I hope they loose there contract next year and we get Virgin back in town trust me I know Im FiFo.

Keep long story short basically my property is my business I support local give work to local businesses and people they rely on me for income and I am thankful for there work and good job I will not be told how to operate my business investment property if that is the case I hear there could be class action to sue or I will just part live in my property have vacant for myself.

This is my personal written answer to your survey I am still up North Karratha next month so wont be able to attend the community consultation maybe I can see it live stream be good okay thankyou for your time.

Sent from my iPhone

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From: [Faye Mackenzie](#)
Mail received time: Sat, 30 Jul 2022 12:21:36
Sent: Sat, 30 Jul 2022 12:21:22
To: [Shire of Esperance](#)
Subject: Holiday home review
Importance: Normal
Sensitivity: None
Archived: Friday, 9 September 2022 1:29:34 PM

Submission 3

Thanks for the opportunity to comment.

There is no doubt that the current rate of expansion of holiday homes is leading to a distortion of holiday accommodation available to visitors. The ease to establish a holiday home and the financial rewards are the main attractions. This imbalance leads to many problems which have been clearly identified. I do not think that restricting future expansion to certain areas will help as often people prefer other areas and a better solution would be to strike a balance of what percentage of the total town should holiday homes occupy. Once struck then it would only expand with the town.

Currently it is a disincentive for larger tourism accommodation providers to expand as competition from this sector is often not submitted to the same levels of scrutiny and compliance as others.

For Esperance's tourism to flourish we need more larger tourism accommodation developments to occur, as these bring added facilities and people into our town centre.

Fud Mackenzie

Sent from my iPad

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Archived: Friday, 9 September 2022 1:29:52 PM

From: [Louisa McCall](#)

Submission 4

Mail received time: Sun, 31 Jul 2022 17:49:01

Sent: Sun, 31 Jul 2022 09:48:49

To: [Shire of Esperance](#)

Cc: Calvinmccall@live.com.au

Subject: Holiday Houses - Survey and Feedback

Importance: Normal

Sensitivity: None

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

To Whom it may concern,

~

Re: Reviewing of the briefing paper distributed for Holiday Housing in Esperance

~

As a homeowner, investor (Holiday House/Units) and renter within the Esperance community I find the proposal lacking some facts, figures, and reasoning. While I am against some of the proposed "Opportunities for Change" there are certain sections I feel indifferent towards, but are a fair measure to ensure all community members are offered the same opportunity.

~

12.1 – Excluding Holiday houses in Certain Areas (condensing a problem)

- The concentration of holiday houses in certain areas would see opportunity for theft and criminal activity during the off-peak season.

- The inequality to other property owners in the community is something I feel should be highlighted. To offer those outside of the area a non-conforming permit, is acceptable for the current owner but will reduce Return on Investment, devaluing the house, when advertising the property for sale. Not allowing the new owner the opportunity to get the same returns, should they choose. Giving these already premium locations, a further advantage on re-sale price. This is also driving the re-sale value for the area, making them even more unaffordable for homeowner/occupiers.

- Containing holiday housing to certain areas, isn't giving tourists the opportunity to choose where to stay. Specially for those tourists looking for alternative accommodation. Why would you not want to offer your consumers choice? This is what gave such rise to Airbnbs and Stayz is giving their customers variety and choice. Natural selection process weeds out location, quality, and pricing. This idea is restricting tourism in Esperance, which seems contradictory to employing a tourism specialty to increase tourism in Esperance. Reducing affordable accommodation to tourists is directly reducing the tourism economy in Esperance.

~

- Should these inclusion/exclusion zones become enforced, how many houses from the 150 approved (once sold) will become available to assist the rental crisis?

- Further-more are these homes suitable for a long-term lease? or are they small units/3x1 houses/homes without living spaces? My experience is that more people using their homes for Holiday Houses are those who have experienced problems leasing their homes long term for various flaws they have.

~

12.2 - Revised Occupancy Standards (on the land size not living space)

~

While I feel there would be minimal problems of this nature, there is no way for someone accepting a booking for 2 adults and 2 children to know they are going to arrive with 10 Adults and 10 Children. A property owner or manager would not accept large numbers of tenants causing additional wear and tear to their property.

Given the problem was to occur in a holiday house the average booking is 3 nights, if the property was leased long term and the same problem was to occur the resources, time and money to evict a long term tenant and the disturbance to the surrounding houses would be far more problematic than a 3 night stay.

~

12.3 - Stronger Governance (A fair standard to all adhere to, and addresses the quality for tourists)

~

I read in the briefing paper that a justification for “Excluding holiday houses in certain areas” was to give the tourist proximity to key attractions for a better experience. While the intention is there, you are not addressing the quality of the houses in the area. Just because a house is located in a certain area, does not mean the appropriate condition of the house is being adhered to when the initial inspection or assessment took place. A stronger governance would keep owners and managers accountable for the property that is being leased. This is also assisting the guest to ensure the property they arrive to after a long drive, offers what have been described in the advertising.

~

I do feel the shire has put into place adequate measures to attain the Holiday House approval but there needs to be more bi-annual compliance/health checks and re-assessments. Assuring quality and safety for tourists and neighboring properties naturally increasing the quality of tenancies attracted to the home. I don't think it is unreasonable for Holiday House owners to be compliant, equally to those leasing properties long term and adhering to the Residential Tenancies Act.

~

- Advertising a contact number, does not mean the person will be contactable. If measures are exhausted to contact the listed manager, the shire can issue a call out fee to deal with the problem?
- Not sure of the measures to strengthen and clarify, I feel this was explained in depth at the start of application for a Holiday House, again a review and requesting updating details biannually from the owners to remind them of their obligations could help.
- The request to display a Code of Conduct as part of regular checks is reasonable. I would suggest the shire have a pre-printed display for printing with wording for owners to display.

