

## **Council Meeting 19/04/2018**

Thank you for allowing me to speak to you all tonight.

### **With Respect to Council I wish to say the following:-**

I am one of the 2000 residences within the Tweed who share their home to guests through online platforms.

But, I am only one, of a small number of people within the Tweed who have been asked to cease operation.

I would like to give you some information from my side. I won't keep you long as I know you are all busy.

I have been sharing my home for approx. 4 years; I pride myself on the home I have set up, considering my neighbours at all times, closely monitoring the property should there be any bad behaviour or loud noise.

I was not aware; I could not share my home with guests. A number of houses in Cabarita Beach were using their homes for holiday letting for over 50 years that I know of. These, include my parent's home in Cabarita Beach back in the 70's, 80's, which prompted the purchase of my own home in Cabarita Beach, back when it was under the LEP 1987, when I believe it was permissible to use my home for short term stays -holiday letting. I also believe there are a number of R2 (residential) properties in Casuarina and Salt who can currently also use their homes for the same purpose, if they so choose.

As I understand they had their property **use** changed, prior to the LEP 2014. If I had also known this I would have done the same thing.

It was always my intension to use my home for overnight stays/permanent/or holidays, leading up to my retirement. A way I could earn a modest income and set myself up for later years. I wanted to be self-sustaining and not be reliant on Government Assistance.

## **To give you an idea of the scope of my guests these include:-**

- Business Reps who are looking for more home like stay – this is what one of my Reps told me.
- Country people from out West who come to visit family, friends, go to funerals, returning to the area, where they once live.
- Queenslanders who want to get away for the weekend
- Wedding guests who are attending Weddings at Casuarina and Cabarita
- Family holiday makers from interstate
- Splendor in the grass guests – who generally are there at night to sleep only.
- Commonwealth Games Guests who I ended up having to cancel on which I did not feel gave a good impression of the Tweed

If we do not allow short term stays in mums and dads homes, I feel we will be disadvantaging the Tweed area.

The online home sharing platform is a growing industry and if people cannot utilize homes within the Tweed, potential guests will simply go elsewhere – into other Shires.

This will be a great financial loss to the Tweed area. Our biggest industry is tourism. Let's embrace this growing trend as it is a benefit to all our Tweed Business's and locals alike. Let people have the ability to relieve their financial situations by using their own assets to help them-selves.

Personally I have spent over \$250,000 on architects, council fees, builders, electricians, plumbers, renderers, lawn, beds, linen, and furniture. All these people were locals, it was done to improve my property and make it more comfortable and appealing to my guests.

In February, 2018, after Council announced in their News Letter, a STHL crack down in the Tweed was occurring, and I was then contacted by the Council that a neighbour had mentioned I was using my home for STHL.

No complaint was filed but regardless, Council told me I was to cease STHL immediately due to the LEP 2014 or seek legal advice.

I asked why my home was being singled out to take action against, especially after no complaint was filed – but never got an answer other than to say it was due to my home being in a residential area and that STHL

was not permitted due to issues relating to privacy, traffic and increased load on infrastructure.

It was only after this; while I was seeking advice, the Council received their first complaint towards my home and my neighbour also went on to say more people were staying at my place and that a visitor had reversed into a boat parked across the street. This resulted in Council requesting I sign a Statutory Declaration that my property will no longer be utilised for short term accommodation and/or holiday letting.

The neighbour even mentioned times that vehicles were leaving my home, but those vehicles were only a pizza car and my son arriving and leaving after visiting me from Brisbane and after attending the Council meeting with me on 5<sup>th</sup> April.

After speaking with the owner of the boat, they informed me they were not aware of any incident and could not find any damage to their boat.

My concern is that Council are given misleading and inaccurate information from complaining neighbours from which a decision is made. These decisions impact on people like me.

On the 5<sup>th</sup> April, Council amended their wording on how they were approaching STHL in the Tweed until such State Legislative and planning policy controls were decided upon.

Councillors wording states that no further action will take place unless it can be demonstrated that STHL is having an unreasonable impact on the amenity of adjoining or surrounding neighbours **as determined by Council.**

How does Council determine unreasonable impact on amenity?

In my situation, initially no complaint was made other than to simply advise Council, yet enforcement action by Council was still immediately taken against me under the LEP 2014.

If initially a complaint had been made, how does Council determine unreasonable impact, beyond the impact of what someone who is renting my property on a long term basis already would be?

There is no further traffic as cars are parked off the street.

