

5.6 LATE REPORT: NO. 8 (LOT: 38 D/P: 4576) MOIR STREET, PERTH - CHANGE OF USE FROM SINGLE HOUSE TO UNLISTED USE (SHORT TERM DWELLING) - STATE ADMINISTRATIVE TRIBUNAL S.31 RECONSIDERATION

TRIM Ref: D19/27179

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Attachments:

1. Attachment 1 - Consultation and Location Map
2. Attachment 2 - Development Plans
3. Attachment 3 - Revised Management Plan
4. Attachment 4 - House Rules and Code of Conduct
5. Attachment 5 - Additional Information Letter from Applicant
6. Attachment 6 - Car Parking Management Plan
7. Attachment 7 - Applicant's letter to adjoining landowners
8. Attachment 8 - Administration's Response to Submissions Received During Initial Round of Consultation
9. Attachment 9 - Applicant's Response to Submissions Received During Initial Round of Consultation
10. Attachment 10 - Sound Detection Device Product Information
11. Attachment 11 - Administration's Response to Submissions March 2019
12. Attachment 12 - Applicant's Response to Submissions March 2019
13. Attachment 13 - Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with Section 31 of the State Administrative Tribunal Act 2004, the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, SETS ASIDE its decision of 9 October 2018 and APPROVES the application for the Change of Use from Single House to Unlisted Use (Short Term Dwelling) at No. 8 (Lot: 38; D/P: 42377) Moir Street, Perth, in accordance with the plan provided in Attachment 2, subject to the following conditions, with the associated determination advice notices in Attachment 13:

1. Use of Premises

1.1 The premises shall be used for the purposes of a 'Short Term Dwelling', in accordance with the definition set out in the City's Policy No. 7.4.5 – Temporary Accommodation:

“means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period”;

1.2 The Short Term Dwelling shall accommodate a maximum of six guests at any one time;

1.3 The Short Term Dwelling shall operate in accordance with the Management Plan for Short Term Dwelling dated January 2019 and the Parking Management Plan stamp dated received 27 August 2018; and

1.4 The Charming Central Home Code of Conduct and House Rules stamp dated received 27 August 2018 shall be updated in accordance with the Management Plan for Short Term Dwelling dated January 2019 and the Parking Management Plan stamp dated received 27 August 2018, to the satisfaction of the City. The updated Code of Conduct and House Rules shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the dwelling;

2. Car Parking

A minimum of one on-site parking bay shall be made available to guests at all times and be maintained to the satisfaction of the City; and

3. Time Limited Approval

This approval is granted for a term of 12 months from the date the use commences.

PURPOSE OF REPORT:

To reconsider Council's decision of 16 October 2018 to refuse an application for development approval for a Change of Use from Single House to an Unlisted Use (Short Term Dwelling) at No. 8 Moir Street Perth as requested by the State Administrative Tribunal (SAT).

PROPOSAL:

The application proposes to use the three bedroom dwelling for short term dwelling. At the request of SAT, the applicant has provided further information and proposed additional management measures to address Council's reasons for refusal.

BACKGROUND:

Landowner:	B Kogon
Applicant:	B Kogon
Date of Application:	31 January 2018
Zoning:	MRS: Urban LPS2: Zone: Residential R Code: R25
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Unlisted Use (Short Term Dwelling)
Lot Area:	303m ²
Right of Way (ROW):	Not applicable
Heritage List:	Yes

The subject site accommodates a single storey dwelling and is located within the Brookman and Moir Street Heritage Area. A location plan is included as **Attachment 1**. The properties immediately adjoining the subject site also comprise single storey dwellings and also sit within the Moir Street Development Guideline Area. The subject site and surrounding area are zoned Residential and have a density code of R25.

The subject site and adjoining properties located at No's. 2 - 28 Moir Street and No's. 1 – 32 Brookman Street are on the City's Heritage List and Municipal Heritage Inventory and are listed as Management Category 'A'. This group of dwellings is described as a complete and intact Federation Queen Anne style development.

The subject site was operating as an unauthorised Short Term Dwelling from November 2017. Following an enquiry made to the City regarding the use of the site, the City carried out an inspection and advised the owner of the property that they needed development approval for the use. On 31 January 2018, the applicant submitted a development application seeking approval for an Unlisted Use (Short Term Dwelling). The applicant paid a fee that is three times that of a standard application fee, which encompasses the processing fee of the development application and a penalty for commencing development without prior approval, as provided by the *Planning and Development Regulations 2009*.

The City has not received any formal complaints regarding amenity impacts associated with the Short Term Dwelling prior to the initial advertising of the development application. The only complaint received related to issues of commercial competition.

At its Ordinary Council Meeting on 16 October 2018, Council resolved to refuse the application for a Change of Use from a Single House to Unlisted Use (Short Term Dwelling) at the subject site for the following reasons:

"Having due consideration of sub-clauses 67(m) and (n) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed use is not considered compatible with its setting

on the basis of the likely noise, parking and traffic impacts associated with the proposal, with those impacts likely to have a detrimental impact on the existing residential amenity of the immediate area.”

Following Council’s refusal, the applicant submitted an application for review with the State Administrative Tribunal (SAT). At a Directions Hearing held on 30 November 2018, the SAT ordered the applicant to provide further information and a revised management plan, and invited Council to reconsider its determination of the application at the 2 April 2018 Ordinary Council Meeting.

DETAILS:

The application proposes to change the use of the existing Single House on the subject site to an Unlisted Use (Short Term Dwelling). A site and floor plan is provided as **Attachment 2**. The application does not propose any structural modifications to the existing dwelling. A maximum of six guests is proposed to be accommodated at the dwelling at any one time.

The *City’s Policy No. 7.4.5 – Temporary Accommodation* requires a Management Plan and Code of Conduct to be submitted with all development applications for Short Term Dwelling. The applicant provided a Management Plan and Code of Conduct as part of the original application. The SAT has ordered the applicant to provide further information and a revised management plan. The revised Management Plan and Code of Conduct is provided as **Attachment 3** and **Attachment 4**, respectively. A further information letter is provided by the applicant as **Attachment 5** and the car parking management plan is provided as **Attachment 6**.

The owner has also provided a letter to adjoining landowners notifying them of the intended use of the property and provided contact details for the landowner and property manager. The letter provided to the adjoining landowners is provided as **Attachment 7**.

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the *City of Vincent Local Planning Scheme No. 2 (LPS2)*, the *State Planning Policy 3.1 - Residential Design Codes* and the *City’s Policy No. 7.4.5 – Temporary Accommodation*. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Parking & Access		✓
Management Plan		✓

Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
Local Planning Scheme No. 2 (LPS2) “P” Use	Unlisted Use (Short Term Dwelling)
Car Parking	
Deemed-to-Comply Standard	Proposal
Residential Design Codes Clause 5.3.3 – Parking The site requires two parking bays to be provided on site.	One parking bay is provided on site. A Parking Management Plan is provided as Attachment 6 .
Management Plan	
Deemed-to-Comply Standard	Proposal
Policy No. 7.4.5 – Temporary Accommodation	

A Management Plan detailing how the Short Term Dwelling would be managed.	A Management Plan is provided as Attachment 3 .
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The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

The application was advertised for a period of 21 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 9 April 2018 to 30 April 2018. The method of consultation being a sign on site, a notice in the local newspaper 'The Voice', and 9 letters being mailed to all owners and occupiers as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation.

A total of 10 submissions were received of which, eight objected to the proposal, one expressed general concerns and one provided a neutral response to the proposal. The concerns raised by the submitters are as follows:

- The use of the property being inconsistent with the amenity and heritage values of the Moir Street Precinct;
- Car parking, specifically due to reliance of on-street car parking;
- Increased noise as a result of the proposal;
- The management of the proposed use; and
- Disposal of waste.

The applicant has provided responses to the submissions received, which is included as **Attachment 8**. The City's comments on each of the matters raised through the community consultation period is included in **Attachment 9**.

The application was re-advertised by way of letters to the owners and occupiers of the properties shown on the map in **Attachment 1** between 19 February and 5 March 2019.

At the conclusion of the consultation period a total of 8 submissions were received, all of which were objections to the proposal. The objections reiterated the concerns raised in the initial consultation. A number of new concerns were raised in relation to the additional information and revised management plan, as outlined below:

- Effectiveness of noise mitigation provisions and controls;
- Inability to effectively control guests once checked-in;
- Uncertainty about the effectiveness of the guest screening process;
- Minimum 3 night stay on weekends would not prevent parties during the week;
- Uncertainty over the responsiveness of owner and management late at night/overseas;
- Uncertainty that bond deductions would deter tenant noise;
- Uncertainty that the provisions would actually be implemented; and
- Uncertainty that offences would be prevented from occurring and that the amenity of the locality would be protected.

Administration's comments on each of the issues raised during the second round of consultation is provided as **Attachment 12**. The Applicant's response to the above submissions is provided as **Attachment 13**.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy;
- Policy No. 7.4.5 – Temporary Accommodation;

- Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties; and
 - Appendix No. 6 – Brookman and Moir Streets Development Guidelines.
- The proposed land use is not specifically identified in the land use table in LPS2 and could not reasonably be determined as falling within the interpretation of one of the listed uses in LPS2. The proposal is considered as an Unlisted Use. In accordance with Clause 18(4) where a use class is not specifically referred to in the zoning table, the City is to:

- Determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or*
- Determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or*
- Determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.*

Council is required to consider if the use is consistent with the objectives and purposes of the Residential zone. LPS2 includes the following objectives for the Residential zone:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- *To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling.*
- *To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas.*
- *To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles.*
- *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

DELEGATION TO DETERMINE APPLICATIONS

This matter has been referred to Council in accordance with the City's Delegated Authority Register as the proposed development received more than five objections and the matter was previously considered by the Council.

RISK MANAGEMENT IMPLICATIONS:

There is minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This would be in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Should the matter proceed to a full SAT hearing, the City may need to engage a consultant to assist. Such engagement would incur a cost for the City.

COMMENTS:Land Use

The proposal, being for short term dwelling, is for the purpose of human habitation and represents development which operates in a similar manner to a residential dwelling. The proposed short term dwelling would be limited to six guests at any one time. This number of guests would be consistent with the number of people that could be accommodated within a three-bedroom residential dwelling. As such, the proposal would not increase the intensity of the use of the subject site. The development would be compatible with the surrounding residential development within the local area and residential zone.

The objectives of the Residential zone require development to be compatible with the established areas. The compatibility of the short term dwelling with the existing residences in the locality is largely based on the likely amenity impacts arising from the use. Through the consultation period concerns were raised relating to impacts on the amenity of the locality with respect to noise, car parking and traffic.

Following refusal of the original application by Council and direction from the SAT, the applicant has provided a more comprehensive management plan to address the potential amenity concerns. The Management Plan for the proposed Short Term Dwelling outlines how incidents and complaints, such as noise and antisocial behaviour, would be managed. The management plan states guests are to be advised that noise would be restricted between 9:00pm and 8:00am. Guests are also required to pay bond and advised that fines would immediately be deducted from the bond should any noise or other disturbance occur. A sound level monitoring system would be installed in the property to determine the level of noise, with automatic alerts sent to the property manager when certain noise levels are exceeded. The management plan also states that the owner and property manager details would be provided to adjoining residents so that any complaints can be dealt with immediately by contacting the tenant. In the event the proposed Short Term Dwelling is not operating in accordance with the management plan and is found to be causing a nuisance, the management plan states that the agent may impose a fine and/or terminate the booking within 24 hours, depending on the breach.

The subject site is located in the Moir Street Development Guideline Area and is classified as Management Category A on the Municipal Heritage Inventory, which has the highest level of local significance and has strict requirements relating to physical works. No external works are proposed and the façade of the heritage listed property would remain as existing. No signage is proposed as part of the application, which is typically associated with commercial properties. The development would have no visual impact on the heritage significance of the subject site or the streetscape. The Heritage Management Policy has no restrictions in terms of land uses.

The proposed Short Term Dwelling would be an appropriate use for the Residential zone, which under an appropriate management would be compatible with the other uses in the local area. The proposed use would be consistent with the objectives of the zone and may be permitted in the zone.

Temporary Accommodation Management Plan

In accordance with the Policy No. 7.4.5, the applicant submitted a Management Plan, House Rules and Code of Conduct that outlines measures that would be taken to manage guests and protect the amenity of the area. These documents are included as **Attachment 3** and **Attachment 4**, respectively.

The management plan confirms the landowner would provide the adjoining landowners with the contact details of the property owner and the property manager. This ensures the adjoining properties could have direct contact with the property owner or property manager in the event there are any concerns with guests of the property.

The House Rules and Code of Conduct provided as **Attachment 4**, identify the following requirements:

- No parties or events to be held at the property;
- No pets permitted at the property;
- Noise levels shall be reduced from 9:00pm to 8:00am;

- Parking is to be contained within the property; and
- The owner has the right to terminate the booking at the owner's discretion.

Following a direction hearing with the SAT, the applicant was ordered to provide a more comprehensive management plan to outline additional measures that would be taken to protect the amenity of the locality and manage guests. A summary of the key updates to the Management Plan is outlined below:

- Sound Detection Device and Video communicator – sound level monitoring to alert the property manager of noise limit breaches. Details of the product is provided within **Attachment 10**.
- Video communicator – located at the front door and rear courtyard for the owner/manager to interact with guests.
- Noise/nuisance control – Screening of guests, minimum of 3 nights stay on the weekend, bond deductions for noise breaches and other noise control measures.
- Parking – Information relating to the use of the car parking bay available on site and a restriction preventing guests from parking vehicles on Moir Street.
- Rubbish – information relating to waste management to ensure all waste is contained in the bins on-site and does not impact adjoining properties.
- Code of Conduct – a more comprehensive Code of Conduct including specific noise management rules, waste management rules, limitations on visitors, car parking rules, cleanliness and a prohibition on pets.
- Violations – the implications of any violations to the Code of Conduct.
- Complaints procedures – neighbour complaints and actions to deal with issues.
- Safety – emergency contacts, first aid information, fire safety and child safety.

The updated Management Plan provides sufficient detail to ensure that the premises and associated guests are effectively managed so as to not adversely impact the amenity of neighbouring residents or the locality.

The key potential amenity impact arising from the proposed use relates to noise. The applicant has explored a broad range of measures to ensure that noise generated by guests at the proposed Short Term Dwelling would be minimised and do not adversely impact nearby residents.

A condition is recommended on any approval requiring the short term dwelling to operate in accordance with the updated management plan. It is also recommended that a condition be imposed requiring the House Rules and Code of Conduct to be updated in accordance with the updated management plan and for this to be provided to guests and displayed within the premises.

The applicant has also expressed a willingness to initially operate under a time limited approval in order to demonstrate that the property can be managed successfully. It is recommended that an initial approval be limited to a 12 month period, as agreed by the applicant. The applicant would be required then re-apply for the Short Term Dwelling if they wished to continue operating after the expiration of the 12 month period. This application would be advertised to the surrounding neighbours before being determined.

Parking

A number of submissions were received objecting to the proposal and raising concerns regarding car parking and the impact on the availability of on-street parking bays. The subject site contains one existing car parking bay on site which is accessed via Moir Street. Whilst the Single House was approved with one car parking bay on site, the change of use to Short Term Dwelling would result in a shortfall of one car parking bay. A Parking Management Plan has been provided by the applicant justifying this shortfall and is included as **Attachment 6**.

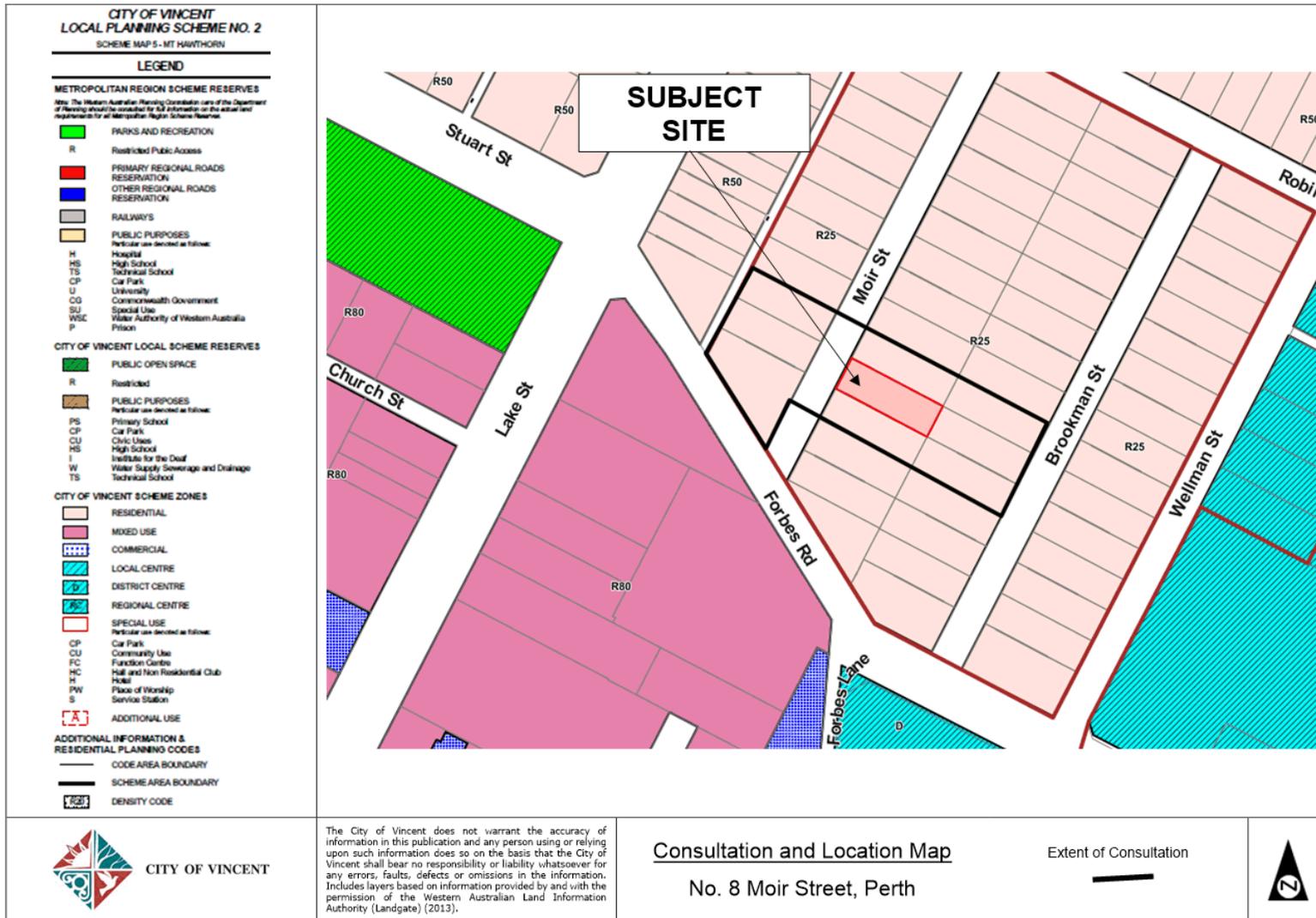
The applicant's Parking Management Plan confirms the one on-site bay would be available to guests of the premises. In the event that additional vehicle parking space is required, the owner / property manager would provide suitable parking locations within close proximity to the dwelling, such as at the Northbridge Central car park which is located within 250m of the site. Guests would be advised that vehicles are not to be parked along Moir Street or within the verge. Notwithstanding, guests would be required to comply with the parking requirements set out by the respective parking signs, which are monitored by the City's Rangers accordingly.