~

12.4 – Prohibiting Unattended Dogs (Long term tenancies have these same issues)

~

Again the problem would be short lived for those tourists visiting Esperance, compared to those who have the same issue with long term tenancies. To govern this would be difficult, the amendments could be an addition to the above stronger governance and form part of the code of conduct.

~

12.5 – Periodical Renewal of Planning Approvals

~

Again, an area most owners would be upset with but will understand the reasons behind the implementation and would run alongside the stronger governance initiative.

~

Thou this should not be in direct correlation with the houses outside of the ‘approved’ areas. To reduce the owners hard work and business to a shortened ‘approval’ timeline is again unfair and not giving them the equal opportunity to other community members.

~

Our experience and progression into Airbnb

~

Our story of Holiday House & Experience is a good story for the neighboring properties and community and I’m not sure these situations are considered when looking one sided at short term accommodation. We purchased 2 run down units, later I had been told they had been used to distribute drugs in the past, opposite a primary school. We purchased these when the rental market was saturated for available rentals and rental prices were low. We renovated one unit internally for upward of \$10,000 and opened the unit to the market (2018)... we had little interest in the units, advertised for \$250 per week and had reduced the price to \$180 to attract more interest. I had 2 people who applied for the unit, both had no employment with families and government only payments as income. Furthermore they had negative/no rental history, putting our hard work as risk.

~

When you invest your time and money, these applications were not suitable for the property, and we explored the option of Holiday Housing. We followed the required steps and processes and have increased our ROI for these properties by 6 times! This additional money comes into our community, and we re-invest in the way of education for our children, investments, day to day activities, dining out and the list goes on. I think it is narrowminded for people to not consider the businesses that have made it their living to service this industry including maintenance workers, plumbers, electricians and mostly the cleaning and linen services required. This doesn’t take into account the work for owners to manage these properties creating their own jobs and wealth. The additional economic benefits brought into town by tourism and the work created for locals, is incomparable to a long-term lease holders.

~

Rental Crisis

~

We are seeing a national housing crisis, this is not an Esperance related problem with. If these houses were available for lease, the owners would be charging exorbitant prices to replace the income lost from Airbnb.

~

360CoreLogic Q2 2022 Rental Review Key Trends

- *National dwelling rental values rose 0.9% in June and rose 2.9% over the June quarter.*
- *National dwelling vacancy rates fell to 1.2% from 2.2% this time last year.*
- *Capital city rents increased 3.0% over the June quarter, outpacing regional rents (2.7%) for the first time since the onset of COVID.*

The above is taken from <https://www.corelogic.com.au/news-research/news/2022/residential-rents-hit-record-highs-as-national-vacancy-rates-plummet#:~:text=National%20dwelling%20vacancy%20rates%20fell,since%20the%20onset%20of%20COVID> these figures are short lived and to make drastic changes based on these figures does not seem logical. We would be reverting to a similar market saturation of rental availability as we experienced in 2018, reduced rent prices, owners unable to cover mortgages as interest rates increase, reducing housing prices.

~

Survey Feedback

~

I feel the flaws in your survey is that it really wasn't engaging to seek answers on each of the items proposed in the briefing. One question to say what are your thoughts... wasn't addressing feedback on all the mentioned options and not highlighting to current Airbnb operators 12.5 option that would stop their operation within 1-2 years.

Out of the 150 approved houses, what is the percentage that falls into these "approved" zones? Because I feel like their engagement in the survey would be very little considering they are within the approved zone and would feel these changes would not affect their business and livelihood. Furthermore there would be disengagement from owners reading the 'approved zones' proposal only and reading "those with current approvals would remain" if they don't read the briefing in full, where it states this could be utilized with 12.1 and therefore taking away a large source of income in as little as 12 months.

~

Hopefully, this can form part of the requested feedback for the proposed changes. Certainly, supportive to ensure owners are held accountable, but restricting the areas to disadvantage community members is not something I would be supportive of.

~

~

Kind Regards,

~

Louisa McCall

0409 300 980

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Submission to Shire of Esperance: Regulation of Holiday Houses Briefing Paper

Thank you for the opportunity to comment on the Shire of Esperance’s Regulation of Holiday Houses Briefing Paper. Airbnb is committed to working with the Shire of Esperance and the Western Australia Government to put in place policy settings and initiatives that deliver positive outcomes for local jobs, the recovery of the tourism economy, and the community. With the resumption of domestic and international travel in Australia, we’re keen to support the efforts of local policy-makers to ensure that the visitor economy in communities across Western Australia remains sustainable and competitive.

Airbnb’s community of Hosts and guests are vital contributors to the Western Australian economy, supporting ancillary services and tourism operators in towns and regions. Our community of Hosts in the Shire of Esperance — everyday Western Australians who are passionate about showing off their region of the state — are eager to do their part to help grow jobs sustainably into the future through responsible hosting.

Executive Summary

- Airbnb’s community has a strong track record of growing the visitor economy in the Shire of Esperance, providing more choice of accommodation for consumers in more locations across a variety of price points. In the 12 months to 1 March 2022, our Host community welcomed over 16,600 guests in Esperance.
- Airbnb’s community brings valuable tourism dollars to regions throughout the state. In 2019, Airbnb guests who stayed in Western Australia spent an estimated \$318 million, which supported over 2,500 jobs in brick-and-mortar businesses such as cafes, restaurants, and retailers, according to research by Deep End Services.
- Presently the Western Australian Government is undertaking consultation on the regulatory settings overseeing the short term rental accommodation in the state.
- Airbnb recommends that the Shire of Esperance awaits the outcome(s) of the Western Australian Government’s ongoing consultation and reform process into short term rental accommodation, prior to proceeding with any regulatory reform for holiday houses and the local level.
- Airbnb has identified a number of targeted regulatory measures to unlock the full potential of the short-term rental accommodation (STRA) sector and measures to better manage STRA in communities — many of them at no cost. Our proposal to the WA Government considers reform of the STRA sector by:
 - Modernising statewide planning rules to apply clear and consistent rules across the state that ensure better outcomes for Hosts, guests and the wider community.