Privacy is no more a problem than a permanent rental and amenities are not impacted any further, because short stay people are hardly ever at the property as they are utilizing their time, site seeing or going to the beach which is a short walk away from my property.

Should there be disruptive short stays, they can be moved on immediately. I have done this on one occasion.

Disruptive permanent tenants, take a lot longer to resolve, for example I'd have to give 60 days' notice, possible action within the Tenancy Tribunal, for which tenants have the right of appeal – this problem can take many months to resolve.

I have approached my neighbours and surrounding neighbours and I have 8 signatures from them, all stating they do not have an issue with me using my home for short term stays.

One neighbour, two doors down, has even utilized my property on a number of occasions for their family and friends over the years.

In summary, short term stays like thousands of others in the Tweed assist my financial planning for my retirement, help pay the bills and lighten the financial burden, and at the same time bring tourism dollars to the Tweed.

I would just like some clarity to the process of how Council determines unreasonable impact – not just for me but for the wider community.

For example how has my home specifically caused an unreasonable impact to one of my neighbours for Council to take immediate enforcement action before an official complaint was even made?

Can council decisions only based at times on a single complaint, from one neighbour? If so, are other neighbours ever consulted to get a more balanced opinion? It just feels in my case as an example, a decision was made through only one neighbour's opinion, which I don't feel gives a balanced view to make such a decision that results in me, not being able to host short term stays.

Why specifically have I lost privileges to short term stays that many others in the Tweed can still take advantage of. Does it only take one complaint in four years, as in my case?

Could you please give me some direction on what I can do to reinstate my ability to utilise my property as I have been over the past 4 years, sharing my home and creating a **modest living for myself?**

I would be more than happy to show Councillors my property if they so wish.

Thank you for your time and understanding.

Tania Burke,  
1 Tamarind Avenue,  
Bogangar NSW 2488  
M: 0438 838 737

Mrs. L. Dunn,  
1 Tweed Coast Road,  
Bogangar. NSW. 2488.

Dear Lorraine,

I called around to see you today, as you may or may not be aware I have been utilizing my property at 1 Tamarind Avenue, Bogangar for short term stays.

I am just wondering if you have any issues in me doing this.

Please indicated by completing the undermentioned box and if you do not mind place it in my mail box at 2/1 Tamarind Avenue, Bogangar by 5.30 Wednesday 18<sup>th</sup> April, 2018. I do appreciate your time.

Date	Name	Address	Signature	Yes	No
19/4/2018	L. DUNN	2/1 T.C. Rd			<input checked="" type="checkbox"/>

Thank you and am happy to answer any questions in person or over the telephone.

Regards,



Tania Burke  
M: 0438 838 737  
17/04/2018

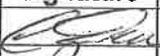
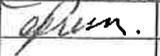
Mr. and Mrs. C Dunn,  
1 Tweed Coast Road,  
Bogangar. NSW. 2488.

Dear Mr and Mrs. Dunn,

I called around to see you today, as you may or may not be aware I have been utilizing my property at 1 Tamarind Avenue, Bogangar for short term stays.

I am just wondering if you have any issues in me doing this.

Please indicated by completing the undermentioned box and if you do not mind place it in my mail box at 2/1 Tamarind Avenue, Bogangar by 5.30 Wednesday 18<sup>th</sup> April, 2018. I do appreciate your time.

Date	Name	Address	Signature	Yes	No
17/4	Cameron Dunn	1 coast Rd,			<input checked="" type="checkbox"/>
17/4	Gwen Dunn	cabarita beach			NO.

Thank you and am happy to answer any questions in person or over the telephone.

Regards,



Tania Burke  
M: 0438 838 737  
17/04/2018

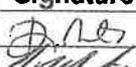
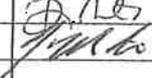
Julian and Deidre,  
2/5 Tweed Coast Road,  
Bogangar. NSW. 2488.

Dear Julian and Deidre,

I called around to see you today, as you may or may not be aware I have been utilizing my property at 1 Tamarind Avenue, Bogangar for short term stays.

I am just wondering if you have any issues in me doing this.

Please indicated by completing the undermentioned box and if you do not mind place it in my mail box at 2/1 Tamarind Avenue, Bogangar by 5.30 Wednesday 18<sup>th</sup> April, 2018. I do appreciate your time.

Date	Name	Address	Signature	Yes	No
18/4/18	Deidre Miles	A/A			✓
"	Julian Miles	A/A			✓

Thank you and am happy to answer any questions in person or over the telephone.

Regards,



Tania Burke  
M: 0438 838 737  
17/04/2018