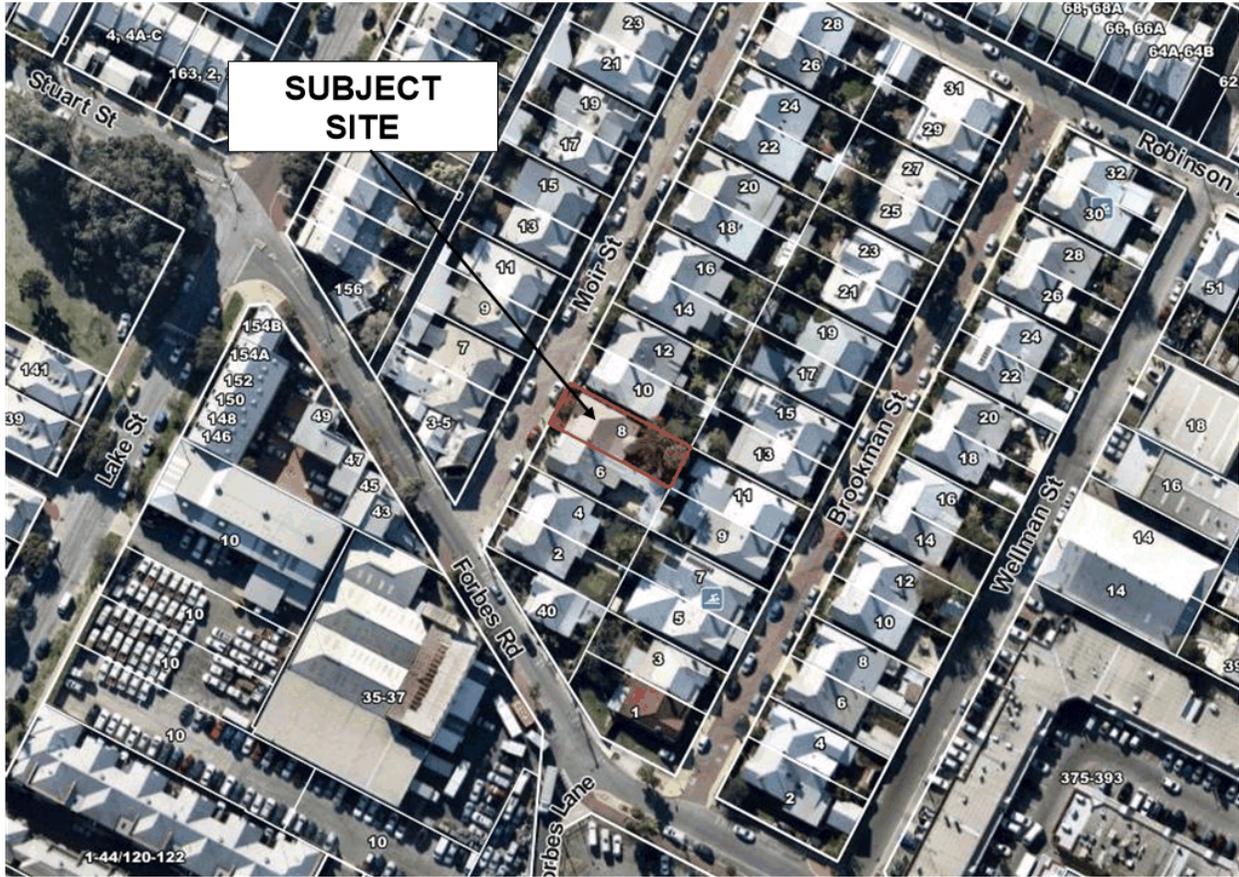
It is noted that the property manager, maintenance workers and cleaners would be required to visit the premises on a semi regular basis. The Parking Management Plan confirms cleaning and maintenance would be scheduled when the premises is vacant and at alternate times so the visits do not coincide. This ensures the on-site parking space would always be available to guests, the cleaner and maintenance workers.

The property manager would often greet the guests, cleaners and maintenance workers. It is expected the duration of the property manager's visit would be no longer than 20 minutes at any one time. Moir Street permits on-street parking for a maximum of one hour. Alternatively, the property manager could utilise the paid parking sites within close proximity to the subject site. As the property manager would visit the site infrequently and for short periods of time, there would be no adverse impact on the streetscape or amenity of the adjoining properties.

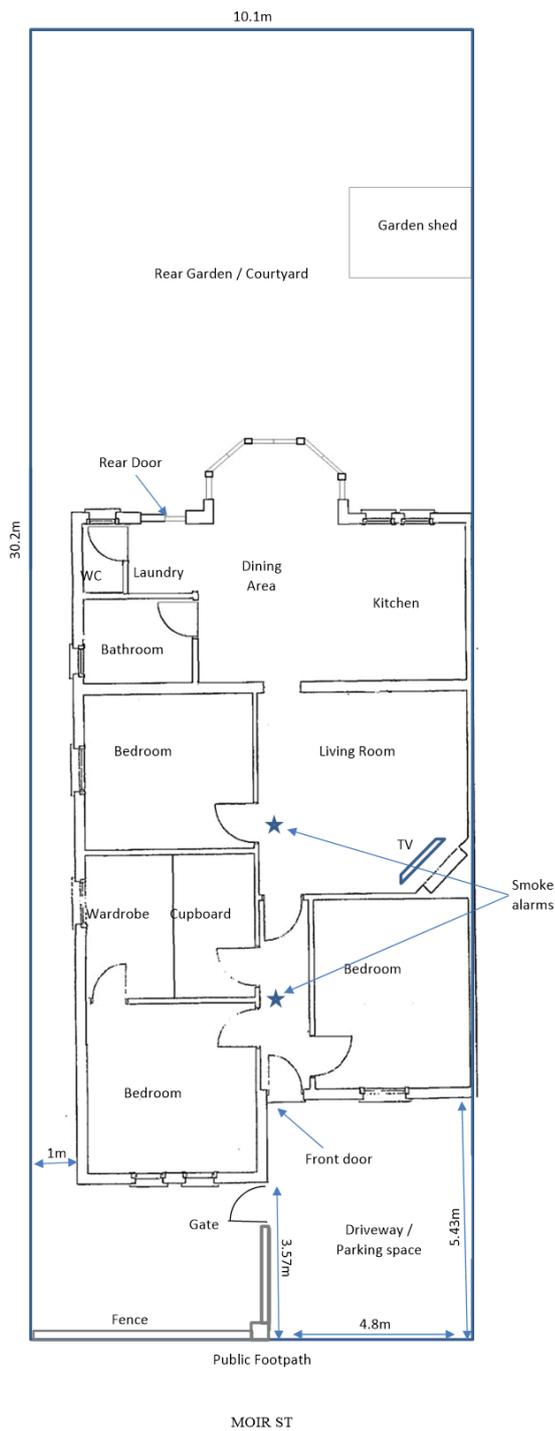
The subject site is also within close proximity to a variety of public transport networks. Specifically, the site is approximately a 10 minute walk from Perth train station, which is within 400m (approximately a 5 minute walk) from the Perth City Free Transit Zone (which provides free public transport within the City centre) and is surrounded by bicycle pathways which offer alternative means of transport to the property. The property is well connected to alternative methods of transportation and provides opportunity for guests to be less reliant on motor vehicles.

The alternative methods of transportation in addition to the single car parking bay is sufficient to accommodate parking requirements of the occupants.



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CITY OF VINCENT
RECEIVED
27/08/2018



8 Moir St Perth Floor Plan
Scale 1:100

Management Plan for Short Term Dwelling

January 2019

Property: 8 Moir St Perth 6000 (Lot 38 on Plan 4576)

Contact Details

Owner: REDACTED FOR PRIVACY PURPOSES

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1 Message to Councillors

I would ask the councillors to review this management plan in detail, but I provide here a summary of key points:

1. My understanding from viewing the recording of the council session where my initial application was refused is that the refusal was based around three major concerns:
 - A. The potential negative effects on amenity of neighbours, in particular noise, parking and security;
 - B. The potential negative effects on the cultural and social heritage of the street;
 - C. A quite negative perception of myself as landlord and manager– that my motivation was primarily profit with little concern for neighbours and that I was blatantly non-compliant with council regulations and orders.
2. In respect of **(i) impact on amenity**, although it is impossible to eliminate all risk of incidents (I receive noise complaints also on my long-term tenants), I believe my management plan will result in very little negative impact on neighbours, and in the case of parking even an improvement –
 - A. **Noise** - Yes, there were some (just 3) reported noise incidents during the 8-month period I operated. It was my first time running a short-term rental and the agency I hired to manage the property turned out not to be as experienced or as professional as I had hoped. Nevertheless, a lot of lessons were learned and quite a number of changes were implemented which already significantly improved management towards the end of the 8 months. Additional measures are proposed in this plan, which aim to:
 1. Avoid problem guests in the first place,
 2. Deal with any incidents swiftly and effectively.

These include:

- **Actively filtering** guests by requiring them to upload scanned ID and fill in a short questionnaire before confirming the booking. ***This was not done previously.***
- **Increasing the bond amount**, and increasing the severity of warnings of fines/eviction for infractions in house rules and other communications.
- **Installing sound level monitoring devices** with active alerts. Knowing that sound levels are being monitored will dissuade guests from making noise in the first place, as well as alerting myself and the manager instantly of any breach.
- **Installing bi-directional video camera systems on front and rear doors.** This will enable us to interact, view and converse directly with guests as they arrive and leave, and when they are in the back courtyard area. This will facilitate controlling noise level at the front of the house in case of late night arrival and also enable us to ensure that the guests checking in match the descriptions given when making the booking.

- **Installing a landline phone in the house**, via which we can directly communicate with guests should an incident arise, and not be reliant solely on contacting them via their mobile phones.
 - **Minimum night stays over weekends** – there is a suggestion that a minimum night stay of 3 nights over weekends will help avoid party guests. Experience during the 8 months of operation showed that only 30% of weekend bookings were less than 3 nights and only one of those resulted in a noise incident. Therefore, it is not clear that such a policy would make any difference. Rather, a more intensive screening of weekend guests and their reasons for visiting Perth would potentially be more effective. The proposal is to have a minimum 3-night weekend booking advertised but allow exceptions where the guest can clearly demonstrate that they will not cause a problem (e.g. they are a repeat guest, or have an excellent track record on their AirBnB profile). This can be monitored and then more strictly enforced or relaxed as experience is gained on the effectiveness of the measure.
 - **A clear protocol of action** – to follow should we receive an alert from the sound monitors or a complaint from a neighbour:
 - Immediately contact the guest verbally, via their mobile phone, the house landline or the two-way video doorlock. (Messaging alone is insufficient).
 - Verify the cause of the noise and request the guest to cease immediately.
 - If the guest cannot be contacted or the noise persists, have someone physically visit the house to resolve the issue.
 - Should there be no-one suitable immediately available to visit the house and the noise is persisting, then the police should be called immediately.
 - **Broad team of responders** – in addition to the property manager and their team, the owner's family members in Perth and the owner in Spain will all be copied on alerts. Spain is 6-7 hours behind Perth and the owner typically goes to bed around midnight, which is 6am in Perth, giving virtually 24-hour coverage by persons able to implement the protocol.
- B. **Security** – in the public consultation a few responses indicated that neighbour's sense of security was compromised by having unfamiliar faces in the street. Although I believe this to be somewhat spurious as there were zero security incidents caused by my guests, and there are ALWAYS unfamiliar faces walking through Moir St, nevertheless the guest filtering, ID and bond processes described above should reassure neighbours that guests will be of at least equal calibre to residents.
- C. **Parking** – despite claims to the contrary in the public consultation, which are all unfounded, there were no parking violations nor excess cars parked due to my guests. The parking management plan meets all council requirements and will result in NO cars being parked on the street, in contrast to the current situation with long-term tenants where TWO cars are regularly parked on the street.
3. In respect of **(ii) impact on cultural and social heritage**, I address these two issues separately:

- A. **Cultural Heritage** – I expect a **strong positive impact** on cultural heritage as defined by the WA Heritage Office. A detailed discussion of this is presented in my plan. In summary:
- **Physical aspects of the property will be better maintained and enhanced** with more Federation-era furnishings and decorations acquired over time.
 - **The use of the house will remain residential** – the Heritage Office doesn't distinguish between short-term or long term residents, the important aspect is that the property will still be used as a home and the occupants will be engaged in typical residential activities (cooking, sleeping, family time, etc).
 - **The story will be shared** – as per Heritage Office guidelines, one of the most important aspects of preserving cultural heritage is to share the story of the place (history, traditions, etc). The more people who experience a place and feel a connection to it, the better the culture is preserved. This will be promoted to guests staying at the home via:
 - **Marketing of the home as a cultural heritage experience** – guests will be aware that the home is heritage listed and will be invited to learn more. An online blog dedicated to the heritage of the house will be established and incorporate links to other WA Heritage sites, thereby becoming a part of, and promoting WA's heritage tourism.
 - **Visuals - framed photographs** of the street and the area from its history will be hung on the walls.
 - **Related books and printed materials** will be placed on the coffee-table and bedside tables, including a history of the street and anecdotes from the period. Work on collating all this material has already begun.
- B. **Social Heritage** – this issue is very difficult to address as the “social heritage” of Moir St is not defined anywhere, nor have Councillors responded to my requests to more accurately define the aspects of social heritage that they believe will be impacted. It is not very clear what the social heritage of the street is - I have done a quick analysis on just the properties at my end of Moir, and in the last 15 years, 13 of the first 22 properties have changed ownership. That means at least half the properties around me are all relative newcomers, and this doesn't include those properties that are rented and not owner-occupied and therefore have a fairly regular turnover of tenants. The street is NOT one where most residents have been living there for generations. Nor is there any homogeneity of socio-economic class, profession, ethnicity, age band, family status or any other social characteristic.

Nevertheless, although it is hard to see what social heritage exists to be impacted, I believe that councillors feel there is a sense of community in the street that will be disrupted by having short-term guests. I strongly believe that this is a matter of openness of community spirit – there are many small communities all around the world who have been very welcoming of visitors and have embraced some short term rental activity, and others much less so. The impact can be negative or positive depending on how the neighbours decide to view it. The most I can do in this regard is try highlight and focus on the positive aspects to help neighbours see the benefits.

6

My relationship with my immediate neighbours is quite good, and I hope to build on that with more regular and open communication with the other neighbours. This includes:

- Advising all neighbours of the measures I've put in place to reduce impact on their amenity (screening of guests, bond, sound monitors, etc) and providing contact details of myself and the agent to report any issues.
- Inviting neighbours to contribute to the Moir St heritage blog that I will establish, for the benefit of the whole street. This blog will hopefully also include testimonials by guests and stories of their stay in Moir St, which will help to establish connections between neighbours and guests. I already received comments from my immediate neighbour that some of my short-term guests were very friendly and interesting.
- Each year when I visit Perth I will hold a neighbourhood BBQ at the house, in order to facilitate neighbours getting to know me better, be able to air any issues in a more informal way, and to discuss additional ways in which I could contribute in a positive way to the cultural and social fabric of the street.
- Offer all residents a 50% discount on the listed rate should they wish to book the house for friends or family visiting Perth.

The intention is to be an active member and participant of the street community, as much as is possible given that I live overseas.

4. In respect of **(iii) negative perception** – I feel that I have been significantly disadvantaged by not being able to be present at any of the council meetings and thereby unable to convey in person my motivations and commitment to try do the right thing for all concerned. I tried to get in touch with councillors individually but most did not respond – I was only able to meet with one councillor and speak to the Mayor briefly on the phone.

I used to live in the property for many years and I plan to one day move back there with my family. I therefore care very much about the good maintenance of the house, the quality of life in the street and my relationships with neighbours and council. This is not a situation of an investor wishing to maximise revenue from a property – I am a conscientious home-owner who wants to try a new method of managing the rental of his home in Perth and if it doesn't work, then it doesn't work but I believe I should be given the opportunity to try.

Councillors seem to have formed the view that I blatantly started short term rental without any concern for compliance with Council requirements. This is not true - although I started without council approval, this was not an intentional non-compliance. I was informed of the need to apply for change of use just one month after commencing operations. I immediately asked if I needed to cease operation and was told by council officers that I could keep operating while processing my application. At all times I was in regular contact with council officers and followed their instructions, including ceasing operations when requested to do so following the change in policy by Council.

Professional property management - There are difficulties in managing the property from abroad, but these difficulties exist for both long-term and short-term tenants. Having good local management is key, and the initial agency I was with, ABODE, proved to have some short-

comings although in some areas they did perform well. I am currently in discussions with ABODE as well as two other alternative agencies to see which of them can best implement all the management processes detailed in this plan. I will only finalise selection of the agency once I have council approval for the short term rental, as then I can install the sound monitoring and video hardware and run tests with the different agencies to see how they integrate the technology into their processes.

In summary, I believe the additional measures proposed in this updated management plan go a significant way to addressing the key concerns expressed by councillors and I hope they look favourably on my request to be given an opportunity to try to make this work.

I would ideally request an unencumbered approval to operate a short term rental, but if this not acceptable at this stage then I would agree to a one-year trial period, subject to a number of conditions:

1. That the period commences at a date of my choosing, to give me time to install the sound monitors, video doorbell, etc; give ample notice to my long-term tenants to vacate; setup the marketing of the property as a heritage destination; setup the management protocols with the local agent; and otherwise prepare all the elements described in this management plan.
2. That any neighbour complaints in regards to impact on amenity be verifiable and documented. It would be unfair to have my operation negatively judged by blaming my tenants for every negative parking or antisocial incident that happens on the street when there is no evidence linking them to the incident.
3. That the bar of acceptable performance be comparable to the level of amenity expected with traditional long-term tenants. I cannot promise zero incidents, but I can undertake to ensure that the negative impact on amenity be comparable to the level the neighbours currently experience with the sorts of tenants I have had in recent years.