- Establishing a robust industry-wide and statewide Code of Conduct to manage complaints and disruptive behaviour that may occur in the community.
- Creating a statewide registration framework to equip policy makers with the best possible data to help them make the best decisions about home sharing and to help with enforcing new fit-for-purpose 21st century rules.
- Enabling responsible home sharing in strata whilst also empowering strata communities to better manage STRA in their buildings via targeted policy settings to address isolated instances of disruptive behaviour.

About Airbnb

Airbnb was born in 2007 when two Hosts welcomed three guests to their San Francisco home, and has since grown to over 4 million Hosts who have welcomed more than 1 billion guest arrivals in almost every country across the globe. Every day, Hosts offer unique stays and one-of-a-kind activities that make it possible for guests to experience the world in a more authentic, connected way.

The Airbnb community in the Shire of Esperance

Airbnb's community has a strong track record of growing the visitor economy in the Shire of Esperance and in Western Australia, providing more choice of accommodation for consumers in more locations across a variety of price points. In the 12 months to 1 March 2022, our Host community welcomed 16,600 guests in the Shire of Esperance LGA.¹ These are almost entirely trips taken by Western Australians, with little to no interstate and international travel throughout 2021, owing to border closures.

Economic contribution of Airbnb to the local community

Airbnb has a large community of Hosts in the Shire of Esperance for whom sharing their home is now part of their lifestyle. The majority of our Hosts are 'mum and dad' operators looking to supplement their income or subsidise their own travel, with many hit hard by the pandemic and related border closures. As the Shire would be well aware, tourism is playing a crucial role in Western Australia's economic recovery, helping to empower local communities to share in the benefits of tourism and welcome new visitors to their neighbourhoods.

Analysis by Deep End Services, commissioned by Airbnb, found that Airbnb guests who stayed in Western Australia in 2019 generated total visitor spending estimated at \$318 million². This spending supported an estimated 2,554 jobs across the economy (including both direct and indirect employment) and contributed an estimated \$260 million to the economy when measured in terms of contribution to value added, of which around \$100 million is generated in regional WA.³

¹ Internal Airbnb data as at 1 March 2022.

² Deep End Services, analysis commissioned by Airbnb, 2022.

³ Deep End Services, analysis commissioned by Airbnb, 2022.

In addition to visitor spending, the home sharing economy is supporting the growth of ancillary services and the creation of local jobs — such as domestic cleaning, gardening and property management — facilitated by over one third of surveyed hosts (37 percent) on Airbnb in Australia who prefer to engage professional services to manage their listings and bookings.⁴ The economic activity created by Airbnb supports these businesses, including those in regional areas that might not otherwise benefit from tourism and increased visitation. Alongside jobs in restaurants, cafes, and retail shops, the combined value of wages paid to workers in these businesses across Australia in 2019 was \$3.9 billion, according to Oxford Economics.⁵ This highlights the immense value of short-stay accommodation to the Shire of Esperance and the economic opportunities it provides for Hosts, local businesses and the wider community. Any consideration of changes to short-stay accommodation in the Shire of Esperance must consider the flow on effects to small businesses and those who are employed by them.

Importantly, Airbnb also plays a crucial role in helping people remain in their homes and communities by providing them with the ability to supplement their income. In a survey of Australian Hosts on Airbnb in 2021, a third of respondents said the primary reason they started hosting was to ‘make ends meet’.⁶ In turn, these Hosts help drive economic growth and job creation, with many local businesses relying on the valuable tourism dollars spent by Airbnb guests. Moreover, the supplemental income earned through home sharing empowers Western Australian women and older or retired persons to remain in their homes and communities — 67 percent of Hosts with an Airbnb listing in Western Australia are women, whilst 25 percent of Hosts are 60 years or older.⁷ As the cost of living increases, home sharing provides an economic lifeline for everyday Western Australians in helping to make ends meet.

Increasing the benefits of events tourism — resilience and innovation

Throughout the Shire of Esperance, the Airbnb community can help grow tourism through the creation of unique accommodation supply. The surge capacity, or elastic supply, which the Airbnb community can provide during major events — such as sporting events, agricultural exhibitions, music festivals or business conferences — presents opportunities for attracting and hosting major events in both cities and regional towns, and in turn supporting the recovery of tourism.

The power of STRA to support events showcases the power of innovation and technology to build community resilience. Before a major event rolls into town there is an opportunity to work with locals to expand the Airbnb community and secure accommodation supply for visitors — at the same time, this creates an economic dividend for local residents who benefit by hosting visitors in their homes. Indeed, the elastic-supply STRA can provide for events is something which can improve the outcomes and maximise the impact for events resulting in a win-win-win scenario — a win for the guest, a win for the town, and a win for the Host.

Collaboration and partnership to future proof tourism

⁴ Airbnb survey data. Survey conducted in January 2020 of 1,612 Hosts with listings on Airbnb in Australia.

⁵ Oxford Economics, The Economic Impact of Airbnb in APAC: an independent report by Oxford Economics, commissioned by Airbnb. Figures in 2019 prices.

⁶ Survey dates from Feb 1, 2021 to Mar 3, 2021 for Homes Hosts in Australia who hosted a trip during 2020.

⁷ Internal Airbnb as at 1 April 2022.

Airbnb has been at the forefront of driving the recovery of tourism across Australia through partnerships to promote hosting on Airbnb and visitation to Western Australia's most stunning destinations. We see increased collaboration and future partnership opportunities as the means to help maximise the success of Hosts on Airbnb to offer local, authentic, people-powered travel and creating attractive, resilient, and sustainable destinations. For example, we are proud to have partnered with Dairy Australia⁸ in 2021 to showcase the best of Australia's dairy industry and encourage visitation to actively support local dairy farmers, producers and communities, including the award-winning dairies found in Western Australia's South West.

We welcome opportunities to continue partnering with destinations on ways to sustainably grow the visitor economy in regional Australia. Whether that's local councils, destination marketing organisations, or local event organisers, we are open to opportunities to collaborate so that the future of tourism is bright.

