



Australian Hotels Association
WESTERN AUSTRALIA

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Western Australian Planning Commission
Gordon Stephenson House
140 William Street
PERTH WA 6000

Draft Position Statement: Tourism land uses within Bushfire Prone Areas

Thank you for the opportunity to make a submission to the Department of Planning, Lands and Heritage's Draft Position Statement on Tourism Land Uses within Bushfire Prone Areas (BPA). Our comments support the overarching intent of the position statement; to facilitate tourism in BPAs by establishing suitable bushfire risk management measures. However, we submit that the proliferation of unregulated short-stay accommodation for tourist and visitor use through the online sharing economy, appears to have led to a substantial increase in BPA non-compliance. While regulated commercial accommodation providers comply with regulations relevant to bushfire protection, unregulated short-stay accommodation providers typically evade these obligations, at considerable risk.

Australian Hotels Association WA

The Australian Hotels Association WA (AHA) is the peak industry body for the tourism, hotel accommodation and hospitality industry in Western Australia. We represent owners and operators of commercial short-stay accommodation from small and local hotels, eco-resorts through to large national and international three to five star accommodation. Our members work within a complex regulatory environment where businesses have a duty of care to ensure the safety, security and well-being of their guests. This includes strict compliance with fire and emergency requirements, particularly in BPAs.

Tourism & Unregulated Short-Stay Accommodation

Tourism and the promotion of visitation to Western Australia is a key priority for the AHA. The economic and social dividends which flow from the development of this industry are well-established and supported by Federal and State Governments. Although Perth is undoubtedly the gateway for many visitors, our unique attractions are located in regions and must be supported by adequate commercial short-stay accommodation.

In recent years, the emergence of online sharing accommodation platforms has facilitated the growth of short-stay accommodation providers operating without regulatory approval. Airbnb is the best known and the principal retailer of unregulated accommodation.

Since its launch in Australia in 2012, Airbnb has grown at a phenomenal pace with 12,119 listings in WA alone, made up of 7,916 hosts. This indicates a growth of 123 per cent in less than three years. In the last two months of 2018 (from October to December), there were 460 new listings in WA, an increase of 3.9 per cent.

Commercial accommodation types including hotels, motels, bed and breakfasts, serviced apartments and hostels are all defined uses under planning and required to comply with a myriad of regulations, including requirements to submit a Bushfire Management Plan (BMP). In contrast, many properties that are listed on peer-to-peer platforms do not comply with relevant BPA regulations. This inequity undermines the value of a tourism region, the viability of commercial accommodation, future investment decisions, putting employment and training opportunities at risk, as well as jeopardising the safety of guests.

The 'sharing' economy is promoted as a marketplace for people to make money from renting out space in their homes (such as a bed, spare room or granny flat), however Airbnb data reveals that genuine sharing represents a diminishing portion of the market, with the vast majority, 70%¹ made up of entire homes and apartments where the host is not present. This suggests that their primary use is not as a residence but as a commercial rental that should be subject to different rules.

Short-stay accommodation in BPAs

Online sharing platform Airbnb has facilitated a rise in residential properties operating as commercial short-stay accommodation in BPAs without local government approval. Across the South-West region² where a large majority of properties are within a BPA,³ of the 3,711 properties listed on Airbnb, 3,156 are entire homes.⁴ That reflects 85% of Airbnb properties as unhosted accommodation.

The AHA has used the Shire of Augusta-Margaret River to illustrate the prevalence of unregistered and non-compliant BPA accommodation within the South-West region. A popular holiday destination for Western Australians, the region is also a marketing priority for state tourism campaigns as a culinary hotspot to international and interstate visitors. In this Shire alone, there are 757 available unhosted entire properties on Airbnb⁵ but only 67 approved for unhosted accommodation by local government.⁶ [See Appendix 1]

This suggests that a substantial proportion of short-stay properties operate without required approvals under guidelines that deem tourism a vulnerable land use. Unhosted accommodation of this kind presents a major risk under current practices as there are no minimum standards for ensuring fire and safety, emergency evacuation or bushfire management plans.