Finally, I wish to express that I am open to further suggestions to modify this management plan or restrict certain aspects of operation, as long as they are not too onerous such as to make the management unworkable or incur too much expense or risk on my part.

I trust that Council views this application positively and I look forward to collaborating with Council officers and developing the relationship with my neighbours to prove that this model can work and provide a positive outcome for everyone.

Yours sincerely,

Boaz Kogon

2 Background and Objective

The current owner of the house purchased the property in February 2002. The house was the owner's principal residence for a number of years until the owner moved overseas, at which point the owner commenced renting out the property.

Until November 2017 the house was rented to long-term tenants, self-managed by the owner remotely with the support of family members who live in Perth. This arrangement worked well initially but in recent years has given increasing problems, including:

- Tenants not keeping up with their rent, and associated difficulties in recovering owing rent
- Tenants not properly cleaning and maintaining the property
- More frequent cycling of tenants (tenants taking shorter leases, requiring more frequent searching for new tenants)
- Tenants keeping unauthorised pets at the property
- Tenants having partners stay over on a semi-permanent basis despite the rooms being leased as single-occupancy
- Tenants with domestic issues such as violent partners (internal doors have been broken, police called, etc.)

Due to the above situations and the difficulty in getting regular access to the house to undertake maintenance, the owner observed that the state of the house was gradually deteriorating year on year and that this in turn was affecting the ability to attract and retain quality tenants.

Furthermore, with the house always rented out, the owner was unable to make personal use of the property when visiting Perth.

The decision was therefore made to trial an alternative method of managing the property; contracting a professional agent to manage short-term letting. The advantages expected were:

- The expected higher gross rental income will enable the owner to pay a professional agent to manage the property and professional cleaners to regularly clean the property, thereby reducing the management burden on the owner's family members and achieving a better result with a cleaner, better-kept property.
- Natural spacings between short-term lettings will provide ample opportunity for regular maintenance to the property.
- The nature of short-term lets and the guarantees provided by the online booking platforms will significantly reduce the financial risk of tenants not paying rent.
- The owner can self-book the property for his personal use when visiting Perth.

The objective is to create a high quality offering that will attract high-end / professional visitors willing to pay a premium price, in particular families with children who would be attracted to staying in a house with a secure rear garden, or tourists wishing to enjoy a residential experience in a Heritage property. It is hoped that this type of clientele will respect the house and its environs, minimising any problems related to noise or rubbish that may disturb the neighbours.

The ultimate aim is to qualify for **AirBnB Plus status**, once this classification system is opened in the Perth market. **AirBnB Plus (<https://www.airbnb.com/plus>) is a quality certification that imposes very high standards of operation but also works to guarantee excellent quality clientele.**

The property was managed as a short term dwelling from Dec 2017 to early August 2018, when the council requested that the operation cease until the application for change of use was approved. An agency (ABODE) was contracted to manage the house. As it was the first time the owner had run a property for short term rental, there were teething problems, including:

- **Rubbish management** – the variability in rubbish produced between stays meant that sometimes the council bins were insufficient. This was further compounded by cleaners sometimes not taking them out in time to be collected on rubbish days. A number of different solutions were trialled until a satisfactory one was achieved – spare bins were purchased that are kept in the rear shed, and any overflow from the council bins is stored there. A person who lives nearby was engaged solely to take the bins out and bring them in on a weekly basis, thus removing the variability caused by cleaners forgetting.
- **Problematic guests** – although the advertisements for the property, booking confirmation email and house rules made the prohibition on noise and parties very clear, the management agency (ABODE) did not have pro-active filter mechanisms in place and a few guests caused problems (we received three complaints of noise from neighbours during the 8 months of operation). Additional measures to filter potential noisy guests were being discussed when the council changed policy and required the operation to cease whilst the application was being processed.

The initial application for change of use to short term rental was refused by council on 16 October 2018. The owner appealed to the State Administrative Tribunal and the Tribunal recommended mediation and instructed the owner to resubmit documentation by 31 January 2019 for consideration by Council at the April 2019 council meeting.

Council refused to hold a mediation session. The owner attempted to arrange in-person meetings or phone conversations with various councillors, but only one councillor and the Mayor responded.

3 Safety

The safety of tenants is paramount and is of first priority. The owner has instructed the agent to always take immediate action to correct any problem that may endanger tenants.

3.1 Emergency Contacts

Emergency contact numbers are clearly displayed on the refrigerator door, and are provided to all tenants in their Welcome Pack.

3.2 First Aid

A first aid kit is located in the laundry area. Emergency contact numbers for ambulance and other services are prominently displayed on the refrigerator door. Locations and contact details of nearby hospitals, clinics and pharmacies are given in the Welcome Pack.

3.3 Fire Safety

Exits. The house is single storey and has two main exits, front and rear, which are opened with the same key (given to the tenants on check-in). The house also has multiple large windows without security grills, which could be easily broken and used as exits in case of emergency.

Alarms. The house is fitted with two wired smoke alarms as per building codes, one in the main hallway and the other in the main living area.

Fire Extinguisher. A fire extinguisher and fire blanket are located in the laundry area.

Prevention. Smoking is not permitted in the house and tenants are requested not to light candles or any other naked flames in the house. Flammable material in the garden is kept to a minimum - garden litter and weeds are regularly collected by the agent and deposited in the bin for weekly collection. Larger branches are collected at the rear fence, far away from the building, and disposed of in the twice yearly council greens collections.

Gas appliances: A gas heater is located in the living room and the kitchen has gas hotplates. Both are in good working order.

Fireplaces: The original fireplaces are no longer in use and are decorative only.

3.4 Child Safety

The objective is to make the home attractive and safe for families. Whilst it is not practical to fully child-proof the house as might be done when a toddler is full-time resident in a home, basic security measures have been enacted in order to provide a reasonable level of safety.

Secured Furniture: All bookcases and chests of drawers are secured by screws to the walls. There are no decorative objects on shelves or tables that could fall and shatter or otherwise injure a child.

Babies: A baby high chair is provided for babies and toddlers to sit at the table. A cot is also available on request. The house is all at ground level so there are no stairs or high areas from which a toddler could fall.

Secure garden area: The rear garden is surrounded by 6' fence on all sides. The front garden has 6' vertical railing a gate that is kept locked by padlock. There are no water features in the garden. The garden area is therefore a safe area for children to play.

Chemicals: All strong cleaning chemicals and insecticide poisons are kept in a high cupboard in the laundry area, well out of the reach of small children. Garden chemicals are kept on a high shelf in the garden shed.

4 Code of Conduct / House Rules

Tenants are advised upon booking, and again in the house code of conduct in the Welcome Pack, that the area is residential and they should respect neighbours' rights to quiet and cleanliness.

They are further informed that infringements of the House Rules, in particular those that impact on amenity of neighbours, will result in the immediate imposition of fines deducted from the bond and can result in their eviction from the property.

Tenants are advised that:

1. If they are checking in after 8pm or prior to 8am, to be considerate of neighbours and keep noise that the front of the house to a minimum.
2. No noise should be discernible from outside the house between 9pm and 8am. This includes no playing of loud music, loud conversations or other types of noise inside the house that may carry through open windows, etc. Sound monitors at the front and rear of the house will send alerts to the agent should levels be exceeded and will provide documentary evidence for the immediate imposition of fines.
3. No conversations should be held in the rear garden area after 9pm as the sound carries very easily and there are families with young children in neighbouring houses. Groups of two or more people should not be in the rear garden after 9pm. Individuals who are quietly reading, smoking, etc are allowed. A video security camera is installed overlooking the rear courtyard, and should the sound alarm be triggered the agent will check the video camera remotely to ensure that this rule is being respected.
4. Tenants should be quiet when returning to the house in the evenings, and avoid loud conversations in the street, as the sound carries into neighbouring houses at night.
5. No smoking, candles or other naked flames are permitted in the house, except for the gas burners on the stove. Smoking is permitted in the rear courtyard, but tenants are requested to use the provided ashtrays and not discard butts in the garden.
6. No rubbish or cigarette butts should be discarded on the street or thrown across a fence into neighbouring property.
7. Rubbish from within the house may be placed in the council bins in the front courtyard. Tenants are requested to respect the recycling rules. Under no condition should any rubbish be placed next to the bins or anywhere else at the front of the house. Should the council bins be full then tenants may place additional rubbish in the spare bins provided in the rear garden shed and inform the agent who will arrange appropriate disposal.
8. No additional tenants or visitors beyond those detailed in the reservation (maximum of 6) are permitted to stay at the house overnight. A maximum of 2-3 known visitors (e.g. family) are permitted to visit for short periods during the day but these should leave the house by 8pm. NO parties are permitted under any circumstance.
9. No parking on the verge is permitted. One car may be parked in the driveway. Should tenants have a second car they must use one of the nearby public carparks. Northbridge Central Parking is just 3 minutes away, is open 24/7 and has inexpensive day rates. Further parking options are detailed in the Welcome pack.
10. Tenants are requested to be respectful of the house and its furnishings, and to immediately advise the agent of any item that is not in perfect working order, or if any damage has been accidentally caused. Normal wear and tear or typical accidents like broken cutlery will not be charged to the tenant, however if damage such as spills on furniture or appliances broken through misuse are not reported immediately and minimised then repairs and associated management fee will be deducted from the bond.
11. Tenants do not have to clean the house prior to leaving, but they are requested to not generate undue mess. Should there be excessive cleaning required, e.g. scraping burnt food scraps off the stove-top, shower drains clogged with hair and debris, smells of smoke in the rooms, stains from spills on furniture, etc then the extra cleaning charges will be deducted from the bond.

12. Pets are strictly prohibited.
13. Illegal activities such as drugs are strictly prohibited and will result in immediate eviction.
14. All keys must be returned at the end of a stay. Missing keys will be charged.

Failure to abide by these requirements can result in immediate termination of the reservation and the imposition of fines that may be deducted immediately from the tenants' security deposit.

4.1 Noise/Nuisance Control

The following measures will be implemented to avoid problematic guests, and deal with any incidents promptly and effectively:

1. **Advertising** - The advertisements for the house will clearly state that the house is in a residential area and that parties or other functions are not permitted. Tenants will be firmly instructed to be considerate of neighbours and not generate undue noise. They will also be informed of the following measures in advance, so potential tenants who intend to undertake noisy activities will be deterred from booking in the first place.
2. **Screening** - All potential tenants will be required to complete a short questionnaire and submit scanned photo ID before confirmation of booking. The questionnaire will aim to understand the motivation for visiting Perth and the activities they will undertake at the house. Responses that indicate the tenants may be noisy or cause other disturbances will result in the booking being rejected.
3. **Minimum weekend stay** - As an additional measure, a general policy of 3 night minimum stays over the weekend will be applied in order to avoid tenants just looking for a weekend party pad. This policy will only be relaxed for repeat guests who have previously proven to be good tenants or tenants who have very solid references/ratings and can justify that they are visiting for a purpose unlikely to result in unsocial incidents (funeral, etc)
4. **Sound Level Monitoring** - Tenants will be advised that the house is fitted with a noise monitoring system, such as Sound Alarm (<https://roomonitor.com/product/sound-alarm/>) which has been especially designed for AirBnB properties. These devices do not record sounds (therefore respecting guests' privacy) but rather keep a log of sound levels, and can be set to send automatic SMS and email alerts when sound levels are exceeded, with different levels set for different times of day. In this manner the property manager and owner will be instantly alerted of any issue, without needing to wait for neighbours to complain.
5. **Bond** - Tenants will be required to pay a bond, and will be advised that fines will be immediately deducted from the bond should any noise or other disturbance occur. The sound alarm will provide documented proof that the noise level was exceeded.
6. **Front door video communicator** - The front door will be fitted with a two-way video camera electronic lock. Newly arriving tenants will need to ring this doorbell and be connected to the agent or owner in order to enter the property for the first time. This will enable verification that the tenants match the booking profile (i.e. no additional guests, or guests of a different profile than those that have booked will be admitted). If it is night-time, the agent can also immediately

request that the arriving tenants keep their voices low and monitor that they are quiet as they enter the house.

7. **Rear courtyard video communicator** - The rear door area will be fitted with a similar video communication system, overlooking the rear courtyard. The rear courtyard is the area most likely to generate noise issues, as guests sitting outside can talk loudly and disturb surrounding neighbours. Should a sound level alert be generated, the video camera system will enable immediate verification of the noisy activity and enable the agent to speak directly with the people present in the courtyard.
8. **Team of responders** - Both the sound alarm system and the front and rear video cameras will be linked via mobile phone apps to a broad team of responders – in addition to the property manager and their team, the owner’s family members in Perth and the owner in Spain will all be copied on alerts. Spain is 6-7 hours behind Perth and the owner typically goes to bed around midnight, which is 6am in Perth, giving virtually 24-hour coverage by persons able to implement the response protocol:
 - i. Immediately contact the guest verbally, via their mobile phone, the house landline or the two-way video system. (Messaging alone is insufficient).
 - ii. Verify the cause of the noise and request the guest to cease immediately.
 - iii. If the guest cannot be contacted or the noise persists, have someone physically visit the house to resolve the issue.
 - iv. Should there be no-one suitable immediately available to visit the house and the noise is persisting, then the police should be called immediately.
9. **No stereo system** - Noise generated from within the house has not typically been a problem. There is no stereo system located at the house. The flat-screen TV has only internal speakers and is located in an internal room with no windows.
10. **Neighbour communications** - Prior to commencing operations, the owner will write to all neighbours providing them with contact details of both the agent and the owner and advising them that they should notify immediately of any issue, no matter the time of day or night, so that action may be taken immediately to rectify the problem.

4.2 Parking

Parking amenity of the street should **improve** with the implementation of short term dwelling. Current long-term tenants park one car in the driveway and **two cars on the street** using council parking permits.

With the change of use to short term dwelling, the parking permits will no longer be valid. Tenants will be able to park just one car in the driveway and any additional cars will need to be parked in nearby public carparks. **No cars will be parked on the street.**

It is expected that the vast majority of tenants will have at maximum only one car. Experience operating from December 2017 to August 2018, is that in that time period only 5 guests had a second car. i.e. 95% of guests have only one car which can be parked on the property.

In the case where tenants have a second car, the agent will provide tenants with a special information pamphlet that describes the parking rules in the streets around the house and gives recommendations for nearby paid parking options where the car may be parked for longer periods. Northbridge Central Carpark, just two streets away, is open 24/7 and is only 2 minutes drive and 3 minutes easy walk from the house. The rates are very reasonable (\$16/day during the week and \$8.50/day during the weekend) and are minor compared to the costs of renting the car and the house. There is therefore no reason to expect that tenants will hunt for a space on local streets and risk a high fine, when such a simple and affordable solution is just 2 blocks away.

The need for street parking is expected to be significantly reduced compared to when the property was leased long-term and tenants had 2 or 3 cars, and therefore no negative impact on neighbours is foreseen.

See the Parking Management Plan for more details.

4.3 Rubbish

Details of the procedures for management of rubbish are given in the section devoted to the issue.

In the Code of Conduct, tenants are clearly advised of how rubbish should be placed in the general bin and the recycling bin. They are requested to be considerate of the house and neighbours and to not generate any undue mess and that under no conditions should the outside bins be overfilled or rubbish left in the front yard or on the street.

Should there be excess rubbish, tenants must place it in the extra bins kept in the shed at the rear of the house, and notify the agent so that he may remove the excess rubbish to avoid undue smells or other problems developing.

Tenants are clearly advised that failure to abide by these requirements can result in a penalty being deducted from the bond.

4.4 Violations

The implications of any violations of the Code of Conduct are clearly indicated on the Code itself, and communicated to the tenants at time of booking.

Should any incident occur, upon learning of the violation the agent will immediately contact the tenant and ask them to rectify the situation. If they are found to have been in gross violation of the Code of Conduct then the agent may act to impose a fine and/or terminate the booking with 24 hours notice to the tenant.

5 Heritage Destination

The objective is to develop the property as a unique cultural heritage experience that will attract heritage tourists and give any visitor a feeling of having experienced something unique and special, a glimpse of what life in the 1890s would have been like, and what it is like to live in a restored heritage house just a stone's throw from Northbridge and the city centre with all its modern conveniences and attractions. All visitors should leave knowing a bit more about the story of the Moir and Brookman precinct and appreciate the quality of life that is available in Perth.

As per WA State Heritage Office guidelines, one of the most important aspects of preserving cultural heritage is to share the story of the place (history, traditions, etc). The more people who experience a place and feel a connection to it, the better the culture is preserved.

As described on the Tourism Council of WA website:

CULTURAL TOURISM

Cultural tourism gives visitors the opportunity to understand and appreciate the essential character of a place and its culture as a whole, including:

- *History*
- *People and their lifestyle*
- *Cultural diversity*
- *Arts and architecture*
- *Food, wine and other local produce*

The Creative Nation document from the Commonwealth Cultural Policy of 1994 describes cultural tourism as: "embracing the full range of experiences visitors can undertake to learn what makes a destination distinctive - its lifestyle, its heritage, its arts, its people - and the business of providing and interpreting that culture to visitors"

HERITAGE TOURISM

Heritage tourism aims to take advantage of the State's unique history and built heritage by generating local, national and international awareness of key historical sites and themes such as gold, maritime, rail, military, convict and religious heritage.

By presenting 8 Moir St as a unique experience of 1890s residential life at the time of the Gold Rush, and making available to visitors the history and stories of the precinct from then until the present day, the cultural heritage of the precinct will be communicated, disseminated and preserved.

Achieving this objective will take time. The initial actions that will be implemented prior to commencing short term rental will include:

5.1 Display materials

A collection of photographs, prints, books, newspaper articles and other items relating to the Moir and Brookman Street precinct and the Gold Rush era will be curated and displayed throughout the house.

5.2 Moir St Heritage Blog

A provisional domain name <http://moirstreet.home.blog> has been registered and will be curated with relevant content about the house and the precinct. It will also include links to other Heritage locations in WA and suggest local community and heritage activities that may be of interest to guests.

Guests will be invited to produce testimonials and photographs of their stay and local experiences to be featured on the blog. Over time this may lead to a community of people with a feeling of connection to the Moir and Brookman precinct.

Neighbours will also be invited to contribute their stories, histories and other relevant content such as community activities, so that the blog becomes a common resource that can be of benefit to the entire street community.