Shire of Esperance – Holiday Home Briefing Paper

Airbnb welcomes the opportunity to comment on the Shire of Esperance Regulation of Holiday Houses Briefing Paper.

The proposed *Opportunities for Change* will make hosting unworkable for many in the Shire of Esperance by creating restrictive barriers to participating in the STRA industry, as well as burdensome and unnecessary red tape for activities that have benefited the Shire for generations. These requirements - in addition to the existing Local Planning Scheme No. 24 (the Scheme); Local Planning Policy: Holiday Home Development Requirements (LPP) that already place layers of red tape and extra financial burdens on homeowners to share their homes - will act as a significant barrier for locals to make extra income and subsidise the rising cost of living.

Opportunity 1: Excluding Holiday Houses in Certain Residential Zones

The Briefing Paper notes that residential amenity is a principal concern and that 'reducing potential conflict between Holiday Houses and the amenity of long-term residential dwellings' is the rationale for implementing exclusion zones. Airbnb's view is that creating exclusion zones within the community will not meaningfully address the issues that the Shire of Esperance is attempting to solve and will create clear divisions within the community.

First, the proposal to introduce "zones" where holiday homes can and cannot operate within the LGA would mean a family living in an exclusion zone would be unable to share their whole home when on holiday themselves - even for just one week. It unfairly excludes residents of Esperance from sharing their home, whilst their neighbours on the other side of the boundary line are able to take advantage of the economic opportunity. For many Hosts, sharing their space and making extra income is an economic lifeline that goes towards paying off the mortgage, keeping up with the rising cost of living, or allowing them to more fully participate in their community.

⁸ <https://news.airbnb.com/en-au/airbnb-and-dairy-australia-invite-aussies-to-discover-dairy-destinations/>.

It's clear that consumers want more choice in where they stay and the experiences they want when travelling. An overwhelming 61 percent of guests surveyed by Airbnb who stayed in a listing in Australia in 2019 said their choice was motivated by the location. Further, more than two-thirds (approximately 70 percent) of guests surveyed said they would have cut short their trip if Airbnb were not an option, and one in four (27 percent) guests surveyed said that the reason they chose to stay with a Host on Airbnb was to "live like a local".⁹ Any moves to arbitrarily limit consumer choice could have negative consequences for consumers and negative flow-on effects to the local economy.

Moreover, the economic benefits and the jobs created by STRA would likely be hampered by such a proposal and have negative impacts on the community. We acknowledge that the Shire of Esperance appreciates the economic contributions of short-term rental accommodation to the local community, however exclusion zones will not resolve the stated issue of preserving residential amenity. Instead, we suggest the introduction of an industry-wide Code of Conduct that sets baseline expectations for community behaviour, and transparent complaints-handling processes and avenues for recourse based on the severity of offending conduct. This has been proposed to the State Government for further consideration and we are confident that such a tool will more meaningfully address the Shire's concern in this regard.

At a time when governments, industry, and communities must be working hand-in-hand to rebuild the tourism economy sustainably, any moves by the local Council to limit where a holiday home can and cannot be let would be ill-judged and serve only to dampen economic growth. Such a move could in fact divert tourists and spending to neighbouring regions. It will place the visitor economy in the Shire of Esperance at a serious competitive disadvantage, limiting the accommodation choices for visitors and likely leading to fewer visitor nights and thus fewer visitors injecting valuable tourism dollars into the local economy.

Opportunity 2: Occupancy

Airbnb requests that the complicated occupancy provisions that designate limits based on the size of the lot be removed from the proposed and existing STRA planning framework. We recommend that this be replaced with a provision that is simple and straightforward for Hosts to understand and comply with. Anecdotal evidence supports the confusion Hosts experience with onerous and complex regulatory expectations which act as barriers to an economic opportunity for locals. Airbnb proposes that any occupancy limits are intended for adults, so as to not prohibit parents sleeping in a bedroom along with their newborn baby or child, a practice which is quite common in the usual residential use of a dwelling and a normal, safe behaviour which is ordinarily practiced in family homes across Western Australia.

Opportunity 3: Governance

The proposed obligations with respect to governance are overburdensome and the relevant issues are already addressed through the existing local planning scheme and internal policies that Airbnb actively enforces.

⁹ Airbnb survey data. Survey conducted in January 2020 of 1,661 guests who had stayed in a listing on Airbnb in Australia.

Imposing stricter requirements on Hosts and property managers to improve responsiveness will only serve to create additional red tape and confusion. We know that many of our Hosts inform their neighbours of their hosting activity and offer neighbours the ability to contact them directly on the rare occasion that there are neighbourhood disturbances or other issues. Additionally, Hosts already provide their contact details, and the details of a Manager, including a phone number at which they may be contacted at any time, under the existing Local Planning Policy for Holiday Homes.

Requirements to be responsible for resolving each complaint at the premises and permanently publicly display personal information and a contact telephone number is unwarranted and exposes Hosts to increased personal safety concerns. We believe Hosts must take reasonable steps to address any concerns raised in a timely manner, which does not pose undue personal safety risks. These proposed rules will negatively impact mum-and-dad operators whose families have enjoyed their holiday home for decades, risking those properties sitting empty for long periods of time. Such a move could, in fact, divert tourists and spending to neighbouring regions.

Nuisance issues during guest stays are exceptions and action should be taken, where required, against bad actors whose actions are detrimental to communities. We believe that home sharers must also be good neighbours and we take the issues of managing wrongdoers seriously, including by enforcing a number of strict policies that may result in removal from our platform. Additional information about internal policies enforced by Airbnb in this regard is available at [Appendix](#).

