

**Submission to *Draft Short Stay
Accommodation Bill 2018***

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GPO Box 848 Hobart TAS 7001

P | 03 6224 5488

M | 0419 536 100

E | eo@shelertas.org.au

 [shelertas](https://www.facebook.com/shelertas)  [@ShelterTasmania](https://twitter.com/ShelterTasmania)

www.shelertas.org.au



Shelter Tasmania is an independent not-for-profit housing peak organisation. Shelter Tasmania represents the interests of low to moderate income housing consumers, housing providers and speciality homelessness organisations across Tasmania.

Contact

Pattie Chugg, Executive Officer, Shelter Tasmania
eo@shelertas.org.au

Shelter Tas is supported by the Crown through the Department of Health and Human Services.

About Shelter Tas

Shelter Tasmania is an independent, not-for-profit peak organisation representing the interests of low to moderate income housing consumers, housing providers and homelessness services across Tasmania.

Shelter Tas' vision is that every person has affordable, appropriate, safe and secure housing; our mission is to end homelessness in Tasmania. Shelter Tas is committed to working towards a fairer and more just housing system. We provide an independent voice on housing rights and a link between governments and the community through consultation, research and policy advice.

Shelter Tas appreciates the opportunity to provide a submission to the *Draft Short Stay Accommodation Bill 2018*. The *Draft Short Stay Accommodation Bill 2018* introduces measures to ensure compliance with short stay accommodation planning permit requirements, support improved enforcement by planning authorities and allow a better understanding of the impact of short stay accommodation on the broader housing market.

Shelter Tas welcomes these measures, which align with our recommendations for an effective permit and regulatory system, and meaningful data collection as presented in our submission to the 2018 Legislative Council Select Committee *Inquiry into the Short Stay Accommodation Industry in Tasmania*.

However, the measures outlined could be strengthened to ensure that the regulation of short stay accommodation will be consistent and effective, and that the data collected will be sufficiently comprehensive and reliable to allow policy and decision-makers to best manage the changing environment of short stay accommodation and other disruptions to the housing market.

Shelter Tas takes the opportunity in this submission to emphasise that the short stay accommodation industry has a significant impact on the homelessness and affordable housing sector in Tasmania. Research, statistical analysis and feedback provided by our members all show that increases in short term accommodation displace long term rental properties from the housing market. For example, the University of Tasmania's Institute for the Study of Social Change states that "We may not know exactly how many of the 2,055 high filter entire homes currently listed on Airbnb in Tasmania have been taken out of long term housing supply, but mounting evidence, both here in Tasmania and beyond, suggests that the 'conversion rate' in inner city markets in particular is likely around 75%."¹ In a context of an absolute shortage of housing, historically low vacancy rates in rental housing and not enough new supply, this loss of rental properties has substantial impact on housing and homelessness services and the low income and vulnerable Tasmanians they assist.

In our 2018 state-wide Member Survey, over 35% of Shelter Tas members identified "Reform of Tasmania's planning system to provide affordable housing and better regulate AirBnB" as one of their top five priorities.

¹ *Tasmanian Housing Update*, August 2018, p. 21. <http://www.utas.edu.au/social-change/publications/housing/tasmanian-housing-update-aug-2018>

An effective regulatory system for short stay accommodation is important because it provides the information needed to:

- identify and plan for emerging need in high pressure areas and track trends over time
- respond locally, rapidly and appropriately to pressures on particular communities
- provide an evidence base for a strategic medium and long term perspective on housing needs, noting the need to plan ahead for building new dwellings in areas of high need and demand, and
- limit socio-spatial segregation that pushes local residents, especially renters, out of certain areas.