Once the blog has a critical mass of content, dissemination will be expanded via social media such as Instagram, Pinterest and Facebook.

5.3 Heritage Advertising

All listings of the property in online booking platforms will highlight the cultural heritage aspects of the property, as well as the quiet residential nature of the setting. The adverts will, wherever possible, provide links to the Moir St Heritage Blog so potential visitors can better understand the cultural heritage of the area prior to deciding to book.

As far as possible, the property will also be listed on the various websites that promote WA heritage and culture.

6 Neighbour Relations

The objective is to develop and strengthen amicable relations with neighbours, and encourage them to see the benefits that can be derived by the street community and the dissemination of the cultural heritage of the precinct that can be achieved, and not just focus on the negative impacts that may arise from time to time.

This will not be easy to achieve, but it is hoped that good management of the property and continued efforts will lead over time to improved acceptance by neighbours of the short term rental.

Actions that will be implemented include:

6.1 Communication

All neighbours will be advised in writing of the measures put in place to reduce impact on their amenity (screening of guests, bond, sound monitors, etc) and providing contact details of myself and the agent to report any issues.

Immediate neighbours will also be consulted several times a year to see if they've experienced any issues or if they have any suggestions for management improvement.

Each year, during my annual visit to Perth, I will hold a neighbourhood BBQ at the house, in order to facilitate neighbours getting to know me better, be able to air any issues in a more informal way, and to discuss additional ways in which I could contribute in a positive way to the cultural and social fabric of the street.

6.2 Making the Moir St Heritage Blog a shared resource

As described above, neighbours will be invited to contribute to the Moir St Heritage blog for the benefit of the whole street. This blog will hopefully also include testimonials by guests and stories of their stay in Moir St, which will help to establish connections between neighbours and guests.

6.3 Special rates for neighbours

All Moir and Brookman residents will be offered a 50% discount on the listed rate should they wish to book the house for friends or family visiting Perth.

6.4 Recompense for inconveniences

As had already been implemented during the previous period of operation, in the event of any incident reported by a neighbour that results in a fine being imposed on a guest, the monies collected are passed on to the neighbour affected by way of recompense for the inconvenience suffered.

7 House Facilities and Services

The objective is to provide a fully-furnished and equipped home, with quality furnishings and amenities in order to attract a high level clientele and extremely positive reviews. Providing a top quality establishment is expected to attract better quality tenants, thereby minimising tenant-related issues including any negative impacts on neighbours.

A long-term plan has been made to renovate and upgrade the various room in the house. An initial investment was made when the previous long-term tenants departed in November 2017:

- The interior of the house was completely repainted,
- Additional furniture was purchased for the bedrooms
- Hotel quality linen was purchased for the bedrooms and bathroom,
- Numerous small repairs were carried out throughout the house, including new shower fittings, replacing torn flyscreens, fixing gutters, new TV antenna, etc.
- New sets of kitchen cutlery and dishware were purchased,
- Light fittings were repaired and upgraded,
- A lockbox for keys was installed by the front door,
- Internet connection and TV were upgraded,
- The garden was pruned and cleared,
- Paintings, books and other decorations were purchased and installed.

Further repairs and upgrades will be effected in the future as access to the house and funds permit, including:

- Repainting of the front fence,
- Renovation of kitchen cabinets,
- Improvements to the garden area,
- Repair work on worn floors,
- Renovation of living room furniture.

Prior to commencing operations following council approval, investments will also be made to install:

- a digital video lock on the front door,
- a video communication system for the rear courtyard,
- and front and rear sound level monitors.

In keeping with the marketing of the home as a Heritage house:

- Framed photographs and prints of the history of the precinct will be hung on various walls,
- Books and other printed materials will be displayed describing the history of the precinct, the house and way of life in Perth from the Gold Rush through to the modern era,
- Furniture, linen, and other house decorations will be gradually upgraded, in styles typical of the Federation era or otherwise relevant to the history of the precinct.
- Testimonials and experiences of tenants will be invited and displayed.

7.1 Bedrooms

The house has three bedrooms, each equipped with a queen-size bed, bedside drawers, a wardrobe and a tallboy or equivalent. All beds have high quality mattresses, and the bedding includes mattress protector and hotel-quality linen.

Each bedroom has a ceiling fan, individual air-conditioning, exterior window with security grill and sun-block curtains.

7.2 Parking

Off-street parking for one car is available in the driveway. As described in the Parking Management Plan, on the rare occasions when guests have more than one vehicle then they are given information on nearby parking facilities, in particular Northbridge Central Parking which is only 3 minutes walk from the house and has very reasonable day rates.

Tenants are clearly informed that parking on the verge is not permitted and that they should not block the footpath.

7.3 Security

The aim of security arrangements at the house is to provide a good level of security for both tenants and the house itself, while minimising potential for problems (lost keys, windows left open, etc) and any disturbances to neighbours (false alarms, etc)

The house has two doors, front and back. Both the front and back doors also have security screens. The front door will be fitted with a digital video camera door lock with passcode access. First entry by a tenant will require ringing the doorbell which will connect the tenant with the agent, who will be able to see and communicate with the tenant to verify they match the profile submitted upon booking, and then open the door. The tenants will then be given their personal code to use for future entries.

A physical key will be stored onsite in a lockbox in case of power failure.

The code for the doorbell is changed between each tenant, therefore providing an added level of security.

All windows in the house that open either have a security grill installed and/or have a lockable chain so that the window cannot be forced open further. The keys to the window chains are not generally given to the tenants so they cannot be inadvertently left open.

The house has an alarm system installed however it has been deactivated so as to avoid false alarms that would disturb the neighbours.

The gate to the front garden has a padlock and is kept closed at all times, except when the agent is doing maintenance or gardening. The tenants are not provided with a key to this gate unless they wish to use this access to store bicycles in the yard.

Both the agent and the owner's family have spare keys to the house. Contact numbers are provided to the tenants in case of forgotten codes, lost keys or other security issues.

7.4 Internet and Phone

Broadband wireless via ADSL is available in the house. Tenants are provided with the password upon checkin.

There is no landline phone currently at the house but one will be installed prior to commencing operation. This will facilitate easy communication between the agent and tenants, as well as providing a benefit to tenants with free local calls.

7.5 TV

A large flatscreen TV is installed in the living room, which is a completely internal room with no external windows. There are no TVs in any of the bedrooms nor are there any stereo music systems in the house.

Tenants can therefore enjoy watching TV or a movie if they desire but the potential for loud noise and disturbance to neighbours is minimised.

7.6 Kitchen

The kitchen is fully equipped with cutlery, cooking utensils, toaster, microwave, oven, kettle, rice cooker, dishwasher and a large fridge/freezer. The pantry is regularly restocked with basics such as tea, coffee, sugar, spices, etc.

7.7 Laundry

The laundry has a washing machine, large sink, iron, ironing board and cleaning materials. It is regularly restocked with washing detergent and soaps.

An outside clothes line is available in the back garden, and an internal clothes rack is available for drying indoors when the outside weather is wet.

The fire extinguisher and fire blanket are also kept in the laundry area as it is near the rear door to the house and also close to the kitchen area.

7.8 Bathroom

The house has one bathroom with bath and shower, and a separate toilet. The bathroom is regularly restocked with soap and shampoo. Hotel quality towels are provided.

7.9 Cleaning

The house is professionally cleaned and all linen changed over following each tenancy. The linen is laundered off-site.

Tenants may also request additional cleans at any time (costs of additional cleans are clearly communicated at the time of booking).

In addition to regular cleaning of floors, kitchen and wet areas, the cleaners have a list of additional items that must be progressively done over a three month period, such that, for example, windows, flyscreens, pantry cupboards, fridge, oven, exhaust fans, hard to reach areas, etc. are kept in good condition.

7.10 Gardening

The garden comprises mainly mature evergreen plants and so is relatively low maintenance. The key tasks are to regularly remove fallen leaf litter, keep weeds from growing in the paved areas and prune the plants.

The agent is responsible for maintaining the garden. Occasional support is provided by the owner's family members who enjoy gardening.

Should it be required, professional gardeners may be occasionally employed to tackle bigger jobs.

8 Rubbish Disposal

We acknowledge that there were some issues with rubbish management when the agent first took over the property, but these have been dealt with by improving processes and creating checklists and training for new cleaners. Over the last 3-4 months of operation there were no rubbish issues.

The procedures that are currently in place are as follows:

- Tenants are clearly advised of how rubbish should be placed in the general bin and the recycling bin. They are requested to be considerate of the house and neighbours and to not generate any undue mess and that under no conditions should the outside bins be overfilled or rubbish left in the front yard or on the street. Failure to abide by this requirement can result in a penalty being deducted from the bond.
- Additional bins have been purchased and placed in the shed in the rear courtyard. Should tenants or cleaners fill up the front bins before collection day, the extra rubbish is placed in these bins and the property manager will take it away for disposal.
- Following each tenant's departure, the professional cleaners are responsible for clearing all rubbish both from the various bins inside the house to the external bins. Cleaners are trained in the appropriate rubbish to put in each bin, and have on their task checklist to ensure that the bins, front yard and footpath are clean and tidy.
- Whereas previously it required to make a different arrangement each week to have the bins put out and brought in depending on whether cleaners were scheduled or not for that day, and this sometimes resulted in miscommunications that resulted in the bins not being moved appropriately, the current system is that a cleaner who lives nearby is paid a monthly fee to put the bins out the night before collection and bring them in during the day following collection. If she cannot do it for whatever reason then she notifies the agent who organises someone else to do it. This arrangement has completely solved the problem and now the bins are always moved according to council requirements.

It took some months of operation to understand the different volumes of rubbish that could be generated and to trial different arrangements for putting out and bringing in the bins. But the above described measures worked very well during our final months of operation and there should be no future incidents related to rubbish.

9 Complaints Procedures

9.1 For tenants

Tenants will be provided with phone and email contacts for the agent and the owner, and are advised in the Welcome Pack to notify the agent of any problems or malfunctions at the house immediately. Should the agent not respond, the tenants are instructed to contact the owner.

The agent is authorised by the owner to undertake immediate and urgent action, including calling professional tradesmen for any issues that impact tenant safety and/or the integrity of the house. These include, but are not limited to:

- Faulty locks, doors or windows that prevent the house being secured,
- Faulty electricals that pose a risk to persons and/or a fire hazard,
- Plumbing faults that cause continuous leaks or sanitation problems,
- Gas leaks.

9.2 For neighbours

Neighbours will be sent a letter prior to commencement of short-term rentals, requesting them to immediately inform the agent and/or the owner of any excessive noise, rubbish or other issue caused by tenants staying at the house.

Should an incident occur, the agent will directly contact the tenants and attempt to resolve the issue amicably. Where tenants are found to be in violation of the house code of conduct, the agent will take action as described in the booking conditions, which may include 24-hour eviction of the tenants and/or impositions of fines.

The agent/owner will then contact to neighbour to inform them of the action taken and ensure that any inconvenience has ceased, and apologise appropriately.

A similar letter will be issued annually to ensure that neighbours always have the correct contact details at hand.



CITY OF VINCENT
RECEIVED
27/08/2018

CHARMING CENTRAL HOME – CODE OF CONDUCT and HOUSE RULES

Council regulations require that all short-term rentals have a Code of Conduct and House Rules in place in order to ensure that guests, neighbours and property owners all co-exist in harmony.

By booking this property you agree to abide by, and be bound by the following rules. Failure to do so may result in fines or immediate termination of your booking with no refund.

Safety

Safety of our guests is our number 1 priority. If you notice anything unsafe in the house, please notify ABODE immediately.

A list of emergency contact numbers is at the end of this document and a copy is also posted on the fridge door.

Fire: The house is fitted with two smoke alarms. If an alarm sounds (a very loud continuous high-pitched sound), please ensure that everyone in the house is safe and then try to deal with the source of the smoke/fire.

A fire extinguisher and fire blanket are located in the laundry area. If you cannot extinguish the fire, please evacuate the house and call the fire department. Try to close as many doors as possible to slow the spread of the fire. Do not risk injury trying to save belongings.

If the smoke alarms start beeping it means they need maintenance, please notify ABODE immediately.

It is strictly prohibited to light candles or any other naked flames in the house, except for the gas-rings on the stove.

Medical emergency: A first aid kit is located in the laundry area. A list of local hospitals and pharmacies is included in the emergency contact list. Call 000 for Ambulance.

Child safety: Measures have been taken to make the house reasonably child-safe:

- Bookcases and tallboy drawers have been attached to the walls to prevent them falling over.
- Chemicals and sharp kitchen utensils are stored in higher cupboards and drawers.
- The rear garden is completely enclosed so children cannot get out.
- A high chair and cot are available on request.

Nevertheless, parents are requested to be extra careful and take responsibility for keeping children safe. **Please ensure that children:**

- Do not climb on the furniture,
- Do not play in the kitchen area,



- Do not take baths unattended,
- Do not dig in the garden and nor play in the garden shed, as they may disturb spiders or other fauna. **Redback spiders are poisonous and can prove fatal to children!** Please take your child to hospital immediately if you see an adverse reaction to any insect bite.

Number of Guests and Use

No more than **6 guests** may sleep at the property. The property must be **used for residential purposes only**. No parties, events, or commercial activities of any form may be held at the property. **No pets** of any kind are permitted on the property.

Check-in, Check-out and Security

Whenever possible, an ABODE representative will personally greet you on arrival and/or departure. When this is not possible, you will be provided with a code to access the key box by the front door.

Neither the code to the key box, nor the key, may be shared with any persons not part of the booking.

The single key gives access to both front and rear doors and associated flyscreens. **ALL DOORS and FLYSCREENS must be locked when the house is empty**. It is the guest's responsibility to ensure that the house is secured at all times during their stay, and that all doors and flyscreens are locked and the key secured in the key box upon departure.

Some windows in the house have keyed chains that enable them to be closed but not opened. Also, the gate to the front yard is locked by a padlock. Your ABODE agent has the keys to these locks and can provide you with access upon request.

Check-out is by 10am. Please ensure that the house is locked, all air conditioning, heaters, exhaust fans, lights and other devices are off and that the key is left in the lock box.

Parking

One car may be parked on the property in the driveway. Should you require parking for a second car, your ABODE agent will provide details of nearby car parks. Northbridge Central Carpark is just 3 minutes walk, is open 24/7 and has very reasonable day rates.

Parking rules in the neighbourhood are very strict and heavily policed. Please:

- Do not park on footpaths or verges,
- Do not park in front of driveways or any place where you may block an exit,
- Park only in areas clearly marked for parking and follow the instructions on any parking signs.
- Check for time limits on street parking, these are very strict.



Rubbish and Cleaning

A professional clean of the house is included in your booking. Nevertheless, it is not permitted to leave rubbish lying loose in the garden or the front of the house, and any excessive dirt or rubbish that requires extra cleaning will be charged to you.

You will find two large council bins at the front of the house. The **GREEN** lid bin is for general waste and the **YELLOW** lid bin for recycling.

The **Yellow** bin accepts:

- glass jars and bottles (clean, no lids)
- aluminium and steel cans
- plastics - codes/types 1,2,3, 4,5, 6 and 7 (check the bottom of container/bottle)
- all types cardboard and paper; including office paper (no shredded paper)
- liquid paper board (milk and juice cartons), coffee cups (all empty/free from liquid)
- plastic shopping bags

The **Green** bin accepts all other general household waste, except glass! Please put all glass in the Yellow bin.

Are the front bins full? If the front bins are full, there are extra bins in the shed in the rear garden. Please put any excess rubbish in these bins and inform the ABODE agent that you have done so, and the agent will organise for the rubbish to be removed.

Are you at the house on a Wednesday night? Bins are collected on Thursday morning, and must be on the street by 6am. A cleaner will come by sometime Wednesday afternoon to put the bins out, and will return on Thursday to bring the bins in. Please try and put your rubbish in the outside bins by Wednesday morning so it can be taken away.

Under no circumstance should any rubbish or other objects be thrown over the fence to a neighbour's property. Any such action will result in an immediate \$50 fine charged against your deposit.

Noise

The house is located in a very quiet residential street and the neighbours request that you respect this. In particular:

- No loud music or other loud sounds between 9pm and 8am.
- No loud music or conversations should be held in the garden area after 9pm.
- Please be quiet when returning to the house in the evenings, and avoid loud conversations in the street, as the sound carries into neighbouring houses at night.

Should you fail to adhere to these guidelines and a neighbour complains, then depending on the situation a fine may be imposed or your booking terminated immediately, and you will be liable for all associated charges or liabilities that may result.

Smoking

Smoking is not permitted inside the house, but you may smoke in the rear garden. Please do not leave cigarette stubs in the garden. Ash trays are provided for this purpose.



If you are found to have smoked inside the house then a \$400 cleaning charge will be applied to cover steam cleaning of curtains and furniture.

Problem or Malfunction

ABODE endeavours to ensure that all appliances and services at the house are in good working order. **If anything is not working properly** or you notice a problem such as a leak or unusual noise, **please report it to ABODE immediately**.

We will make all attempts to remedy the problem as soon as possible, or organise an alternative service as per your needs. If we are unable to resolve the problem satisfactorily then we will offer you a partial refund of your booking fee in compensation.

Damage

Whilst at the house, you are responsible for any damage to the house, its furnishings and contents, except for ordinary wear and tear. The house and its contents are insured but there are excess amounts payable on most incidences. **It is your obligation to immediately report any damage to ABODE**, whereby an agreement will be sought as to how to repair or replace the damaged item. Failure to comply will result in the charging of any repairs or replacements to your credit card without further notice.

Personal Property

ABODE and the property owner assume no responsibility for any personal property you bring to the house or leave behind on your departure. It is your responsibility to ensure that your belongings are kept secure at all times.

Should a break-in or other theft occur, please report it immediately to both the Police and ABODE. We will work with you to try to recover the items and/or claim any applicable insurance.

Disclaimer

The Property Owner and ABODE will not be held responsible nor liable for:

- Any injury or loss suffered by the occupants, their invitees or guests howsoever caused whilst occupying the accommodation due to failure of the occupants to comply with the Term and Conditions or House Rules;
- Any injury or loss suffered by the occupants, their invitees or guests whatsoever or howsoever caused due to negligence;
- Any injury or loss suffered by the occupants, their invitees or guests whatsoever or howsoever caused as a result of insects or wildlife in or around the house;
- Any noise, disturbance or inconvenience caused as a result of renovation/building/road works being carried out in or near the vicinity of the accommodation.