To promote and enforce responsible Hosting and responsible guests, Airbnb strongly supports the introduction of an industry-wide Code of Conduct that operates across the state and which we have proposed to the WA Government. We acknowledge that the Shire of Esperance has suggested that Hosts create a Code of Conduct for their home, however a statewide and industry-wide approach would be more effective in establishing clear complaints handling mechanisms and processes. Airbnb already encourages Hosts to establish 'House Rules' for their guests to better understand any rules which apply to their home or their immediate area, and so an additional layer of regulation at the council level would not be necessary.

With respect to a statewide Code of Conduct, Airbnb has supported the NSW Government in establishing an industry-wide, mandatory Code framework to manage complaints and behavioural issues. We have significant experience in working with governments across Australia, and indeed the world, to implement appropriate and proportionate regulatory tools. The [NSW Code of Conduct](#) includes a robust compliance and enforcement mechanism, operating on a "two strike" basis, whereby bad actors are [excluded from participating in the industry](#) for a period of 5 years after repeated breaches of the Code. Employing a similar mechanism in Western Australia would ensure that complaints can be heard independently and fairly, and compliance action may be taken to deal with industry participants who are found to have violated the Code of Conduct.

Opportunity 4: Unattended pets

The accommodation needs of guests are changing and it is imperative that regulation is appropriately calibrated to strike an appropriate balance. Many guests are travelling for longer - they are working remotely, travelling with their family as a way to spend quality time together and travelling with their pets.¹⁰ Over the last two years, we have seen average trip length increase by approximately 15% across the globe, with stays of more than 7 days now representing nearly half of all gross nights booked.¹¹

Internal Airbnb data also shows that the use of the pet filter has significantly increased since 2020 - it's the most used filter by Australian guests on our platform.

As noted, Hosts on Airbnb use their House Rules to set important guidelines with their guests – such as quiet hours, occupancy limits, rules on pets and smoking, and much more. House Rules appear on each listing's page, as well as on the booking confirmation page and confirmation email guests receive to remind them of their Host's expectations before they arrive. This helps communicate those important rules while aligning expectations between Hosts and guests to try to ensure respectful treatment of properties and neighbours during stays.

Whether guests travel with their pets to spend quality time with the family, to save money that would be spent sourcing temporary pet care or for the purpose of service animals or emotional support animals, treating guests in the community differently to local residents with pets makes very little sense considering the scale and significance of the issue is very small. Put simply, there is no demonstrable reason for an outright ban on pets being left alone at a holiday home. Instead, targeted approaches for managing effects such as noise control should be adopted to manage these isolated incidences when they do occur.

Opportunity 5: Periodic Renewal of Planning Approvals

Airbnb considers that requiring renewals of planning approvals is unnecessary and presents additional administrative burdens on the local Council that are disproportionate to the issues identified. A convoluted and administratively burdensome renewal process risks creating unnecessary hurdles and alienating everyday Western Australians from participating in the home sharing economy.

Airbnb instead supports a statewide registration scheme, as proposed by the WA Government, to ensure a uniform approach to regulating STRA across the state. We believe that registration, when implemented effectively and efficiently, can provide government authorities with vital information to understand STRA in their communities, measure the success of the policy framework, and drive compliance with relevant rules.

¹⁰ <https://news.airbnb.com/wp-content/uploads/sites/4/2021/05/Airbnb-Report-on-Travel-Living.pdf>

¹¹ Airbnb data as of 31 December 2021. <https://news.airbnb.com/airbnb-fourth-quarter-and-full-year-2021-financial-results/>

Airbnb support for a statewide regulatory framework

To help create jobs in the hospitality, retail, and transport sectors, and regrow the visitor economy, Airbnb has identified a number of targeted regulatory stimulus measures to unlock the full economic potential of the STRA sector. The key to establishing policy settings that boost economic growth and job creation is through simple, progressive, and easy to understand statewide rules that unlock opportunity in the home sharing economy.

Currently, the regulatory framework for STRA is a confusing and outdated legacy patchwork of rules that vary from local government area to local government area, and there is a clear need for reform to provide clarity and consistency across Western Australia if the state is to realise its full potential. We recognise that many of the existing rules not only predate the current State Government — but the policy architecture was created at a time before the rise of home sharing and booking platforms, limiting the regulatory toolbox Government has to respond to issues as they arise. This presents an opportunity for policy makers to come together to design smart, policy frameworks which can respond to the emerging regulatory challenges of STRA in the 21st century.

Conclusion

Tourism is a crucial and resilient part of the economy and the path ahead to create new and lasting jobs will require forward-looking regulatory reform and innovative thinking.

For the reasons outlined, Airbnb recommends that the Shire of Esperance abandons its review of the regulation of Holiday Homes and, instead, awaits the outcome of the State Government's consultation on the Position Statement and associated Guidelines. Airbnb further recommends that the Shire of Esperance engages constructively with the STRA industry, local Hosts and local businesses to reconsider the ways in which to manage amenity impact and impacts on permanent residents whilst balancing the needs of Hosts, guests and the broader community.

Airbnb is committed to working with both the Shire of Esperance and the Western Australia Government to help achieve the right statewide regulatory settings and compliance measures to enable the home sharing economy to grow sustainably, with clear rules which are easy to understand and comply with. We believe working collaboratively with governments and communities is the best way to optimise the value proposition of home sharing as an economic solution that:

- empowers people to earn;
- expands and enriches travel for consumers; and
- strengthens communities through sustainable tourism that supports jobs, promotes neighbourhoods and generates new revenue.

Fundamentally, we want to ensure that as tourism continues to thrive in Western Australia, and that local people and the communities they live in are the primary beneficiaries. Airbnb's local, authentic, people-powered travel ensures that as more people travel, more people can harness the benefits.

We would be pleased to engage in discussions on these issues and provide additional information which would be helpful to the Council's deliberations.

Yours sincerely

A handwritten signature in blue ink, appearing to read "M Crosby", is placed over a light grey rectangular background.