Whilst there are extensive administrative and operational costs involved in bushfire compliance, it is generally agreed that adequate measures are required to mitigate against the considerable risk from bushfires. While this is imposed and enforced on commercial accommodation providers, guests staying in unregulated short-stay accommodation are not safeguarded in the same manner, exposing guests to an unfamiliar environment without protection and guidance in the event of a bushfire.

Planning Regulatory Reform

The AHA has been active in advocating for the state government to follow the lead set by major cities around the world which are uniformly moving to impose stricter controls over short-stay accommodation. Barcelona, Paris, Miami, Amsterdam, Berlin, New York and San

¹ [Inside Airbnb data, March 2019.](#)

² South West Region takes in towns of Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, Bunbury, Busselton, Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey, Manjimup, Nannup, Jerramungup, Albany, Mandurah, Murray, Waroona, Denmark and Plantagenet.

³ [The Department of Fire and Emergency Services, Map of Bushfire Prone Areas](#)

⁴ [Inside Airbnb data, March 2019.](#)

⁵ [Inside Airbnb data, March 2019.](#)

⁶ [Inquiry into Short-Stay Accommodation, Submission 143, Shire of Augusta-Margaret River.](#)

San Francisco (the birthplace of Airbnb) are just a few of the cities that have adopted regulations to address the rapid growth of short-stay accommodation.

State Government has responded to industry and community concerns by initiating a WA Parliamentary inquiry into the impacts of short-stay which is due to report in June 2019. The terms of reference include direction to the Economics and Industry Committee to consider a preferred regulatory framework which is being guided by proposals outlined in a Draft Options Paper prepared by the Department of Planning, Lands and Heritage.

The AHA has made a further submission to the inquiry endorsing full regulation of short-stay through the introduction of the following framework

- Contemporary short-stay definitions for residential hosted and commercial holiday home accommodation
- Introduce deemed provisions into Local Planning Schemes
- Model short-stay local law establishing requirements for mandatory registration and minimum standards.

Adoption of this model will provide the most responsive and swift approaches to assisting local government transparently manage and enforce proper standards across short-stay accommodation.

The AHA recognises that environmental conditions in Western Australia place our regions at extreme risk of bushfires. We make the following recommendations:

1. Development of land-use specific recommendations that recognise the emergence of 'hosted accommodation' as a short-stay type where the home is the primary residence.
2. Require short-stay accommodation providers in BPAs to register with local government and submit a Bushfire Management Plan. If approved, evacuation plans should be made available to guests.
3. Where the primary use of the property is not residential, but for commercial short-stay require the owner to seek approval to operate a holiday home, triggering a development application and a Bushfire Management Plan.
4. Monitor the WA Parliamentary inquiry into Short-Stay Accommodation and recommendations for regulation, to ensure accommodation providers provide adequate protections from bushfires in BPAs.

The prevalence of unregulated short-stay accommodation in Western Australia has highlighted the need for planning regulatory reform to capture all types of short-stay accommodation. It is critical in view of the extremely high risk of bushfires in regional areas that adequate planning controls are in place to ensure the safety of all visitors and tourists to Western Australia.

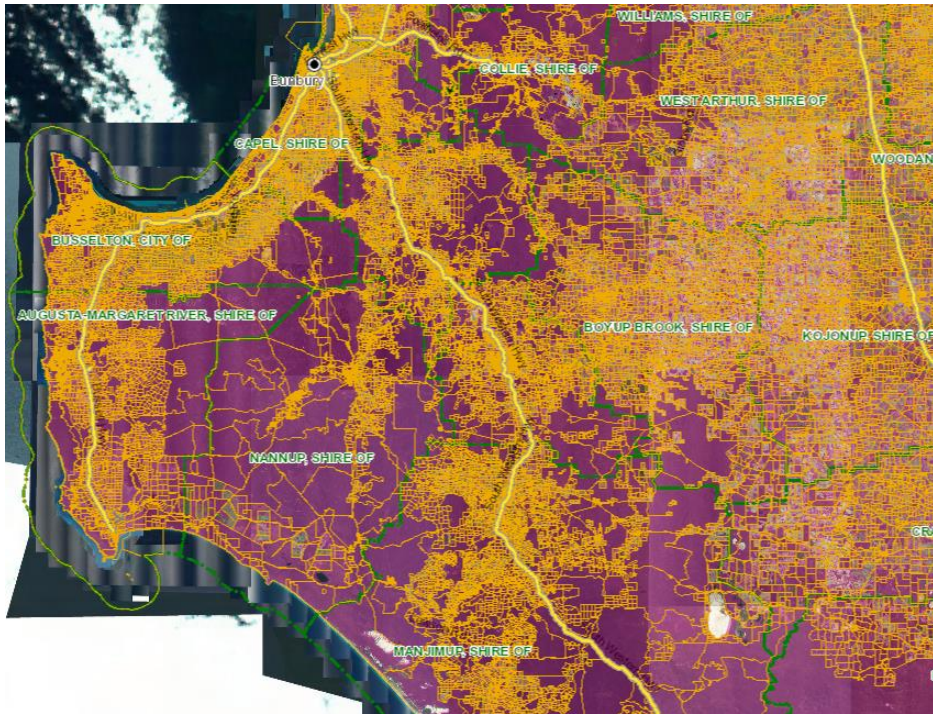
Thank you for the opportunity to comment on the Department's Draft Position Paper. Should you have any questions or wish to discuss these issues in further detail please contact Victoria Jackson, AHA Government Relations Manager on 9321 7701.