Emergency & Other Contact Numbers

8 Moir St Perth WA 6000

General Emergency (Fire, Ambulance, Police) – 000

Nearest Police Station – (+61) 131 444

Emergency Services (SES) – (+61) 132 500

Utilities:

Western Power (electrical emergencies) - (+61) 13 13 51

Gas (leaks, faults and emergencies) - (+61) 13 13 52

Water Corporation (burst pipes or leaks) - (+61) 13 13 75

Nearby hospitals:

Royal Perth Hospital – (+618) 9224 2244

197 Wellington St, Perth WA 6000

Sir Charles Gairdner Hospital – (+618) 9346 3333

Hospital Ave, Nedlands WA 6009, Australia

Perth Childrens Hospital – (+618) 6456 2222

15 Hospital Ave, Nedlands WA 6009

Nearby late night pharmacies:

Busy Bee Chemist and Newsagency – (+618) 9328 7885

201-205 William St & St James St, Northbridge; open till midnight

Beaufort Street 24Hour Chemist – (+618) 9328 7775

647 Beaufort St, Mount Lawley, open 24 hours

Taxis:

Maxi Taxi - (+61) 406 553 313, Black & White Taxis - (+618) 131 008,
Swan Taxis - (+618) 13 13 30, Disabled Taxi Service - (+618) 9422 2240

Owner/Manager:

Property Manager: **Contact details redacted for privacy purposes.**

Owners: **Contact details redacted for privacy purposes.**

**Additional information to support my application for change of use
to short term rental at 8 Moir St Perth
Boaz Kogon – January 2019**

The main concerns expressed by Vincent Council in rejecting my initial application were centred around:

1. Potential negative effect on neighbour's amenity
2. Potential negative effect on the street's cultural values and heritage
3. Potential negative effect on the street's social values heritage

I present here some additional information relevant to all these points as background and support of the revised management plan submitted to Council in January 2019

1. Potential negative effect on neighbour's amenity

Key comments by councillors related to this issue included:

- i. *"The short term accommodation is more appropriately located within local and district centre areas, not low density residential areas"*
- ii. *"The development will impact the amenity of the existing residents. Specifically, the summary of submissions identifies that the short term accommodation has resulted in noise, parties and additional traffic. For these reasons it is considered the commercial use is not compatible with the low density residential area"*

Responding to (i) *"The short term accommodation is more appropriately located within local and district centre areas, not low density residential areas"*

While I understand some of the sentiment that lies behind this statement, I don't believe it holds true for several reasons:

Firstly, most cities around the world that are regulating restrictions on Airbnb are doing so in high density central areas, restricting operations in blocks of flats but **permitting Airbnb in lower density areas with independent homes with direct street access**.

The acute problems arise not when there are one or two AirBnB flats in a building of twenty residential flats, but when 50% or more of the flats are AirBnB, and the same is true of all buildings on the block. This is when residents feel overwhelmed and the sheer volume of and concentration of tourists has a significant negative impact.

Comparing the situations in Perth and Barcelona (where I live): Both cities have approximately 2 million people, but almost everyone in Barcelona lives in apartment buildings, while most people in Perth live in detached houses. Barcelona receives 32 million visitors a year (and growing) and Perth receives just 5.5 million (and shrinking). Barcelona has stopped issuing short term rental licences in the centre of the city, but surrounding urban areas are still registering new licenses.

Similarly, Madrid has implemented new regulations that allow licences in the central district only if the apartment has its own separate entrance to the street. But this restriction is not placed on licenses outside the central district.

The measures being taken by Barcelona, Madrid and many other cities with intense short term rental activity is to try to move the short term rentals away from the centre, with ideal properties being those with individual access to the street and no common areas with adjoining properties, thereby reducing the concentration of short term rentals and minimising the potential for negative impacts on neighbour amenity due to reduced direct interaction.

By the measures being implemented here in Spain, my property in Moir St and its setting would be considered ideal for short term letting. Perth is not likely to ever see tourism of the scale of Barcelona or Madrid, nevertheless the lessons learned in these cities could serve as a useful guide for how Perth could develop its short term rental policies.

Secondly, there are advantages to having an Airbnb in low density compared to high density settings - lower density means that each house is independent, with independent street access, has its own outdoor space, good distance between neighbouring residences and no/few common walls and no neighbours above/below. **This therefore reduces impacts on neighbours compared to an Airbnb operated in a high density block of residential flats.**

Thirdly, the premise of Airbnb style accommodation is that it offers an alternative to traditional short-term accommodation (hotels and similar) by offering guests the opportunity to stay in a typical local residence and experience a home-style feeling. **The ideal Airbnb from a guest perspective for many visitors is therefore a residential home in a residential street, not a small unit in a rental block located above a shopping street.**

Finally, although it is true that Moir/Brookman is zoned R25 due to the block size being around 400m², it is a very small island surrounded by R50 and R80. It is just adjacent to a commercial centre, restaurants, car dealership, free bus zone, café strip, nightclubs, etc, etc all in the surrounding streets it is by no measure a "quiet residential area" separated from busy activity. Many non-resident pedestrians pass through the street and many friends and visitors of residents park in the street using resident's parking permits to take advantage of the central location.

In my view there is no substantial difference in density/amenity between Moir/Brookman and similar streets nearby zoned R50, such as Robinson Ave, Hope St, Stuart St, Orange Ave, Dangan St, Amy St, Ruth St, etc. Most of these streets are further away from the commercial areas than Moir/Brookman. **Most of these streets have currently active short term accommodation, a few of them even with Council approval.**

For example, just on Stuart St which has houses and amenity virtually identical to Moir St, there are currently at least three active AirBnBs:

- 6 Stuart St - <https://www.airbnb.com/rooms/19461627>
- 16 Stuart St - <https://www.airbnb.com/rooms/16654504>
- 20 Stuart St - <https://www.airbnb.com/rooms/28270661>

Responding to (ii) "The development will impact the amenity of the existing residents. Specifically, the summary of submissions identifies that the short term accommodation has resulted in noise, parties and additional traffic. For these reasons it is considered the commercial use is not compatible with the low density residential area"

The concern about impact on amenity is a very valid one, which I believe that I have comprehensively addressed with a variety of measures detailed in my updated management plan.

However, the statements by councillors seemed to indicate that they have been quite misinformed. As I was not present at the meeting I was unable to refute such false claims and it is clear the Councillors have not been made cognizant of the facts. For example:

- There are repeated references to negative impact on parking and traffic. **But there have been NO parking or traffic incidents caused by my guests and there will be fewer cars at the property than when I have long term tenants.**
- Assertions in the public consultation that 5 cars were often parked at the property are unfounded and false.
- Assertions in the public consultation that cracks in the sidewalk are caused by guests parking cars on the verge are unfounded and false. **The cracks existed long before I started short term rental and are due to subsidence**, which has caused significant structural damage to my property and neighbouring houses.
- Assertions in the public consultation that guests frequently park large vans in the driveway blocking the footpath are unfounded and false. The overwhelming majority of guests rent SUVs, which adequately fit in the **parking space which complies with Council size requirements.**
- Assertions in the public consultation that my guests frequently drive the wrong way up the street are unfounded and false. I lived in the house for many years and there are often people driving the wrong way up the street. These are usually Perth residents lost in the back streets trying to find parking, or residents themselves who can't be bothered to drive around the block so take a shortcut to their driveway.
- My original parking management plan was endorsed by Council officers and will result in **NO on street parking of cars**, whereas **currently TWO cars are parked on street by my long term tenants.**

In regards to noise and parties: although there were a number of noise incidents (very few, we were notified of only 3 in 8 months of operation), I learned from each one and was progressively implementing improvements to the management system to prevent them recurring.

- Assertions in the public consultation that the house was regularly used by parties, or that the house was advertised for parties, is simply not true. **The house rules and email confirmations of bookings clearly stated that parties were strictly prohibited.** As far as was reported by neighbours, there were only two party incidents in the 8 months.

Nevertheless, **I do accept that guest screening was insufficient and this has been addressed in the revised management plan.**

- The majority of noise disturbance was caused by guests talking and drinking in the rear garden. This affects at most three neighbouring properties. The most affected, the next door neighbours at Number 10, are a family with young child and I have had extended conversations with them. I myself have young children and am very sympathetic to their concerns. For this reason, the revised management plan includes the installation of a sound detector and a video camera with 2-way voice in the rear garden area to provide myself and the managing agent with 24/7 monitoring. **This should both deter guests from infringing on the no outdoor noise after 9pm rule and provide fast and effective intervention should an infraction occur.**
- The other main potential point for noise impact is when guests are checking in late at night and may cause noise in the street. Although they are requested to be quiet, it is predictable that some will not comply. Therefore, my revised management plan includes installing a video doorbell that guests will need to ring when checking in. This will connect directly to myself or the agent, **allowing us to see and speak to the guests.** This will serve the dual purpose of **enabling us to validate that the group of persons checking in matches the profile of the people who made the booking** (i.e. no group of young party-goers could masquerade as a quiet family) and will allow us to directly see if the guests are being noisy and request them to immediately quieten down. In addition to the video doorbell there will also be a sound monitor at the front, which will **trigger an alert should sounds exceed predetermined levels during nighttime hours.** We can then activate the video and determine the cause of the noise, and if the guests are at fault we can take immediate action.

I provide links here to examples of the systems I intend to install:

- **RING Video Doorbells with smartphone integration** - eu.ring.com

See, Hear and Speak to Visitors

With Ring, you can monitor your home from your smartphone, tablet or PC. Every Ring device features a wide-angle lens and a built-in microphone and speaker, so you can see, hear and speak to anyone on your property from anywhere.

Answer the Door From Anywhere

Get instant alerts when visitors press your doorbell or trigger the built-in motion sensors, and see, hear and speak to anyone at your door from your smartphone, tablet or PC.

- **ROOMONITOR real time sound monitoring** - roomonitor.com/product/sound-alarm

Real time monitoring. Our exclusive software allows you to see the noise levels in your accommodation in real time, 24/7. In this way, you will be the first to know when a problem may be occurring and can solve it before it results in conflict.

Alerts of possible incidents. Thanks to the algorithms developed by Roomonitor, our Sound Alarm can detect when a noise may be excessive or annoying. When noise occurs, a designated person is alerted by a telephone call or SMS so he or she can take steps to avoid possible municipal infractions or annoyances to neighbors.

Customize noise levels. We understand that the sensitivity to noise varies from country to country, from culture to culture, and with the type of accommodation. That's why our device allows you to select the sensitivity threshold for each of your locations.

Receive daily reports. Every day we will send you a record of everything that has occurred in your accommodation to help you make management decisions. These reports provide evidence of what is happening inside your apartment. Many property managers use reports both to prove that guests have held a party, or that they have not.

In summary, it is true that short term rental has the potential to significantly impact neighbour's amenity. However, long-term tenants can also be problematic and in many cases are more difficult to control (they cannot be easily evicted or have strict restrictions placed on their noise and outdoor activity). **I believe that my revised management plan will deliver a level of impact on amenity that is not worse than, and potentially better, than neighbours have had in the past with the various long-term tenants that have resided at the house.**

My longer-term objective is to qualify for AirBnB Plus and AirBnB Work. These programmes will ensure a very high quality clientele that will absolutely minimise negative impact on neighbours. However, these programmes are not yet available in Perth and one must be an established operator to qualify, so I first must commence operating and build up to the required level. I give below summary information on these programmes:

- **AirBnB Plus** - <https://www.airbnb.com/plus>
Beautiful homes. Exceptional hosts. Verified for quality.

Airbnb Plus is a new selection of only the highest quality homes with hosts known for great reviews and attention to detail. Every home is visited in person for a 100+ point quality inspection to ensure your comfort.

Airbnb Plus hosts offer Superhost-level hospitality. They're highly rated (4.8+), reliable (0 cancellations), and committed to creating the perfect stay.

- **AirBnB for Work** - <https://www.airbnb.com/work>

A new way to relocate for work - Today's workforce is global and on the move.

According to BDO, nearly 20% of employees around the world are eager to relocate. We can all agree moving is stressful – friendships are tested, a partner's career may be disrupted, and in a new place hardly anything can feel familiar. Acclimating to a new community can be one of the most challenging parts of a move. So much so that according to a Right Management survey, more than 40% of international assignments are judged to be failures by senior executives, with cultural adjustment issues being a top reason. We also know most people want to test out neighborhoods or be near new schools for their children (since 35% of corporate moves involve children). People want to feel grounded the instant they move to a new place.

So, we're expanding our work in relocations to help more professionals instantly feel like they belong in their new communities. Imagine starting your first job out of college while living in a spacious modern condo in a trendy area, moving with your family into a spacious ranch home with a backyard in the perfect school district, or beginning a new chapter of your life by living in a Victorian classic near the office. Finding a temporary home that actually feels like a home (access to a kitchen, washer/dryer, etc.) provides a much-needed sense of familiarity that can help people cope with the chaos of a relocation.

2. Potential negative effect on the street's cultural values and heritage

Key comments by councillors related to this issue included:

- "The proposal will have an adverse impact on the cultural heritage significance of the area in which the development is located"*
- "The proposal is not considered to be complementary or compatible with this area which hold strong cultural values."*

Responding to (i) *"The proposal will have an adverse impact on the cultural heritage significance of the area in which the development is located"*

This statement was made by councillors, but I would ask them to provide a basis for this statement, as I cannot find any.

The Council's Brookman and Moir St Development Guidelines state that the place has cultural heritage significance for 12 reasons. Eleven of these reasons are purely structural and/or visual. Given that my change of use request will have no impact on the structure or appearance of the house, none of these eleven reasons are impacted.

Reason 1.9 states "It is valued by the local community as an area which retains the characteristics of a late nineteenth century streetscape, as an extant example of late nineteenth century residential accommodation and through the continued use of the individual residences as residential accommodation throughout the twentieth century"

The only part of reason 1.9 that my short term accommodation may impact is the very last phrase being "the continued use of the individual residences as residential accommodation throughout the twentieth century". However, this could only be impacted if my use of the house for short term rental accommodation was considered significantly different to residential accommodation.

I have consulted with the WA State Heritage Office on this point. I don't have a reference in writing, but I was informed verbally that they do not consider length of stay to be a determinant factor in considering whether a use is residential or not. For a use to be classed as residential, the occupants must engage in typical activities of permanent residents and must NOT engage in commercial, religious or other activities generally considered non-residential. The State Heritage Office confirmed that they consider boarding houses, bed and breakfasts and the like to be residential use and that such use is perfectly compatible with places whose heritage has been primarily that of primary owner-occupied residency. There are many examples of heritage listed residential buildings that conserve their residential use status even though they are used for short term rent.

As per WA State Heritage Office guidelines, one of the most important aspects of preserving cultural heritage is to share the story of the place (history, traditions, etc). The more people who experience a place and feel a connection to it, the better the culture is preserved.

As described on the Tourism Council of WA website
(<https://www.tourismcouncilwa.com.au/cultural-arts-and-heritage>):

CULTURAL TOURISM

Cultural tourism gives visitors the opportunity to understand and appreciate the essential character of a place and its culture as a whole, including:

- *History*
- *People and their lifestyle*
- *Cultural diversity*
- *Arts and architecture*
- *Food, wine and other local produce*

The Creative Nation document from the Commonwealth Cultural Policy of 1994 describes cultural tourism as: "embracing the full range of experiences visitors can undertake to learn what makes a destination distinctive - its lifestyle, its heritage, its arts, its people - and the business of providing and interpreting that culture to visitors"

HERITAGE TOURISM

Heritage tourism aims to take advantage of the State's unique history and built heritage by generating local, national and international awareness of key historical sites and themes such as gold, maritime, rail, military, convict and religious heritage.

In 2006, Western Australia developed a **Heritage Tourism Strategy**. The aim of the strategy is to increase heritage tourism experiences across WA, to raise awareness of the importance of our heritage, and to encourage the ongoing conservation of WA's heritage places.

<http://www.stateheritage.wa.gov.au/about-us/acts-policies/heritage-tourism-strategy>

In the opening dedication, the WA Minister for Heritage writes:

The Government of Western Australia is pleased to release its Heritage Tourism Strategy. Jointly developed by the Heritage Council and Tourism Western Australia, it identifies the means for turning heritage places and historic themes into sought after tourist attractions.

Heritage tourism takes advantage of the State's unique history and built heritage by generating local, national and international awareness of key historical sites and themes that have been, or continue to be, important to the State's development and sense of place.

Although heritage tourism already exists in precincts, places, sites and destinations throughout the State, it is clear that a coordinated approach to promoting Western Australia's historical assets will be highly beneficial. Heritage tourism offers increased diversity of visitor experiences and improved sustainability for heritage places through higher public profile and educational awareness.

We hope that more Western Australians and visitors to our State can share the rewarding and enormously varied opportunities for exploring the individual stories, communities, places and ideas that have shaped our social and physical environment.

Europe has declared 2018 Year of Cultural Heritage. Their guidelines (https://europa.eu/cultural-heritage/sites/eych/files/sustainable-cultural-tourism-recommendations_en.pdf?token=PsePI9T4) define Sustainable Cultural Tourism as:

Sustainable cultural tourism is the integrated management of cultural heritage and tourism activities in conjunction with the local community creating social, environmental and economic benefits for all stakeholders, to achieve tangible and intangible cultural heritage conservation and sustainable tourism development.

There is nothing in any of the above that indicates that short term rental would be detrimental to the cultural heritage of Moir St. Quite the opposite, if done properly it can significantly enhance it and thereby be well aligned with WA Heritage Tourism Strategy.

In my revised management plan I have put special emphasis on marketing and presenting 8 Moir St as a unique experience of 1890s residential life at the time of the Gold Rush, and making available to visitors the history and stories of the precinct from then until the present day.

In this manner, the cultural heritage of the precinct will be communicated, disseminated and preserved.

I give below some relevant examples of cities collaborating with AirBnB to promote cultural tourism:

- **London Borough of Culture 2019/2020 A Community Tourism Programme**

https://www.airbnbcitizen.com/wp-content/uploads/2018/10/AirbnbUKInsightsReport_2018.pdf

In May 2018 Airbnb allocated funding to support the Mayor of London's London Borough of Culture programme, an initiative inspired by the European Capital and UK City of Culture programmes. It aims to capture the creative energy of an entire city and highlight how culture can bring communities together.

Airbnb's funding will help support Listen Local, to place writers in the winning boroughs to work with local creative talent and their communities to uncover hidden stories about local people and places. These stories will be told through music, theatre, art and more, taking place in unexpected neighbourhood locations allowing travellers to unearth a variety of cultural gems. 'Listen Local' will create compelling opportunities to explore and discover hidden London allowing visitors to experience the city through the stories of those who know it best.