Michael Crosby
Head of Public Policy - Australia & New Zealand
Airbnb

Appendix - Airbnb's ongoing commitment to local communities

Amenity impacts and erosion of a sense of community

The overwhelming majority of guests who use the Airbnb platform behave appropriately and do the right thing. Nuisance issues during guest stays are extremely rare exceptions and action should be taken, where required, against bad actors whose actions are detrimental to communities, and responsible STRA operators should be enabled to continue to share their homes to support their families. Airbnb believes that communities need to have faith that if something does go wrong, there is a way to have their voice heard and swift action taken against those who disturb neighbours, violate the trust of the Airbnb community, and negatively impact the reputation of the broader STRA industry.

Airbnb seeks to lead industry on best practice for industry-led oversight and regulation. We believe that home sharers must also be good neighbours and we take the issues of managing wrongdoers seriously, including by enforcing a number of strict policies that may result in removal from our platform. This is why we are eager to work with governments and communities on policies that address amenity concerns, and have supported frameworks that deal with irresponsible behaviour and wrongdoers through a transparent process which is fair for all parties. Airbnb is supportive of a targeted approach to address behavioural issues, as well as continuing our educational initiatives which encourage responsible hosting.

While we want to work with governments on appropriate regulatory responses to managing community amenity, we also have led the industry in terms of proactive solutions to address instances of bad behaviour and respond to community concern.

We appreciate that guests and Hosts will come into contact with neighbours and other local residents, which is why we place great emphasis on the importance of responsible hosting. Information on the standards that we and our community of travellers expect is published on our [website](#).

Global Ban on Parties

At Airbnb, we believe the neighbourhoods and communities in which we operate are as important as the Hosts and guests who use our service. We know that the overwhelming majority of our Hosts share their homes responsibly, just as the overwhelming majority of guests are responsible and treat their listings and neighbourhoods as if they were their own. In turn, we focus on trying to deter the very rare instances in which Hosts do not operate responsibly, or guests try to throw unauthorised parties. To that end, in August 2020 we announced a temporary ban on all parties and events in listings globally — which at the time was in effect “until further notice.” The temporary ban has proved effective, and in July 2022 we [officially codified the ban](#) as our policy. The policy will continue to include serious consequences for guests who attempt to violate these rules, varying from account suspension to full removal from the platform. In 2021, over 6,600 guests were suspended from Airbnb for attempting to violate our party ban. In these

cases, we also work to support our Hosts with property damage protection via [AirCover for Hosts](#).

Host Guarantee Program and Host Protection Insurance

To help give Hosts additional peace of mind, Airbnb has developed its [Host Guarantee Program](#) and [Host Protection Insurance](#). Each trip booked on Airbnb in Australia is covered by these two programs.

System of reviews

Core to the experience of travelling on Airbnb is a system of reviews — where Hosts and guests rate each other after a stay. Both Hosts and guests therefore build up their own reputation, which is visible to other users of the Airbnb site, creating trust for our online community. Potential guests can see reviews of a Host's home to identify both positive and negative feedback, and Hosts can look at similar assessments of any potential guests. Our Hosts are provided with information and guidance on how to welcome guests to their homes in the most hospitable and neighbourly way and we have established a [hospitality program](#) based on seven core standards that we encourage all Hosts to meet. Our hosting standards encourage plenty of communication prior to a booking, so that both Host and guest can be comfortable that they are a good match.

Airbnb encourages Hosts to take [extra steps](#) to ensure that their homes are safe. We remain focused on continually improving our systems and exploring new ways to keep people safe and help ensure each stay is a positive experience for Hosts, guests and the wider community.

House rules

Hosts are strongly encouraged to help their guests to understand any rules and restrictions which apply to their building, or to their immediate area. We encourage guests to be mindful of neighbours and behave in a respectful manner.

Our team also continues to work diligently and collaboratively with government and police to help make each stay a positive one for Hosts, guests and the wider community. As part of this, we continue to enforce a global ban on parties and have launched a Neighbourhood Support Line in Australia, which allows neighbours to request a call from a specialised support agent and makes it even easier for people to raise any issues with our rapid response team that may arise with nearby listings.

High-risk reservation screening

Our high-risk reservation screening system has also prevented thousands of reservations¹² nationwide since it was rolled out across Australia more than a year ago. The overwhelming majority of Hosts and guests on Airbnb are respectful travellers and considerate neighbours. However, we continue to remind everyone who uses our platform that bad behaviour has no place on Airbnb and both Hosts and guests must adhere to our strict policies and community standards.

¹² Airbnb internal data, from 20 August 2020 to 30 July 2021.

Law enforcement team

Airbnb also has a dedicated Law Enforcement team who support police efforts. Our online portal provides law enforcement with a direct and secure channel to submit and track valid requests for information.

Housing availability and affordability

Housing policy is a complex public policy issue and Airbnb welcomes the opportunity to place STRA into context. Given the complexity of housing markets, any mature and prudent debate must look at the real drivers of affordability, including market factors such as taxation policies, planning frameworks, decisions around investment in affordable housing, economic circumstances of households, and construction costs, and demographic changes, as well as holistically consider policies across Commonwealth, State, and local governments.

Airbnb understands the interest from policy-makers in understanding more about the STRA market and its relationship with the broader property market, and specifically any impact on housing availability and affordability. Broadly, Airbnb listings represent a tiny fraction of most housing markets in Australia.

Further, focusing on the regulation of the short-term rental market to solve issues related to housing affordability distracts from much larger macro factors such as:

- enabling planning systems to provide adequate social and affordable housing
- construction growth to match population growth
- demographic changes, and
- taxation policies.

In considering the policy settings to regulate home sharing, it's important to understand how Hosts interact with the Airbnb platform. A listing, even an entire home listing, is not equal to a dwelling or a home as an entire home listing might in fact be a "granny-flat" or other self-contained space. An individual or family's primary place of residence or holiday home will also appear as an entire home listing, even when it is only listed for a short period, for example while they are travelling and choose to list their home on Airbnb for the period they are absent.

