

Submission against Byron Shire Council's 90 day cap Planning Proposal.

To the NSW Independent Planning Commission,

I am a local property owner writing to ask you to consider whether Byron Shire Council's planning policy will deliver what it promises - to return homes to the permanent rental pool that are affordable and meet the current housing needs in Byron Shire.

Council's 90 day cap planning policy relies on misleading data and incorrect assumptions. Please refer to the below excerpt of the Planning Proposal, which the community was asked to comment on during the public exhibition process in 2022. This highlights the number of non-hosted short-term rental accommodation (STRA) properties in Byron Shire that Council has been quoting over many years.

Growth in the local STRA sector has been prolific. Recent research by Urbis (2021, p. 61) identified a total of 5,248 active Airbnb and Stayz listings for entire homes and apartments in 2019, which equates to 35% of the Byron LGA's total dwelling stock listed on just two online platforms. Similar findings were also made in an earlier study by Gurran et. al. (2018, p. 44), which found that 18% of the LGA's dwellings stock was on Airbnb, further supported by a Council study carried out in 2020 which put the figure closer to 25%, indicating rapid growth had occurred in recent years.

Source: Planning Proposal - Short-term rental accommodation in Byron Shire E2022/65945

Council claims there are currently 5,428 non-hosted holiday homes in Byron Shire, representing 35% of the housing stock. As the Department of Planning, Industry and Environment stated at the NSW Independent Planning Commission Hearing on Tuesday 21 February 2023, there are currently 1,292 non-hosted properties in Byron Shire, representing 8.49% of the total housing stock.

Regardless of what Council is telling the Commission, I do not intend to return my property to the permanent rental pool. Please understand that my house is a holiday home. I lease it out to families visiting the region to help cover expenses when I'm not currently staying in it and as a way of supporting the local community. The return on investment from short-term rental is significantly lower than I would receive if my property was part of the permanent rental pool, therefore, the financial return is not a key consideration to our decision-making process.

When I put my property up for short-term lease it generates value for local businesses and the broader community. STRA properties add 1,448 jobs and \$267m per year to the local economy. If this policy is approved, the person who cleans my home, maintains my garden, carries out repair work, and provides other essential services will be out of a job. What's more, local cafés and restaurants, retail outlets and transport providers will suddenly lose an influx of visitors who they rely on.

I would also like to dispel the myth that my property will be available as a permanent rental for 9 months of the year. This provides uncertainty for local families and our working community as they

would then be evicted during peak holiday periods (it is also likely the 9 months' rental would not be consecutive). At the IPC Hearing on Wednesday 22 February 2023, the mayor put this forward as a solution and when questioned replied, "it's better than nothing". Again, this is not a feasible solution and shows a lack of critical thinking from our elected representatives.

I have been visiting Byron Bay for decades. I love this town and see myself as a part of the community. I want Byron Shire to thrive. I pay rates, vote in Council elections, and ensure my property adds value to the local business community, even when I'm not staying in it.

As Michael Lyon himself said, "I think that landlords will either start selling, or look for longer-term tenants, and I don't think either of those outcomes are a bad thing because it puts downward pressure on housing prices."

Property owners are not to blame for the development and sewerage moratoriums, low-density housing strategy and decades' inaction on housing supply. The 90 day cap planning policy will not return additional affordable housing to the permanent rental pool. Building and providing a supply of affordable housing will achieve this for our local community.

Lastly, does Byron Shire Council have the legal ability to remove my property rights? Will Council reimburse me and those like me for the lost income and the devaluing of our homes? This policy boils down to nothing more than discrimination against a subset of the Byron community.

Regards,

Property owners of Byron Shire

Refer to separate spreadsheet for individual owner details (Total 331 owners)