- **Airbnb Launches "Small Villages Project" in Italy**

<https://www.airbnbcitizen.com/airbnb-launches-small-villages-project-in-italy/>
<https://www.airbnbcitizen.com/small-villages-mayor-bigiotti-civita-di-bagnoregio-joins-airbnb-host-community/>

Airbnb is supporting this project to help promote tourism in small villages in Italy, a model that will be replicable in other villages, towns and cities in Italy. The Ministry of Culture declared 2017 the year of "Small Villages" in Italy and Airbnb is doing its part to support this campaign.

"This project is an incredible extension of our commitment to supporting rural villages around the world," said Joe Gebbia, co-founder and Chief Product Officer of Airbnb. "Our aim is to celebrate the heritage of these areas through art and design, while providing concrete ways for the towns to sustain their cultures and traditions."

Responding to (ii) *"The proposal is not considered to be complementary or compatible with this area which hold strong cultural values."*

This statement was made by councillors, but I would ask them to provide a basis for this statement, as I do not understand WHICH are the "cultural values" that will be negatively impacted? Neither the Brookman and Moir St Development Guidelines nor the State Heritage Register make any mention of cultural values.

The State register only says about the Brookman and Moir precinct that *“It demonstrates the social mores and way of life in the developing area north of Perth, at the commencement of the Gold Boom period”*

It is clear that the current cultural and social values of the residents of Moir St are NOT the same as those at the commencement of the Gold Boom, and so without a more precise definition of the cultural values to be protected it is impossible to judge whether my proposal will have any positive or adverse effects.

There were some assertions by neighbours as to the long entrenched and unified community in the street, but this also does not hold up to inspection. I have done a quick analysis on just the properties at my end of Moir St, and in the last 15 years, 13 of the first 22 properties have changed ownership (numbers 6, 7, 8, 9, 10, 11, 13, 14, 17, 18, 18L, 19 and 21). If one looks just at the last 5 years there were still 5 changes of ownership. That means at least half the properties around me are all relative newcomers, and this doesn't include those properties that are rented and not owner-occupied and therefore have a fairly regular turnover of tenants.

There is therefore no established cohort of multi-generational families who have grown up and lived in the street for decades. There is no uniformity in the profiles of the residents of the street – they come from all ethnicities, professional backgrounds, religions and ages. Residents turn over on a fairly regular basis and whilst some in the street may have formed individual connections and friendships with some neighbours, this is hardly unique to Moir St – many of the surrounding streets have identical profiles and Council has approved short term rentals without any reference to cultural values.

So it is hard to understand why interstate or international guests who respect the residential nature of the street and do not cause any anti-social incidents would be considered to be incompatible with the “cultural values” of Moir street, but would be compatible with cultural values of surrounding areas?

3. Potential negative effect on the street's social values and heritage

Key comments by councillors related to this issue included:

- i. *“The short term accommodation within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique”*

Responding to (i) *“The short term accommodation within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique”*

Firstly, I ask Council to clarify the specific aspects which they feel will be eroded? As discussed earlier in this document, the Council's **Brookman and Moir St Development Guidelines** speak almost exclusively of structural feature conservation and say virtually

nothing about social values and cultural heritage. Similarly for the State Heritage Registry for the Brookman/Moir precinct.

Whilst uncontrolled short-term letting may result in erosion of the social and residential characteristics of the precinct, I don't believe this is true for a well-planned and managed short term rental, for the following reasons:

1. My plan for short-term rental **does not involve any structural modifications to the house**, nor will it affect any streetscape view. Quite the opposite, my plan involves stressing the heritage character of the house, keeping the house very well maintained and clean, and decorating the house with Federation-style furniture, photographs and stories of the era. This therefore has no negative impact on the main issues involved in conserving the heritage of the street as defined in the Brookman and Moir St Development Guidelines, which are structural.

2. My proposal **does not involve having more people staying at the house than would normally stay**. For example, the house is currently rented long-term to a group of 5 tenants. The majority of bookings during the time I operated the short-term rental were for 4-5 guests, and the maximum allowed is 6. Therefore, there will be no negative impact on residential density, foot traffic or cars.

3. My proposal involves a **reduction** in the number of cars at the property. Whereas currently the tenants park at least 2 cars at the house (one off-street and 1-2 on-street), under the parking plan submitted to council only one guest car will be permitted at the property to be parked off-street, with other cars parked at nearby public carparks. This therefore improves the amenity for neighbours.

4. **Sense of security of residents** – I understand that this was one of the concerns raised by a neighbour. Although I believe it is completely unfounded as there were no security incidents reported at all - either to myself, the property manager or the police – during the entire 8 month period I operated short term rental, nevertheless my improved management plan addresses this – all guests will have to respond to a short questionnaire and submit a scan of their photo ID prior to having their booking confirmed. The chances of such a guest committing a criminal act on one of my neighbours is very remote.

I know that some neighbours described the presence of unknown people in the street as generating security concern, but this statement is also without much merit as the location of the street means there are always unknown people there – people taking a shortcut to walk to Northbridge, visitors parking in the street, etc. I lived in the house for many years and there were always strange people walking through the street.

Although short term rental of my property will marginally increase the number of unfamiliar faces in the street, this is not significant enough to warrant consideration as an impact on sense of security by neighbouring residents. Especially considering as my house is very close

to the city end of Moir St so guests walking in and out of the house will not be traversing the whole street, but only the first six houses. The impact on the rest of the street will be negligible.

5. Compatibility with residential activities – I will not be operating a hostel or boarding house, which are other categories of short term accommodation – the property will be used as a normal residence and always rented out in its entirety. The main reason for guests to rent my property will be that they are visiting Perth on holiday or for business. Their daily routine will therefore be very similar to that of permanent residents in the street – they will be out and about for most of the day and will return home to eat dinner and relax in the living spaces of the house. Guests will not be performing activities that are any different to those going on in the neighbouring houses.

It is unfair to assume that all visitors are party animals that will just get drunk and make noise all night. The vast majority of the guests that I hosted during the 8 months I operated were very well behaved and caused no incidents. In any case, I am including significant new measures in my management plan to filter out and deter party guests.

6. International and interstate guests are in keeping with the heritage fabric of the precinct - As described in the Brookman and Moir St Development Guidelines, *“the buildings ... are representative of working class rental accommodation from the late 19th Century”*. According to the State Heritage Register, *“Owner occupancy was, in fact 70 per cent in 1921. It dropped much lower during World War II but was well on the increase by 1980 and continued to climb back to 70 per cent in the 1990's.... The surnames on the WA Electoral Rolls indicate that many of the residents at the time were from migrant families.”*

The street has therefore always played host to recent arrivals, with a significant percentage of houses rented and not owner-occupied. My plan will market the property as a quality, family-friendly, heritage house with homely comforts in a residential street, with a higher-than-average price point for the area. Therefore, the target guests are expected to be of social class, values and characteristics that are completely compatible with the existing profile of residents in the street and in keeping with the historic profile of new arrivals to Perth that rented their first home in Moir St.

Final statement

I hope that the above information helps refine the debate around my application for change of use. As a final statement, I wish to say that I do understand the difficulty Council faces in balancing my application against neighbour concerns, heritage and social issues. However, I do not believe the situation in Moir St is so different to surrounding streets as to warrant a complete ban on short term rental, and that my proposal goes much further than a standard management plan in an effort to provide an adequate response to all the issues raised.

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Parking Management Plan for 8 Moir St Perth

Owner/Applicant Details	
Name:	Boaz Kogon
Address:	Contact details redacted for privacy purposes
Phone:	Contact details redacted for privacy purposes
Email:	Contact details redacted for privacy purposes
Applicant Signature:	

Property Details	
Lot Number:	Lot 38 and 110, Vol 1115, Folio 125
Address:	8 Moir St Perth 6000

Description of the premises and activity

8 Moir St Perth is a residential home (3 bedrooms, 1 bathroom) that has recently been adapted for short term rental. The three bedrooms are equipped with queen size beds and the property is therefore offered for a maximum of 6 tenants at any one time, although smaller groups (3-4 tenants) are common. The main target profiles are executive families or groups of professionals visiting Perth for work or leisure. The property is booked via reputable portals such as Airbnb or Booking.com with the average length of stay being 3 days.

The property has one off-street car bay. The front courtyard is fenced with a padlock gate, and has a path down the side of the house to the rear courtyard. Any number of bicycles can therefore be securely stored.

Parking Allocation	
Total Number Car Parking Spaces:	1 off-street parking space
Total Number Bicycle Parking Spaces:	5 – Fenced area with a locked gate can easily accommodate 5+ bicycles
Total Number Other Bays:	none

Persons accessing the property

Asides from tenants, the only other people who access the property are the property manager, the cleaner, and any tradesmen contracted to undertake maintenance (plumber, electrician, painter, etc).

Cleaning and maintenance are always scheduled when the house is empty, and cleaning always after any maintenance is complete. Therefore, cleaners and tradesmen always have the off-street parking bay available. Cleaning occurs after each tenant departs. Maintenance is scheduled as needed, but would typically be no more than once every other month.

The manager will on occasion be at the house to greet tenants, or will coincide with cleaners or tradesmen to inspect their work. These visits are always short (15-20 minutes), and the manager therefore parks on the street, as parking of less than one hour is permitted. The manager would typically visit the house in the order of once a week.

Development Type	Development Users	Parking Allocation			
		Type / Duration	No. Car spaces	No. Bicycle Spaces	No. Other Spaces
Temporary Accommodation (Short Term Dwelling)	Tenants	> 3 hours	1	5	0
	Manager	< 1 hour	1**	0	0
	Cleaners	< 3 hours	1*	0	0
	Maintenance	< 3 hours	1*	0	0

* Cleaners and maintenance are only scheduled when tenants are not at the property, hence the off-street parking bay is always available for them. Cleaners and maintenance are never scheduled together (cleaners are always scheduled to come once any work has been completed).

** On most occasions the Manager would visit to inspect the house and/or conduct maintenance. The Manager may occasionally coincide with tenants or cleaners, but this is only for very brief periods (e.g. 10-15 minutes) and occurs on average just once a week. In such cases the manager can park on the street nearby as parking of up to 1 hour without permit is permitted.

Other transport options

The central location of the house makes getting around without a car very easy. The house is just a short walk from various bus stops which are in the Perth Free Ride Zone, including the CAT line that goes through Northbridge. Perth central train station is only 10 minutes walk away. The entire neighbourhood is quite flat with good quality footpaths on all streets, and cycle paths available on several major roads nearby.

Tenants are informed of all these alternative transport options when they book the property and in their Welcome Pack upon arrival at the property. The property manager also provides tenants with additional details and assistance upon request.

Transport Option	Type & Level of Service
Public Transport	
Train	The property is 10 minutes walk from Perth central train station.
Bus	The property is in easy walking distance (200m) of the Perth City Free Transit Zone, with easy access to buses on William St (leading directly to the city centre and Busport) and the CAT routes that run through Northbridge. It is therefore very simple to connect through to anywhere in the Metropolitan area via public transport.
Pedestrian	
Paths	The roads around the property have good and secure footpaths, over flat terrain, with easy pedestrian access through Northbridge into the city centre. It takes just 10 minutes to walk to the central train station and 15 minutes to the Hay St Mall.
Facilities	-

Secure bicycle parking	The front courtyard of the property is protected by an iron railing fence accessed by a padlock gate. Tenants can request to use this area to securely store their bicycles (which can be chained to side railings or the tree). If they require further security, the bikes can be easily wheeled around to the back of the house where they are out of public sight. A large number of bicycles can be easily accommodated.
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Public Parking – not applicable as the property is not accessed by the public.			
On Street			
Off Street			

Parking management

The property manager is responsible for managing all aspects of tenant stays and house upkeep, including parking.

The experience to date is that the **vast majority of tenants have only one car**, and this may be parked on the property in the off-street parking bay. From January to August 2018 only 5 tenants requested information about parking a second car.

In the case where tenants have a second car, the agent provides a special information pamphlet that describes the parking rules in the streets around the house and gives recommendations for nearby paid parking options where the car may be parked for longer periods.

Tenants are very clearly informed that the second car may not be parked on Moir St, and in particular that parking on the verge is not permitted.

Tenants are informed of the parking limitations when making their booking, and are particularly asked if they plan to have more than one car. If they do, they are provided with the neighbourhood parking information and asked if this is acceptable. If not, they are offered the option to cancel their booking free of charge.

This policy therefore effectively filters for tenants who either have just one car, or in the case of tenants that have an additional car, that they understand and are happy to comply with local parking restrictions.

Experience has shown that tenants are very happy with local parking options. For example, Northbridge Central Carpark, just two streets away, is open 24/7 and is only 2 minutes drive and 3 minutes easy walk from the house. The rates are very reasonable (\$16/day during the week and \$8.50/day during the weekend) and are minor compared to the costs of renting the car and the house. There is therefore no reason to expect that tenants will hunt for a space on local streets and risk a high fine, when such a simple and affordable solution is just 2 blocks away.

The manager schedules all visits by cleaners or tradesmen, and these by their nature do not coincide with tenants being present, hence they always use the off-street parking bay.

Impact on neighbours

The parking impact on neighbours of the change of use of the property to short term dwelling is expected to be minimal. Prior to the change, when the property was rented out to long-term tenants, there were three individuals living at the house, with two cars permanently at the property and then additional cars needing parking when partners or friends visited, which occurred very regularly.

The change to short term dwelling has therefore **resulted in a significant reduction in parking pressure in the street**, reduced from 2+ cars at the property to 1 car, with only the occasional second car which must be parked in a nearby paid parking zone.

In case of any incident creating a negative impact on neighbours, all neighbours have been provided with a contact number for the property manager and requested to contact the manager immediately so that he may take appropriate action to resolve the issue.

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26 January 2018

Dear neighbour,

I am the **owner of 8 Moir St** and I am writing to advise you of a recent change to the type of tenant in the property.

For a number of years now I have been living overseas and the house was rented out long term, with tenants typically staying 2-3 years. Family members who still live in Perth have helped me manage the tenants.

However, in recent years we have experienced various problems; tenants not paying rent, the house and garden not being properly cared for, unauthorised pets kept at the house, even some violence leading to damage in the house. It has become increasingly difficult to manage the situation and furthermore, having the house rented long term means my family and I can't use it on our visits to Perth.

I have therefore decided to try converting to a **short-term rental** arrangement so that for a portion of the year I may live in the home, and the other portion it is rented on a daily/weekly/monthly basis. I have engaged a professional agent, ABODEBNB (www.abodebnb.com.au) who will manage the bookings and guests, ensure the house is professionally cleaned after each visit, and conduct regular maintenance on the house and garden.

The aim is to attract a high level of clientele. The advertisements will **specifically prohibit party groups, pets and extra visitors**, and will target professionals on business visits or families with children on holidays. In order to minimise any anti-social or other behaviours that may inconvenience our neighbours, we are developing systems and processes, including a code of conduct, information sheets and penalties for non-compliance, that guests will need to adhere to.

We commenced the process of upgrading the house for short term rental before Christmas and will be gradually refining things over the coming months.

We hope that this will work well, but **in case that any incidence occurs that disturbs you**, whether it be high levels of noise, anti-social behaviour, rubbish, parking, etc, I would ask you to **inform both the agent and myself immediately** so that we can take appropriate action. Our contact details are:

Agent: Contact details redacted for privacy purposes.

Owner: Contact details redacted for privacy purposes.

Your understanding of the situation and patience with any teething problems is much appreciated.

Yours sincerely,



Boaz Kogon

Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received	Officer Technical Comment:
<p><u>Submitter one</u></p> <p>No. 8 Moir Street has been operating a short term residence for a period of time.</p>	<p>Noted. The subject application has been lodged accordingly and is assessed against the relevant planning framework.</p> <p>It is noted no concerns or comments were raised prior to the application being formally advertised in accordance with the City's Consultation Policy.</p>
<p><u>Submitter two</u></p> <ul style="list-style-type: none"> • It is a heritage area and we feel the short term applications will destroy our community overtime; • The use of the property as a short term dwelling is inconsistent with the amenity and heritage values of the precinct; • The short stay use will erode the unique cultural heritage significance of the precinct by allowing the existing single house to be used for commercial purposes/commercial gain; • Allowing commercial uses such as short term dwelling within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique; • We object to the short term dwelling because it does not reflect the dynamic of community feel; • This short term dwelling is likely to set a precedent for others to contemplate doing the same and at the same time dilute the street feel of residential and the sense of community that has developed over the past 5-10 years; • The Moir and Brookman Street precinct is a closely knit community and it would be extremely unfortunate to have the positive community tenor compromised by continuation of the short term dwelling arrangement; • Owners and residents choose this area because of the history with heritage. Everyone tries to upkeep and uphold the heritage feel of the precinct and going to short term dwelling will prevent this ongoing upkeep. 	<p>The subject site falls within the Brockman and Moir Streets Development Guidelines and has been assessed against those requirements accordingly. It is noted the application proposes no structural changes to the existing building.</p> <p>The proposed development has also been assessed against the objectives of the Residential zone as defined by the City's Local Planning Scheme No. 2 (LPS2) and Policy No. 7.4.5 – Temporary Accommodation.</p> <p>As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The requirements of the management plans are to be strictly adhered to.</p> <p>For the reasons provided within the report, the application is deemed to satisfy those requirements and is therefore recommended for approval.</p>

Summary of Submissions:

Comments Received	Officer Technical Comment:
<p><u>Submitter three</u></p> <ul style="list-style-type: none"> • The area is fully residential. The concept of a short term dwelling changes the area to be semi commercial as a holiday house or short stay accommodation which will provide a completely different feel to the whole street; • We are concerned as to whether this type of dwelling is suitable for this neighbourhood; • If the proposal is approved, then it creates a precedence and more people may want to do this in the Brookman-Moir Precinct and this is not in keeping with the heritage character of the area; and • One of the aims of the heritage listing of the precinct is to encourage people to purchase properties and restore them to the original as much as possible. Converting houses to short-term stay dwellings is not in keeping with that character. 	
<p><u>Submitter four</u></p> <ul style="list-style-type: none"> • Parking is an issue on the street and having 6 people stay at any one time may create further parking issues. Vehicles may be parked on verges and over the footpath; • Reliance for on-street car parking for guests of the short term dwelling would have an adverse impact on the amenity of the locality and access to on street parking by the residents; • The guests may park illegally within Moir Street. It will provide pressure on the already limited amount of on-street parking, thereby penalising those residents who have removed on-site parking for heritage reasons; • The property is advertised online with free parking with no mention of the streets parking restrictions or that it only has 1 car parking bay onsite. With accommodation of 6 guests, it's conceivable some will have more than 1 car and it doesn't seem that parking permits are being used; and • Parking has become an issue as often there are 5 cars per booking. 	<p>In accordance with the Parking Management Plan, one off-street parking bay is available to guests of the dwelling. The owner / property manager will provide suitable parking locations to guests if they require an additional parking space, noting on-street parking along Moir Street will be listed as an unsuitable location.</p> <p>In addition to the above, the subject site is within close proximity to the public transport network thereby providing other options of transportation.</p> <p>It is considered the parking management plan adequately addresses the City's concerns relating to parking of vehicles associated with the site and is therefore recommended for approval.</p>