It is also important to note that an entire home listing on Airbnb might not be used all year round. A Host may decide to block their calendar for a variety of reasons — most notably because they are at home and not travelling, and so it's not available to guests. Alternatively, Hosts may have their homes blocked because their home is being renovated, friends are staying over or they themselves are making use of their holiday home. This means an entire home listing does not necessarily equate to a dwelling that could be on the long-term rental market otherwise.

Archived: Friday, 9 September 2022 1:30:24 PM

From: [Jon-Paul Adams](#)

Mail received time: Mon, 1 Aug 2022 06:48:38

Sent: Sun, 31 Jul 2022 22:48:24

To: [Shire of Esperance](#)

Subject: Regulation of Holiday House

Importance: Normal

Sensitivity: None

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Dear CEO and Council Members,

~

Thank you for publishing the Briefing Paper and forwarding for comment.

~

I don't envy your task but completely agree there needs to be a review of the governance and requirements to Holiday Stay.

~

I need to disclose a conflict of interest as I currently own an approved holiday home on the proposed zone and also manage holiday homes through our business.~

~

That being said I believe the proposal can be simplified to

- All Holiday Houses need to be approved and meet an agreed standard
- Shire Staff or 3rd party engaged to inspect the property as part of the application with relevant charges applied
- Any owners/occupiers not approved to receive warning/fines
- Annual renewal fee
- Reasonable review of Shire Rates for those registered
- Cap the number of approved holiday homes and review biannually/annually.
- Areas should not restricted. Why?
 - Risks to security
 - Pooling same type accommodation could bottleneck issues
 - restrict buying market
 - devalue homes
 - restrict investment
 - Group issues
 - Current investors may have negative impact due to rezoning
 - Negative impact on owner/occupiers reasonable peace, quiet and enjoyment in "holiday zones"

~

From a compliance point of view and owners doing the right thing I would be highly surprised if there are only 30 properties that are not approved / non compliant. I would suggest at least double this number - possibly more.

~

Personally, I strongly feel that any individual has a right to invest in any format they want without 3rd party interference. If it's lawful it should not be restricted. Local Government should be setting and ensuring the required standards and fees are adhered.

I understand the arguments and social commentary around Holiday Stay vs Residential property.~ The current proposed changes to the Residential Tenancies Act (RTA) will have a far greater impact on availability and investors in the housing market than anything we have seen in recent times. If housing is a conscious part of this briefing then Local Government should be voicing concerns to State Government around the proposed changes.~

I hope common sense allows mum and dad investors an opportunity to invest in a market with clear rules and regulations without unreasonable zoning limitations.

Thank you for your time, looking forward to seeing the outcome of this consultation process.

Kind Regards,

~

Jon -Paul Adams

Managing Director | Principal~

~

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~

Esperance Shire
holidayhouses@esperance.wa.gov.au

To Whom It May Concern,

We offer a service that many other accommodation platforms don't. E.g. Hotels / motels / caravan parks.

Please see below our responses to the mentioned issues regarding Holiday Homes.

Maintaining the current approach – no change

We believe that the existing regulations are acceptable and no change is required.

Introducing exclusion zones – prohibited areas in some residential settings.

Introducing exclusion zones will limit the number of holiday home in Esperance. At certain times of the year there is not enough tourist accommodation required which lowers the income coming to the town.

Strengthening governance and requirements – increased reporting and management

The requirements at this stage are appropriate. Though if required an annual or bi-annual check that would be appropriate to confirm all properties are up to standard.

Improving education and awareness – new resources for the community

We are aware of the obligation of running a holiday home, though an education campaign could be handy for some.

Developing common standards – codes of behaviour for property management; or other opportunities

We are contactable at all time and act quickly to resolve issues.

A growing number of listed properties without Development Approval

This is an issue that the shire needs to work out. Our holiday home has development approval from the Esperance Shire.

Amenity impacts and reduced liveability in residential areas (e.g. noise, antisocial behaviour, privacy, safety, and security)

In the 2-3 years that we have had the holiday home the neighbour has had to ring maybe twice. We are sure that there are other homes / motels / hotel and caravan parks (not holiday homes) that have their fair share of complaints of antisocial behaviour, privacy, safety, and security issues. These would be from home owners, long term renters and tourists. These issues are not limited to Short Term Holiday Homes.

We are contactable at all times and the neighbour has my phone number if and when required.

Disruption to sense of community

We believe that Esperance is too big a town for dilution of the community to be a problem.

Increased levels of on-street parking, and traffic movements

This is not an issue as the block that the home is situated on has ample parking so there is no on street parking. As for traffic movements we are not sure how this is an issue as all tourist will have movement whether the accommodation is a holiday home, caravan park, motel or hotel.

Distressed animals in unfamiliar environments

We have had more complaints from the tenants in our holiday home regarding the neighbour's dog, not from the neighbours regarding the dogs staying in the holiday house. Many dogs that live in owner occupier and long term rentals have dogs that are left alone for long periods of time. Once again this is not a situation that is exclusive to holiday homes.

Inadequate property management in responding to complaints and disputes

We are contactable at all time and act quickly to resolve issues.

Lack of long-term rentals and impacts on housing affordability

Lack of long-term rentals is now an issue in many towns, Kalgoorlie included. If these changes go ahead, especially the zoning and as our house is in the exclusion zone, we will still not be renting the house out long term. This would decrease our income received for the home and would affect our livelihood. This would also affect the cleaning company, gardener, maintenance man etc whom we rely upon to maintain the house. These people will also lose income.

We still wish to use our house ourselves as a holiday home and if rented out long term this would be impossible. The house will be exclusively for friends and family only.

Also if COVID hits again and it is rented out long term and the tenant cannot pay rent we have no leg to stand on. They would be getting rent free accommodation regardless of the fact that we still have to pay for and maintain the house. As the holiday house will not be rented long term there would be minimal maintenance and cost.

Also long term renters will not spend their holiday money on the tourist industry. Esperance is a tourist town so there should be the aim to get tourist into town to spend money at local businesses. If there is nowhere to stay, then tourists don't come and then money doesn't get spent at local tourist adventures. It will be a loss to all involved.