Yours sincerely

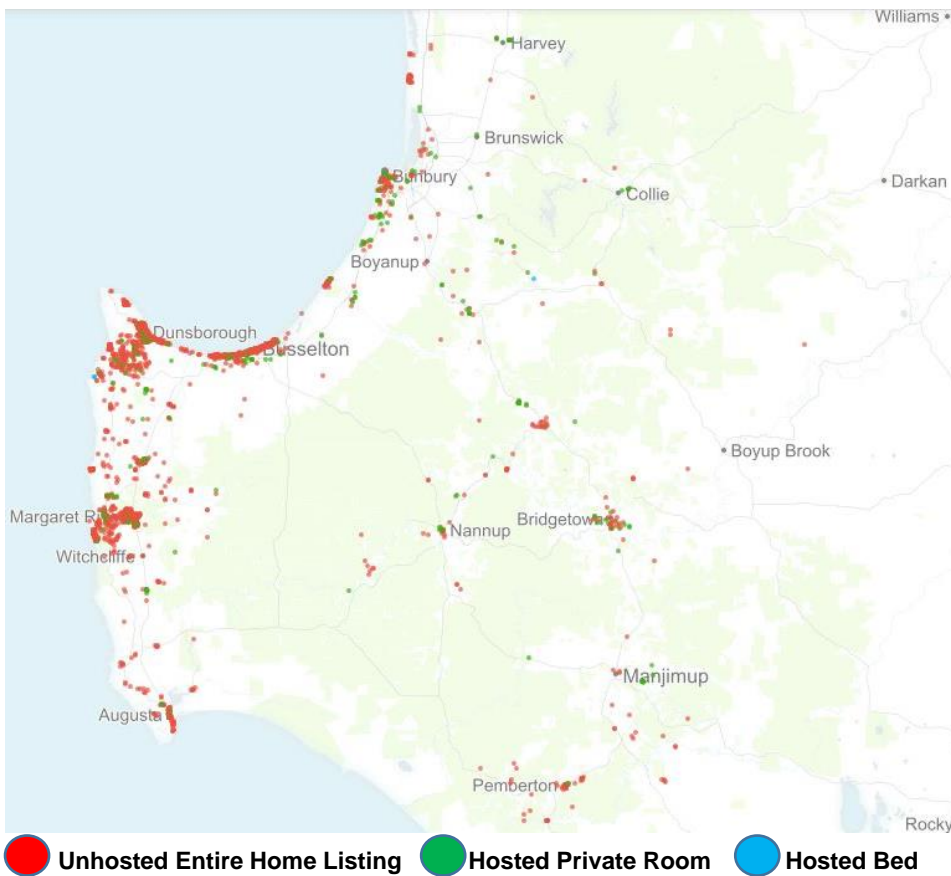


Bradley Woods
CEO – Australian Hotels Association WA

DFES Bushfire Prone Area Map - South-West ⁷



Airbnb Listings: South West ⁸



⁷ [DFES Map of Bush Fire Prone Areas](#)

⁸ Sourced from Inside Airbnb, subscription service providing independent data analysis of Airbnb data