Shelter Tas welcomes the draft Bill's commitment to 'ensure meaningful data to fully understand the short stay accommodation sector in Tasmania'. We appreciate that while some data might be made available more broadly, it may be appropriate to keep some data at a more restricted level. However we recommend that decision-makers, policy advocates and researchers have access to the more restricted data. To ensure that base level data is readily available to all stakeholders, including researchers, advocates, policy makers, and the general public who have a legitimate interest in the impact of short stay accommodation, we recommend that the Bill be amended to:

1. Add a requirement that the relevant information that the Bill requires to be publicly displayed by the booking platform be displayed in "machine readable form", as this change will ensure information can be easily verified and is available for a wide variety of analytic and research purposes including inter-jurisdictional comparisons.
2. Include in the relevant information that booking platform providers are required to submit to the Director of Building Control, disclosure of the number of nights rented during the reporting period. This will allow analysis of the frequency of commercial activity in residential housing, and management of the impacts in local areas.
3. Require all properties advertised for short-stay accommodation on any online platforms to display an identifying number unique to each property. Capturing every short stay property up front would facilitate and simplify communication with every accommodation provider, enable monitoring of the entire range of short stay accommodation, and streamline any change of use (such as an increase of use to the threshold where a permit would be needed).

In addition to the above measures to be included in the draft Bill, we recommend that the State Government:

- ensures that any data acquired by the Tasmanian Government is also made freely available to relevant researchers and stakeholders in an appropriately de-identified form, with enough local detail to be useful for planning and analytic purposes
- uses any revenue from fines and penalties for non-compliance to support the analysis of housing needs and planning for affordable housing in areas most impacted by short stay accommodation, and
- supports the development of 'model provisions and guidelines' for local government to assist with managing and anticipating issues in their local areas, including the collection of data that will assist with oversight of the self-assessed home sharing exemption based on the owner or occupier being "on vacation or temporarily absent".

We have broad support for these recommendations from the community housing and homelessness sector. We have consulted with the Tenants' Union of Tasmania, sister peaks such as TasCOSS, our governance board and policy committee and stakeholders in the research bodies such as ISSC UTAS Institute for Study of Social Change and Anglicare's Social Action and Research Centre.

Shelter Tas acknowledges that short stay accommodation is only one feature of a complex housing system, and that many pressures contribute to the current affordability and availability rental crisis. However, the increase in short stay accommodation is one of the important factors contributing substantially to housing pressures in some areas, and there is potential for its impact to increase over time. It is critical to understand and manage this impact on housing availability. We urge the Government to commit to regular and timely reporting of data collected and fines imposed, and to a regularly updated analysis of the impact of short stay accommodation on the broader housing market. We also recommend a stakeholder committee to oversee the reporting and disclosure of data that would likely include researchers, Shelter Tas, Tenants' Union of Tasmania, Local Government Association of Tasmania, Tourism Industry Council and other appropriate representatives.

As the peak body for housing and homelessness services in Tasmania, Shelter Tas has a well-established interest in the impact of short stay accommodation on the availability and displacement of affordable rental properties across the state. We will continue our engagement with the issue of short stay accommodation in Tasmania. Our work to date includes contributions to public debate including the Housing Summit, and government processes such as this submission and our submission to and appearance before the 2018 Legislative Council Select Committee *Inquiry into the Short Stay Accommodation Industry in Tasmania*.² Shelter Tas is a member of the Minister for Housing's Housing Summit Working Group. We will continue our participation in workshops, consultation forums, discussion with members and other stakeholders such as ISSC UTAS Institute for Study of Social Change, and AHURI (Australian Housing and Urban Research Institute).

The important benefits of the State Government's *Affordable Housing Strategy* depend on understanding and responding to issues throughout the housing system, including the impacts of short stay accommodation, which are taking place in an evolving environment of emerging technologies that accelerate rapid change and disruption.

Regulation of the short-stay accommodation sector and support for the tourism sector needs to take account of the needs of local Tasmanians, especially low-income Tasmanians for whom rental availability and affordability are primary concerns. While a booming tourism economy has many benefits, the flip side is the increasing negative impacts on people who cannot find affordable homes to rent. There is ongoing need for a well-planned and flexible regulatory system that will protect our community's values of diversity and inclusion, ensuring that Tasmania remains a place for everyone.

Shelter Tas thanks the State Government for the opportunity to comment on the draft Bill, and for its ongoing engagement on this important issue.

² <http://www.parliament.tas.gov.au/ctee/Council/LC%20Select%20ShortStay.html>