Non-compliance with building standards (e.g. universal access requirements)

We have compliance with building standards

Fire safety hazards

Completed and is council approved

Conflicts between land uses

There is no conflict with the neighbours. We are in contact with them and they have contact details in case of emergencies.

On a personal note, we are concerned that once again a government body is discussing a potential negative scenario to halt home owners in making an income for themselves.

We have spent a large amount of money in setting up the house as an attractive holiday home and don't wish for it to be a waste, as it will be, due to the house just being in the proposed exclusion zone.

Yours Sincerely

Jenny and Phil Edwards
Castletown Retreat Pet Friendly Accommodation

Archived: Friday, 9 September 2022 1:30:40 PM

Submission 8

From: [Elizabeth Spengler](#)

Mail received time: Fri, 29 Jul 2022 15:53:39

Sent: Fri, 29 Jul 2022 07:53:23

To: [Holiday Houses](#)

Subject: Feedback

Importance: Normal

Sensitivity: None

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Hi

Just a couple of concerns:

- Although we support some exclusion zones we are concerned that even though our unit is right in town it is situated in an area not marked as acceptable. We've had our unit since 2017 & it is registered with the Shire for short term holiday rental. It is a simple single room studio with separate bathroom. We manage the unit ourselves & have had no problems with our guests. One reason for this is likely to be that we only allow a maximum of two people per booking. No dogs allowed. We use the Airbnb booking platform. Our unit is in the Resortwest complex which is located at 59 the Esplanade, between the Esplanade & Norfolk Lane. The area on the other side of William Street (further from the town centre) is marked as being acceptable. When Resortwest was built in 1985 it was built for holiday accommodation. Its proximity to the town centre has been appreciated by our guests, both from overseas & Australia.\~
- Apparently it is now possible to have holiday accommodation managed by some local real estate agents. They have a hard enough time keeping on top of ordinary rentals so it's hard to see how they could have the same level of diligence in managing a holiday rental as a locally based owner.

Thank you for the opportunity to communicate these points.

Yours faithfully

Hans & Liz Spengler

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Esperance Holiday House Review submission

Australia's Golden Outback's Response

The Board of Australia's Golden Outback (AGO), the State Government appointed Regional Tourism Organization responsible for the tourism development and promotion of the Esperance Region.

The Board has read, considered and discussed the "Holiday House Review" provided by the Shire of Esperance and responds as follows:

- Holiday houses represent a key component of tourism accommodation in Esperance
- Holiday houses provide suitable accommodation to targeted high yielding markets and the flow on effects to the Esperance tourism and hospitality industries is significant
- Holiday houses play a major role in providing quality accommodation for families in the absence of 4 and 5 star hotel facilities in Esperance
- The primary booking vehicles for Holiday House letting for example Airbnb and Stayz play a significant role in creating destination awareness for the Esperance Region
- Without Holiday Houses being available in the Esperance Region accommodation mix the region would miss out on significant visitation and spend as this market will not stay in motels or camp
- The AGO Board believes that Holiday House accommodation restrictions should not be seen as a "silver bullet" solution to current residential housing shortages
- The AGO Board supports holiday houses in Esperance and therefore would not like to see restrictions put in place that restrict or detrimentally impact the Holiday House inventory.
- The AGO Board believes that attention would be better focussed on existing governance and compliance.

Archived: Friday, 9 September 2022 1:31:23 PM

From: [Gemma Marie](#)

Mail received time: Mon, 1 Aug 2022 00:01:48

Sent: Mon, 1 Aug 2022 00:01:31

To: [Holiday Houses](#)

Subject: Submission for Regulation of Holiday Houses in the Shire of Esperance

Importance: Normal

Sensitivity: None

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Dear Holly / Richard\~

Apologies for rushed email but I wanted to submit something!

Submission for Regulation of Holiday Houses in the Shire of Esperance

Blue Haven:\~

If there are currently NO approved Holiday Homes for this area I believe it would be wise to bring in an Exclusion Area here to safeguard the lifestyles of current property owners. However if there are currently ANY approved Holiday Home's in this area I feel it would be discriminatory not to give other SUITABLE property owners this opportunity too. If this was the case I believe these NEW Blue Haven Holiday Home applications should be assessed by Shire / Council with greater scrutiny on a case - by - case basis.\~ I believe the only safe way to ensure Blue Haven is protected going forward is for the Shire to introduce specific property requirements and guidelines for properties in this area who wish to apply to become a Holiday Home in the future, to give clear guidelines to Council and empower them not to bow to public pressure from individual property owners and make a wrong call which could impact the entire Blue Haven area negatively.

I think the important property requirements for future Blue Haven properties to be eligible to become a Holiday Home if they so wished should include:

1. The size of the property and minimum setbacks \~ from neighbouring boundaries

Eg 6000sqm and minimum 10m neighbour setbacks (the minimum neighbour setbacks are clearly of great importance to maximise neighbour privacy)

2. Exclusive Property Access (not shared)

This is a very important point for Blue Haven as

many driveways / access roads are 'shared' in the area and hence impact neighbouring properties hugely

I believe this should also include all the Peek Road Properties that 'share' the same access road that their driveways come off (there are 2 such access roads at the very south of Peek Road) also including any other properties that have 'shared' driveways

3. CCTV Cameras required to be installed so manager can monitor 24/7

Other Valid Points to Consider:

There should be flexibility for visitors to Esperance to choose different types of accommodation options - West Beach and Blue Haven offer the best views in Esperance.~ Blue Haven additionally offers increased privacy and exclusivity~

There needs to be a designated person (manager) who's contactable and responsible 24 hours per day.

The number of properties needs to be kept to a fair ratio.~ A proportion of the industry, or a proportion of the total number of residential houses or it can be a hard number, but I believe there needs to be a cap

Increasing compliance, governance etc means the Shire needs to take in to account that they will need to allocate resources to manage this new policy.

Kind regards

Gemma Johnston

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