



Airbnb welcomes the opportunity to make a submission in response to the Queensland Government's inquiry on the State Development, Infrastructure and Planning (Red Tape Reduction) and Other Legislation Amendment Bill 2014 (Bill).

Airbnb operates a trusted community marketplace where people can list, find and book unique accommodations around the world. We have a vibrant and fast-growing community in Queensland, which has hosted more than 21,000 guests over the past six months.

We know that Airbnb is being used by a growing number of Queenslanders and that our platform is injecting significant revenue into suburbs and towns throughout the state. Airbnb has thousands of listings of a variety of properties in diverse locations, reflecting Queensland's impressive offerings for leisure and business travellers.

Airbnb guests expressly desire to 'live like a local', and so their spending is typically concentrated in the local communities in which they are staying. This model offers exciting new opportunities for communities around Queensland to reach a growing cohort of domestic and international travellers.

Our hosts generally rent their own homes occasionally – when on vacation or traveling for work, or simply as a way to meet travellers from around the world. They are not running commercial enterprises. Rather, the supplemental income they earn helps hosts afford increasing costs of living, invest more in their homes, pursue new careers, pay off loans, and even avoid eviction and foreclosure.

One objective of the Bill is to address the issue of "party houses" which have become a significant concern for some communities in Queensland. Airbnb's community operates on principles of trust and respect. We believe that Airbnb hosts are courteous neighbours, while Airbnb guests generally treat hosts' properties with respect.

The unique features of the Airbnb platform operate to deter a guest from using a host's place as a party house. After a stay at an Airbnb listing, a host is able to leave a review about the guest. Our guests know that if they behave poorly and are negatively reviewed, their bookings will be less likely to be accepted by other hosts in future.

This system of hosts reviewing guests creates strong incentives for guests to treat their hosts' homes respectfully. We also encourage our community members to leave reviews, to reward good conduct and deter bad behaviours.

Airbnb is generally supportive of the objective of addressing the party house issue. We understand that the proposed legislation is not intended to prevent the owner of a residential dwelling from leasing their premises for short-term stays, or a property owner or tenant from hosting celebrations that do not affect neighbours. However, we believe that more specificity in the definition of “party houses” is needed to avoid any confusion or unintended consequences.

For example, the definition does not clarify whether a host’s home will be classified as a party house, if they rent their home for a weekend to a family who throw a family barbecue. Such confusion could be avoided by making the definition of a party house more specific. We would recommend that limb (a) of the definition of “party house” in Section 755A be amended along these lines:

*“(a) the premises, or any part of the premises, is regularly used by guests for parties, including, for example, bucks nights, hens nights, raves, wedding receptions or similar parties which are likely to create a significant nuisance for neighbours;” (underlined added)*

We further suggest that the legislation more explicitly spell out what would constitute "regular use" by guests for parties. For instance, the Bill or the regulation could include a provision to clarify that *“the premises, or any part of the premises, would be considered to be regularly used for parties, if it is used for a party 10 or more times in any continuous period of 12 months, or at least once per month over any continuous period of 3 months.”*

We also recommend that a “safe harbour” be established for hosts who can show that they had acted responsibly in all the circumstances. In other words, it should be a defence against any claim of breach of planning regulations by a host in operating a party house without the necessary planning consent or in a party house restriction area, if that host can demonstrate that he or she had taken reasonable steps to ensure that their guests do not use the properties in question for parties which create a significant nuisance for neighbours.

Adding clarity to the definition of “party houses” will reduce instances of misinterpretation, while still giving Councils the power to keep designated neighbourhoods free of party houses. Our proposal for a safe harbour will also give property owners and tenants the assurance and peace of mind that they can continue with this economically beneficial activity of short-term rentals, so long as they act responsibly in ensuring that their guests do not cause nuisance to the neighbours. The goal is to avoid any unintended curtailment of the positive benefits that short-term rentals bring to the Queensland visitor economy.

Best regards,

Mike Orgill  
Director of Public Policy, APAC  
Airbnb