Summary of Submissions:

Comments Received	Officer Technical Comment:
<p><u>Submitter five</u></p> <ul style="list-style-type: none"> • The proposed use has the potential to adversely affect the amenity of the area as a result of excessive noise, caused by guests at the premises or going to and from the premises; • The existing short term dwelling is having a negative impact on the community of Moir and Brookman Streets which is a quiet residential area; • As a short term dwelling, the increase in late night noise as well as uber and taxi drop-offs can be heard by the surrounding property owners; • The street is very quiet and the short term dwelling may accommodate several different groups over a week that may invite parties. We have encountered several occasions where party noise has continued until 3.30am; • The driveway cannot accommodate a large vehicle and blocks up the footpath; • Check in time is 2pm-midnight and there is no one present to hand over keys which creates disturbance and noise during the night; • The community spirit will be compromised and the sense of community will be disrupted by short term dwelling occupiers; • Cracks are appearing in the driveways and kerbside nearing No. 8 Moir Street as vehicles coming in are sometimes vans/mini bus/ 4wd's to accommodate the people staying at the site. These cracks have impact on the heritage values of the street that everyone in the street has worked so hard to maintain to ensure we continue to be award winning internationally; • There has been an excessive amount of noise as many people use it as a party house. We live on a residential street and would like to be respected to have that comfort of our own house to use without having to worry about noise levels from parties all the time; 	<p>The subject site falls within the Brockman and Moir Streets Development Guidelines and has been assessed against those requirements accordingly. It is noted the application proposes no structural changes to the existing building. Notwithstanding, it is the owners responsibility to ensure the property is maintained. Notwithstanding, the Holiday House will operate similarly to the use of a dwelling (i.e. for the purpose of human habitation) and will therefore have no adverse impact on the heritage values or appearance of the streetscape.</p> <p>The proposed development has also been assessed against the objectives of the Residential zone as defined by the City's Local Planning Scheme No. 2 (LPS2) and Policy No. 7.4.5 – Temporary Accommodation.</p> <p>As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The requirements of the management plans are to be strictly adhered to.</p> <p>In addition to the above, owner is required to provide contact details of the owner and property manager to adjoining neighbours to ensure they can be contacted if necessary.</p> <p>The on-site parking bays complies with the relevant Australian Standards and is therefore sufficient to accommodate vehicle parking.</p> <p>With regards to vehicle movements within the street, all vehicles are required to comply with the road rules. Any issues relating to non-compliance with the road rules should be directed to WA Police.</p> <p>For the reasons provided within the report, the application is deemed to satisfy those requirements and is therefore recommended for approval.</p>

Summary of Submissions:

Comments Received	Officer Technical Comment:
<ul style="list-style-type: none"> • With a residential street, you are able to recognise neighbours and the coming and going of residents. However with short term stay, it is difficult to see if someone is breaking and entering the house as you can not recognise them. Northbridge already has a high crime rate and often the residents are on the lookout for each other to ensure that homeless and other strangers do not trespass into the properties; • There are many young children on the street and we have seen the short term stay people drive down the one-way street in an incorrect direction and many speed because they do not realise it is a residential street; and • Short term tenancies are well known for their unneighbourly behaviour and already before this proposal has been considered for approval, there have been incidents. We feel that it is unfair for people in the street to have to put up with this anti-social behaviour. 	
<p><u>Submitter six</u></p> <ul style="list-style-type: none"> • How does the online agent know that there are no more than 6 occupants or have the ability to control noise and other disturbances when the occupants are there for one night; • Information is required to detail how the managing agent will ensure there will not be an undue impact on long term residents due to a continuing revolving door of occupants; • Does the short term accommodation have emergency plans in place in case of a fire; • The proposal will cause ongoing issues that Council will not be able to effectively monitor. These are related to noise, rubbish collection and parking; and • We feel that there is very little the owner can do to ensure anti-social behaviour does not occur especially living overseas. 	<p>As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The management plan also details emergency procedures for guests of the premises. The requirements of the management plans are to be strictly adhered to.</p> <p>The owner has contracted a property manager to manage the property and guests. In addition, owner is required to provide contact details of the owner and property manager to adjoining neighbours to ensure they can be contacted at any time if necessary.</p>

Summary of Submissions:

Comments Received	Officer Technical Comment:
<p><u>Submitter seven</u></p> <ul style="list-style-type: none"> • The short stay may result in issues with rubbish and bins left on the street; • There is an issue with rubbish disposal. The weekly and fortnightly collections do not appear to meet the requirements of multiple occupancies during the relevant bin collection periods. It's been observed that bins can be left on the footpath for days before collection; • Rubbish bins do not get emptied on the correct days and tend to overflow; and • Due to the large number of people staying and going in the house already, there is a constant overflow to the bins. The recycle bin is used as a normal waste bin. The overflow of the waste spills onto the pedestrian footpath and roadside which disrespects the cleanliness of the heritage precinct that we all wish to upkeep. 	<p>As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The management plan also details emergency procedures for guests of the premises. The requirements of the management plans are to be strictly adhered to.</p> <p>Should waste become an issue, the applicant can contact the City to discuss waste options.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter.

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27/08/2018

Comments Received:	Comment:
<ul style="list-style-type: none"> No. 8 Moir Street has been operating a short term residence for a period of time. 	<p>We commenced short term rental operations in November 2017. In January 2018 we received notice from Town of Vincent that we needed to apply for a license, but that the policy of the city was to work with owners to facilitate this.</p> <p>At all times since then we have complied with city's instructions and have been diligently working on the license. When notified at the end of July that we needed to cease operations until the license was approved, we did so, at considerable cost and inconvenience due to the very short notice given (two weeks) which resulted in us having to cancel some 5 weeks worth of bookings.</p> <p>It should be noted that throughout 2018 we have been in regular contact with different staff at Vincent resolving many issues relating to the license which the staff themselves were not sure how to handle. This included Building and Planning, who initially informed that the change of use would imply a change of classification of the property and associated need to provide disability access. After many months of consultations and finally an opinion from the WA State authorities, this opinion was reversed and in August 2018 Vincent informed us that NO change of classification would be required.</p> <p>Similarly, it took months to resolve the issue of parking permits and what would happen once the change of use license was approved.</p> <p>Therefore, the delay in getting the license has been due to the inexperience on both sides in terms of what is required and how best to meet those requirements. The ability to keep operating whilst resolving these issues has been instrumental in allowing us to better understand the parameters of operating as a short term dwelling and to develop a much more comprehensive and viable management plan.</p>

<ul style="list-style-type: none"> • It is a heritage area and we feel the short term applications will destroy our community overtime; • The use of the property as a short term dwelling is inconsistent with the amenity and heritage values of the precinct; • The short stay use will erode the unique cultural heritage significance of the precinct by allowing the existing single house to be used for commercial purposes/commercial gain; • Allowing commercial uses such as short term dwelling within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique; • We object to the short term dwelling because it does not reflect the dynamic of community feel; • This short term dwelling is likely to set a precedent for others to contemplate doing the same and at the same time dilute the street feel of residential and the sense of community that has developed over the past 5-10 years; • The Moir and Brookman Street precinct is a closely knit community and it would be extremely unfortunate to have the positive community tenor compromised by continuation of the short term dwelling arrangement; • Owners and residents choose this area because of the history with heritage. Everyone tries to upkeep and uphold the heritage feel of the precinct and going to short term dwelling will prevent this ongoing upkeep; • The area is fully residential. The concept of a short term dwelling changes the area to be semi commercial as a holiday house or short stay accommodation which will provide a completely different feel to the whole street; 	<p>In response, I would like to highlight that:</p> <ol style="list-style-type: none"> 1. Heritage does not imply no change, merely that the change is managed and respectful of the history of the place. 2. The Moir and Brookman precinct has, for the vast majority of time since its construction, had a high percentage of rental properties, in particular to new immigrants. Therefore, offering the opportunity to foreigners to experience living in a house in Moir St is completely in keeping with its heritage. 3. The owners of houses in the precinct have benefited from public funding to renovate their houses, and have benefited in higher property values due to the huge public investments in tourist and public amenities in the vicinity. It is therefore unethical to seek to restrict access to the precinct only to owner-occupiers, as these investments were meant to provide benefit to the entire public. 4. The Heritage Council of WA has a published strategy for Heritage Tourism that specifically promotes making heritage buildings accessible to tourists, as these are of higher quality and spend more money than the average tourist. 5. Some of the received comments are xenophobic in nature, implying that all the residents of the street are perfect citizens in a perfect community, while short-term tenants would have only negative impacts. In fact, most tenants have been either Australians or foreigners, mainly families with kids, visiting friends or family in Perth. If the street community were truly reflective of the heritage of the area, they would be welcoming to such visitors and seek to benefit from interacting with them, instead of rejecting them as unwanted intrusions. 6. Operating as short-term dwelling is completely compatible with restoring and maintaining the house in accordance with its heritage quality. Evidence for this is abundant in Northbridge with heritage properties used for many different purposes. <p>I provide more detailed comments on these points below:</p> <p>Heritage in and of itself does not preclude the change of use of the property or a change in character of the street over time. In fact, it is this very evolution over time that defines the character of the street and its heritage value.</p> <p>The listing of Moir and Brookman streets in the Heritage Register reflect this:</p>
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<ul style="list-style-type: none"> • We are concerned as to whether this type of dwelling is suitable for this neighbourhood; • If the proposal is approved, then it creates a precedence and more people may want to do this in the Brookman-Moir Precinct and this is not in keeping with the heritage character of the area; and • One of the aims of the heritage listing of the precinct is to encourage people to purchase properties and restore them to the original as much as possible. Converting houses to short-term stay dwellings is not in keeping with that character. 	<p><i>the properties were originally constructed in 1987 for blue collar workers. By 1921, however, owner occupancy was only 70% (ie 30% were rented out) and the owner occupancy dropped much lower in WWI, only rising to 70% again in the 1990s! Surnames indicate that many of the residents were often migrant families, initially from Europe but later from Asia.</i></p> <p>Media reports following the heritage awards given to the precinct in recent years give more detail: The properties were originally built as a real estate project and let to blue collar workers who needed to live close to the city to save on transport costs during the heyday of the gold rush. But once the economic situation changed, the properties began to be sold off individually in the 1920s. The middle class residents moved out to the new suburbs and the precinct fell into disrepute and disrepair, providing cheap accommodation for poor migrants. This lasted through to the 1980s, when the redevelopment of Northbridge and the revitalisation of the city centre to the mining boom and increased tourism, combined with ever increasing commute times to outer suburbs, made inner city living attractive once again. Rising rents and real estate prices provided owners with the financial incentives to restore the houses and the City supported these efforts with Heritage grants in order to complement the other developments in adjacent zones, including the Northbridge entertainment district.</p> <p>The heritage value of the street therefore comes from all these historic <i>changes</i> in society, economic cycles, and city planning. Trying to “freeze” the situation of the street at a moment in time that suits some owners (but not others) is not consistent with the perspective of Cultural Heritage as a continuously evolving combination of tangible assets and intangible social and cultural aspects. In any case, for the vast majority of time since the properties were erected a significant percentage were rented out – the current dominance of owner-occupiers is NOT consistent with the historical use.</p> <p>Furthermore, one of the main objectives of Heritage Listing and Preservation is to make the heritage accessible to the general public and to tourists. This is reflected in WA’s heritage tourism strategy: http://www.stateheritage.wa.gov.au/about-us/education-research-events/heritage-tourism</p> <p>Restricting access to Moir and Brookman Street properties only to owner-occupiers would run directly contrary to this strategy. Making a number of</p>
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	<p>properties in the street available for short-term let to tourists would directly support the WA strategy! As stated by the WA Council Heritage website <i>"It is the desire to understand what makes a place special and unique that has fueled the growth in heritage tourism. Heritage tourists tend to stay longer, spend more, and seek out experiences in museums and art galleries, historical and heritage buildings, sites and monuments."</i></p> <p>The assertions in the received comments that short-term let is inconsistent with the heritage of the street or that heritage implies that the only use of properties in the street should be for long-term residents or owner-occupiers are therefore not valid.</p> <p>Also, it is inconsistent that owners who have directly benefited from the rise in local real estate values due to the tourism developments in the immediate vicinity, and have availed themselves of public funding for Heritage preservation that should be of benefit for the wider public, wish to shut themselves off from that public and those tourists and have exclusive enjoyment of the heritage character of the street. Rather than reject the short-term tenants as interlopers and unwelcome outsiders, the "community of the street" should be welcoming – Perth is not a party destination and the property is not marketed as a party house: most tenants are either Australian or foreign friends or relatives of Perth residents who are in the city visiting locals, or newly arrived immigrants who need to a short-let stay when they first arrive while they get settled. An example of the type of tenant we host is that the house was rented out for the whole month of February to an international acrobatic troupe brought in by the City to participate in the Perth Festival. One would think that a "community minded" street would welcome such tenants, displaying the heritage of the street and the community values they espouse, whilst enriching themselves in the process by interacting with the myriad cultures and perspectives of people from all corners of the world.</p> <p>Some neighbours have expressed this sentiment to us: our next door neighbour at number 10 has told us that she's met some very interesting people who have stayed at the house, and also was interested to be able to rent the house herself when her relatives from China come to visit, as it would be so handy to have them right next door. This embodies the cultural heritage of the street as a historical landing place for migrants.</p>

Comments Received:	Comment:
<ul style="list-style-type: none"> • Parking is an issue on the street and having 6 people stay at any one time may create further parking issues. Vehicles may be parked on verges and over the footpath; • Reliance for on-street car parking for guests of the short term dwelling would have an adverse impact on the amenity of the locality and access to on street parking by the residents; • The guests may park illegally within Moir Street. It will provide pressure on the already limited amount of on-street parking, thereby penalising those residents who have removed on-site parking for heritage reasons; • The property is advertised online with free parking with no mention of the streets parking restrictions or that it only has 1 car parking bay onsite. With accommodation of 6 guests, it's conceivable some will have more than 1 car and it doesn't seem that parking permits are being used; and • Parking has become an issue as often there are 5 cars per booking. 	<p>The fears on parking issues are unfounded and not substantiated by actual experience.</p> <p>8 Moir St has one off-street parking bay and we have until recently advised tenants on booking that they should let us know if they needed any extra parking, as we could provide them with a visitors permit to allow an additional car to park on-street. From January to August 2018, when we ceased AirBnB operations, only 5 tenants requested the permit to park a second car.</p> <p>We were recently advised by Vincent parking that we should not use the street parking permits in this way and once the change of use is approved they will in any case no longer be valid. So once we receive the license and are able to operate as AirBnB again, we will no longer offer the additional parking permit option. Instead, we will advise any tenants with an additional car that paid parking is available at Northbridge Central Parking, just 3 minutes walk from the house and at very affordable day rates. This is all detailed in the Parking Management Plan.</p> <p>The vast majority of tenants are families or groups of friends (numbering 4-6 people, often including young children) who rent a standard 6-seater SUV which can be readily parked on the property's off-street parking bay.</p> <p>In regards to the assertion that sometimes there are 5 cars per booking, this allegation is completely unsubstantiated. To our knowledge, no tenants have ever had more than two cars, and the vast majority (95%) have just one.</p> <p>It should be noted that when the property was rented out long-term and there were three independent adults living in the house, there were ALWAYS at least two cars belonging to the house and often additional cars from visiting partners/friends. The move to short term rental has therefore significantly reduced the parking pressure on the street associated with the property.</p> <p>Our position is therefore that operating as a short-term dwelling actually IMPROVES the parking situation and this is proven by the experience in the</p>

Comments Received:	Comment:
	<p>first half of 2018. The comments received from neighbours are not substantiated and speculate negatively with no basis.</p>
<ul style="list-style-type: none"> • The proposed use has the potential to adversely affect the amenity of the area as a result of excessive noise, caused by guests at the premises or going to and from the premises; • The existing short term dwelling is having a negative impact on the community of Moir and Brookman Streets which is a quiet residential area; • As a short term dwelling, the increase in late night noise as well as uber and taxi drop-offs can be heard by the surrounding property owners; • The street is very quiet and the short term dwelling may accommodate several different groups over a week that may invite parties. We have encountered several occasions where party noise has continued until 3.30am; • The driveway cannot accommodate a large vehicle and blocks up the footpath; • Check in time is 2pm-midnight and there is no one present to hand over keys which creates disturbance and noise during the night; • The community spirit will be compromised and the sense of community will be disrupted by short term dwelling occupiers; • Cracks are appearing in the driveways and kerbside nearing No. 8 Moir Street as vehicles coming in are sometimes vans/mini bus/ 4wd's to accommodate the people staying at the site. These cracks have impact on the heritage values of the street that 	<p>We acknowledge that it is not possible for us to fully control tenants and that some undesirable behaviours, noise in particular, may occur from time to time. However, we have progressively implemented management processes to mitigate these issues and deal with incidences rapidly on the rare occasions when they do occur.</p> <p>It should also be noted that noise and other anti-social behaviours are not limited to short-term tenants. Owner-occupiers and long-term rental tenants can also engage in anti-social behaviour, and unlike the case with short-term tenants who can be evicted and fined in very short timeframes, there is very little that can be done about a problematic long-term neighbour. The received comments imply that the street is currently a utopia with all neighbours living together in peaceful harmony...this is very much NOT the case and as a long-term owner of the property who resided there myself for many years during the 2000s, I can attest to incidents of vandalism between antagonistic neighbours, neighbouring tenants that played loud music at all hours of the night, and police being called for incidents of domestic violence. Neighbours often come home themselves late at night or have friends leave after dinner and movie and stand in the street talking, well past midnight. The onus on us as managers of a short-term dwelling is therefore to <i>manage</i> and <i>minimise</i> antisocial incidents, but not to <i>guarantee</i> a utopian perfection that doesn't currently exist in the long-term dwellings.</p> <p>The Management Plan provides full detail of the measures we will take to minimise disturbance to neighbours. These include:</p> <ol style="list-style-type: none"> 1. Clear messaging on all publicity for the property, and further reinforced when bookings are made, that partying and late night noise are strictly prohibited. And that only registered tenants, up to a limit of 6, may stay at the house. 2. Tenants have a bond deposited, and are informed that any violation of the noise and other house rules will result in an immediate fine being

Comments Received:	Comment:
<p>everyone in the street has worked so hard to maintain to ensure we continue to be award winning internationally;</p> <ul style="list-style-type: none"> • There has been an excessive amount of noise as many people use it as a party house. We live on a residential street and would like to be respected to have that comfort of our own house to use without having to worry about noise levels from parties all the time; • With a residential street, you are able to recognise neighbours and the coming and going of residents. However with short term stay, it is difficult to see if someone is breaking and entering the house as you can not recognise them. Northbridge already has a high crime rate and often the residents are on the lookout for each other to ensure that homeless and other strangers do not trespass into the properties; • There are many young children on the street and we have seen the short term stay people drive down the one-way street in an incorrect direction and many speed because they do not realise it is a residential street; and • Short term tenancies are well known for their unneighbourly behaviour and already before this proposal has been considered for approval, there have been incidents. We feel that it is unfair for people in the street to have to put up with this anti-social behaviour. 	<p>imposed, and if the issue is severe, their stay will be terminated with 24 hours notice.</p> <ol style="list-style-type: none"> 3. These rules are communicated at time of booking, and are also displayed in printed form inside the house. 4. All the neighbours have received a letter from us with contact details of the property agent, who may be contacted at any time of the day or night should any incident occur, so that he may react and deal with it immediately. 5. Once our license is approved, we will install a noise detection system, such as those provided by NoiseAware (https://noiseaware.io/features) or Roomonitor (https://roomonitor.com/product/sound-alarm/) that provide instant alerts to us when noise levels exceed pre-set limits. This will enable us to react to most issues even before being alerted by neighbours. 6. The experience operating for 8 months has shown that the majority of tenants are families with children, or professionals visiting/arriving in the city for work, and not party goers as claimed by the comments. 7. There have been only a very few incidents that were communicated to us by neighbours and these were dealt with immediately upon notification. It is incorrect to imply that noise/party incidents have been a regular occurrence. <p>In response to some of the other comments:</p> <ul style="list-style-type: none"> • Driving wrong-way down the street - this is a spurious comment. There is no proof that tenants are regularly driving the wrong way down the street. Most tenants use GPS which directs them appropriately. Furthermore, Perth residents frequently drive through the street looking for parking and the occasional person turning into the street the wrong way has ALWAYS occurred. I would observe it on occasion when I lived in the house in the 2000s. • Not recognising people / anti-social behaviour / community spirit compromised - I find these comments to be xenophobic, unfounded and unacceptable. The VAST MAJORITY of tenants are families, professionals or otherwise well-behaved, law-abiding citizens who have family, work or holiday reasons for visiting Perth. Neither Perth as a city, nor the character of the house, are typified by tourism of the "bachelor-party group of drunk hooligans" that these comments imply.

Comments Received:	Comment:
	<p>The description, fitout and pricing of the house is very much aimed at the family/professional segment of the market. Furthermore, this total rejection of anyone not living in the street as not part of the community is totally contrary to the ethos of Northbridge and its history as a migrant landing place and current status as tourism and entertainment district. I challenge the residents of the street to be welcoming and inclusive of visitors, rather than hostile, and see how their lives may be enriched by the interactions.</p> <ul style="list-style-type: none"> Cracks in the paving and kerb. This has nothing to do with the cars parking in the car bay, which are no larger than the cars historically at the house or in other similar bays in the street. The cracks that can be seen are due to subsidence - both neighbours (numbers 6 and 10) have had extensive work done recently to deal with subsidence, and I also have had to repaint to cover large cracks in interior walls, and have a plumber reconnect drainpipes that had disconnected due to movement. Once can see the significant subsidence in the paving stones of my driveway.
<ul style="list-style-type: none"> How does the online agent know that there are no more than 6 occupants or have the ability to control noise and other disturbances when the occupants are there for one night; Information is required to detail how the managing agent will ensure there will not be an undue impact on long term residents due to a continuing revolving door of occupants; Does the short term accommodation have emergency plans in place in case of a fire; The proposal will cause ongoing issues that Council will not be able to effectively monitor. These are related to noise, rubbish collection and parking; and We feel that there is very little the owner can do to ensure anti-social behaviour does not occur especially living overseas. 	<p>A fully detailed management plan is provided with this license application.</p> <p>The "online agent" is a real person, who lives in Perth and manages around 20 properties. He visits the property at least once a week, and his cleaners come at least immediately following each checkout and sometimes to do additional cleans when people stay more than a few days. If more than 6 tenants were to stay at the property, then a neighbour could notify the agent who could come round immediately to verify, and also the cleaners would see evidence based on the bedding used and rubbish produced.</p> <p>Tenants pay a bond upon booking and are clearly informed that any violation of rules, including excessive noise, number of tenants, damage to the property, undue mess and rubbish, etc will result in immediate fines being deducted from the bond.</p> <p>Should an incident occur and the agent, for whatever reason not be available, the owner's parents and brother all live in Perth within a 20-minute drive of the</p>

Comments Received:	Comment:
	<p>property and have historically dealt with any issues that arose when the house was rented long-term.</p> <p>As detailed above, if the short-term dwelling license is granted, we will invest in a noise detection device specifically designed for AirBnB properties that will send immediately email and sms alerts to the property manager and owner should noise exceed pre-set limits. The device also records a permanent log of noise levels, so can be used to identify the exact times that tenants check-in and checkout, go to sleep, etc.</p> <p>The house is wired with two smoke alarms (even though regulations only require one) and has a fire extinguisher and fire blanket. Evacuation instructions are included in the tenant welcome kit, as are emergency contact numbers for fire, police, ambulance, etc. These numbers are also posted on the refrigerator door. The house is a very simple structure, all on ground level with a clear exit at each end, so evacuation is straightforward and obvious. Furthermore, candles, smoking and other naked flames are prohibited and this is clearly notified in the house rules and when booking is confirmed.</p>
<ul style="list-style-type: none"> • The short stay may result in issues with rubbish and bins left on the street; • There is an issue with rubbish disposal. The weekly and fortnightly collections do not appear to meet the requirements of multiple occupancies during the relevant bin collection periods. It's been observed that bins can be left on the footpath for days before collection; • Rubbish bins do not get emptied on the correct days and tend to overflow; and • Due to the large number of people staying and going in the house already, there is a constant overflow to the bins. The recycle bin is used as a normal waste bin. The overflow of the waste spills onto the pedestrian footpath and roadside which disrespects the cleanliness of the heritage precinct that we all wish to upkeep. 	<p>We acknowledge that there were some issues with rubbish management when the agent first took over the property, but these have been dealt with by improving processes and creating checklists and training for new cleaners. Over the last 3-4 months of operation there were no rubbish issues.</p> <p>The procedures that are currently in place are as follows:</p> <ul style="list-style-type: none"> • Tenants are provided with clear instructions on how to dispose of rubbish, and that under no conditions should the outside bins be overfilled or rubbish left in the front yard or on the street. Failure to abide by this requirement can result in a penalty being deducted from the bond. • Additional bins have been purchased and placed in the shed in the rear courtyard. Should tenants or cleaners fill up the front bins before collection day, the extra rubbish is placed in these bins and the property manager will take it away for disposal. • Cleaners are trained in the appropriate rubbish to put in each bin, and have on their task checklist to ensure that the bins, front yard and footpath are clean and tidy.

Comments Received:	Comment:
	<ul style="list-style-type: none">Whereas previously it required to make a different arrangement each week to have the bins put out and brought in depending on whether cleaners were scheduled for that day, and this sometimes resulted in miscommunications that resulted in the bins not being moved appropriately, the current system is that a cleaner who lives nearby is paid a monthly fee to put the bins out the night before collection and bring them in during the day following collection. If she cannot do it for whatever reason then she notifies the agent who organises someone else to do it. This arrangement has completely solved the problem and now the bins are always moved according to council requirements. <p>It took some months of operation to understand the different volumes of rubbish that could be generated and to trial different arrangements for putting out and bringing in the bins. But the above described measures worked very well during our final months of operation and there should be no future incidents related to rubbish.</p>

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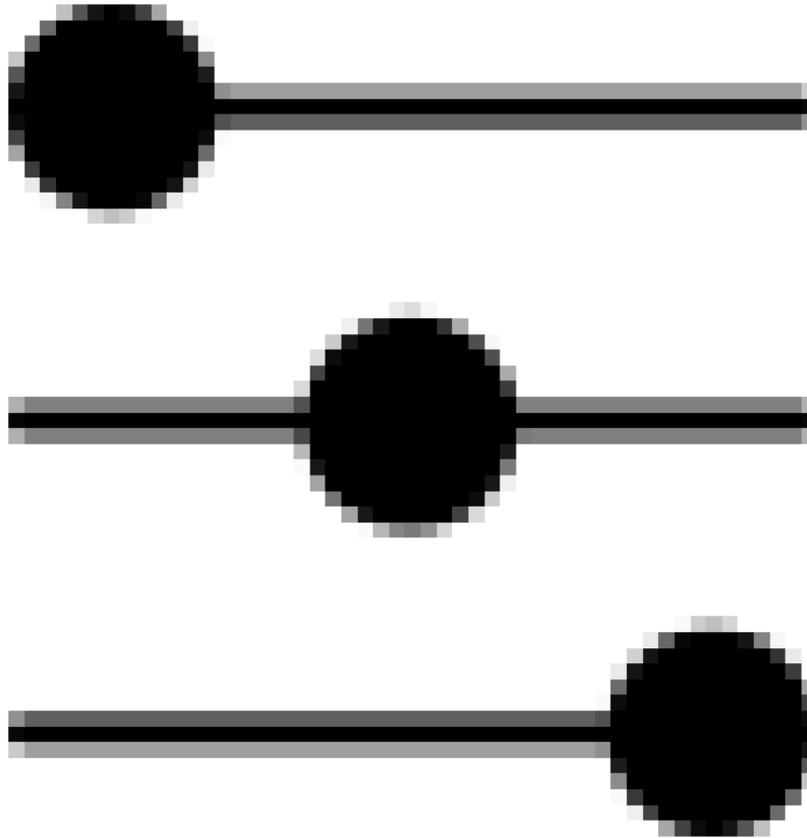
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Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Objection:	Officer Technical Comment:
Effectiveness of noise mitigation provisions and controls.	The applicant has proposed to install a noise detection device that provides alerts when noise levels are breached. The owner/property manager would then contact the tenant and order them to reduce noise.
Uncertainty about the effectiveness of the guest screening process.	The applicant has proposed to screen guests based on the information provided in response to the questionnaire. Guests can also be screened based on their reviews from previous stays at other Airbnb properties. It should be acknowledged that it is in the owner's best interest to engage tenants that would be respectful to the house and the property.
Inability to effectively control guests once checked-in.	The owner/property manager can communicate with the tenants via telephone or video communicator in order to attempt to control their behaviour that may be adversely impacting the amenity of the locality. This would be in response to noise breaches via the sound detector or complaints from neighbours.
Minimum 3 night stay on weekends does not prevent parties during the week.	It is acknowledged that the minimum 3 night stay would not prevent parties. The Code of Conduct prohibits parties from taking place at the premises. The owner has the opportunity to infringe tenants that breach the Code of Conduct and House Rules with bond deductions or eviction. This would deter guests from partying at the premises.
Uncertainty over the responsiveness of owner and management late at night/overseas.	The applicant advised that the owner and property manager would respond to complaints via telephone communication with the guests which is a reasonable method of communication. A video communicator is also proposed to be installed at the front door and in the rear courtyard to communicate with guests.
Uncertainty that bond deductions would deter tenant noise.	Provided the penalty is high enough, bond deductions are a reasonable method of infringing guests who breach the noise limits and deterring noisy behaviour from occurring in the first place.
Uncertainty that the provisions would actually be implemented.	The guests would be required to comply with the provisions of the Management Plan and Code of Conduct. Breaches of the provisions would have repercussions including bond deductions, eviction or negative Airbnb reviews which would tarnish their reputation.
Uncertainty that offences would be prevented from occurring and that the amenity of the locality would be protected.	It is acknowledged that offences and noise breaches would adversely affect the amenity of the locality at the time they occur. As outlined above, the proposed penalties are intended to deter tenants from breaching the provisions of the Management Plan and Code of Conduct and prevent disturbance to neighbours before it occurs. Similar to any ordinary residential dwelling, there is always a chance of noise from its occupants but in this instance there are repercussions for disruptive behaviour which are intended to prevent this behaviour from occurring in the first place and protect the amenity of the neighbourhood.

Note: Submissions are considered and assessed by issue rather than by individual submitter

Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the Applicant's response to each comment.

Comments Received in Objection:	Applicant's Comment:
<p><u>Effectiveness of noise mitigation provisions and controls.</u></p>	<p>The noise mitigation measures are more comprehensive and extensive than those employed by any other short term dwelling application already approved by Vincent. If other short term dwellings in the area are operating satisfactorily then there is no reason to expect that the measures in this proposal will not be at least as effective.</p>
<p><u>Uncertainty about the effectiveness of the guest screening process.</u></p>	<p>There is far more control over short-term guests than over long-term tenants. Short-term guests can be evicted within 24 hours, and their bond can be claimed for a much wider range of infractions (for instance, noise). A problematic long-term tenant takes many months to evict and meanwhile nothing can be done about their behaviour.</p> <p>During the last 13 years, the owner has had to deal with at least 5 very problematic tenants, one of which required court proceedings to resolve.</p> <p>The move to short-term dwelling does not, therefore, increase the potential for anti-social behaviour from tenants at the property. The screening process should keep out problem guests and then the control measures exist to deal with the very few that slip through the screening.</p>
<p><u>Inability to effectively control guests once checked-in.</u></p>	<p>During the 8 months that the property operated as short-term rental there was no comprehensive screening in place. Upon booking, guests were informed of house rules, including no parties, but no pro-active screening was performed. Despite this, there were only 3 reported problems during the 8 month period.</p> <p>There is therefore no basis for assuming that the property will attract a large number of party or otherwise anti-social guests.</p> <p>The new screening process requires prospective guests to upload photo IDs, fill a short questionnaire and then potentially answer</p>

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
	<p>further questions before being manually approved/rejected for booking confirmation. This is in addition to being able to check the potential guest's ratings on the booking platform and their social media profiles. Requiring these extra steps will firstly deter party guests from even going through the process and will give the owner/manager a lot more information upon which to screen.</p> <p>No process can provide a 100% guarantee, but the measures proposed are best practise as described by many articles on the web from professional AirBnB managers.</p>
<p><u>Minimum 3 night stay on weekends does not prevent parties during the week.</u></p>	<p>The screening process should in itself deter most party-seekers, and additionally it is very rare for any partying to occur mid-week (especially in Perth). But implementing a 3-night minimum during the week would exclude legitimate travellers, such as business people visiting for just 1-2 days of meetings, or country people coming to Perth for business or medical appointments, of which there are many. There is no evidence to suggest that a minimum 3-night stay during the week will have any effect except to make it more difficult to achieve midweek occupancy.</p> <p>Nevertheless, if council feels that this would be a necessary measure I am willing to implement it during the trial year.</p>
<p><u>Uncertainty over the responsiveness of owner and management late at night/overseas.</u></p>	<p>It is not possible to provide a 100% guarantee, nevertheless the coverage will be much greater and more effective than is currently in place with the long-term tenants (if current tenants throw a late-night party, the neighbours currently only have the option to call the police, who are limited in what they can do). Furthermore, the coverage will be as good as (if not better) than if the owner resided locally.</p> <p>The owner resides in Spain, and usually goes to bed at midnight, which is 6am Perth time, thereby giving coverage overnight. The owner is contactable by email and WhatsApp, as well as receiving the automatic alerts from the noise detection system.</p>

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
	<p>The manager is based locally and can give coverage during the day and into the evening.</p> <p>On receiving an alert or a complaint from a neighbour, both the owner and the manager can remotely activate the security cameras at the property to verify what is occurring and can contact the tenants via their registered contact number and via the house landline to resolve the issue.</p> <p>The cameras and noise detection system enable the owner/manager to immediately verify if a noise problem has been addressed. Other problems (parking, rubbish, etc) are very rare and in most cases not urgent and can be assessed by a physical visit that same day, or the day following if the hour is already late.</p> <p>Locally in Perth, the owner's brother and parents (retired) all live within 15 minutes drive of the property. If the manager is unable to act for whatever reason, then a member of the family can be called upon to go to the property.</p> <p>Should a noise/party incident occur late at night and there is no-one locally available to go to the property immediately, the management protocol requires that the police be called by the owner/manager. This will be the default action should it not be possible to quickly resolve the issue by directly contacting the tenants.</p> <p>It should be noted that the owner has been managing the property remotely for 13 years. During that period there have been multiple times when tenants have called with an emergency at night-time (Perth time), whether for locking themselves out of the house, a burst water pipe, no electricity, faulty alarm going off, etc. In all those situations the owner has had to contact local family members or 24-hour professionals to physically go to the property and resolve the issue.</p>

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
<u>Uncertainty that bond deductions would deter tenant noise.</u>	Bond is generally an effective deterrent, that is why it is used so universally. Someone looking for a "cheap party house" will be deterred by the relatively high rental and the high bond.
<u>Uncertainty that the provisions would actually be implemented.</u> <u>Uncertainty that offences would be prevented from occurring and that the amenity of the locality would be protected.</u>	The idea of the 1-year trial period is to demonstrate that the measures have been implemented and that they are effective. Furthermore, the owner requests that the start of the trial period be flexible to ensure that he has sufficient time to install all systems and put all management processes in place before commencing operation.

Note: Submissions are considered and assessed by issue rather than by individual submitter.

Determination Advice Notes:

1. This approval relates to a change of use from Single House to Unlisted Use (Short Term Dwelling) and shall operate in accordance with the definition of Short Term Dwelling as defined in the City's Policy No. 7.4.5 as the following:

'Short Term Dwelling means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.'
2. A separate application for approval will be required for any proposed change or addition of a different category of Temporary Accommodation under the City's Policy No. 7.4.5 to that approved under this approval.
3. This is a development approval issued under the City of Vincent Town Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
6. The applicant and owner are advised that the existing residential parking permits are invalid and that the City of Vincent will not issue any additional residential or visitor car parking permit to any owner or occupier of the Short Term Dwelling under Policy No. 3.9.3 – Parking Permits. Further information please contact the City's Rangers and Community Safety team.