



# YAMBA ILUKA REAL ESTATE

3<sup>rd</sup> October 2017

David Morrison  
Clarence Valley Council  
Locked Bag 19  
GRAFTON NSW 2460

Dear David

I refer to your letter dated 21<sup>st</sup> September 2017, in relation to the use of properties in the R2 Residential Low Density zoning as holiday lettings, and complaints that Clarence Valley Council have received in relation to this.

I would like to formally declare that my property at 1/8 Nabilla Court, Yamba is currently let on a short term holiday letting basis, as well as 3 – 6 month tenancies.

1 / 8 Nabilla Court, Yamba has been let on a holiday basis well before the 2011 Clarence Valley LEP was put into place, as the previous owner, also had this property under holiday letting. Yamba has been a holiday destination for decades, where property in the hill and urban area, have been holiday let to holidaymakers.

This is the very first time that I have been made aware of any complaints in relation to my property. I have not received any written complaints from Council nor any other person in relation to any problems with holiday guests or my property. On one occasion I received a phone call from the occupants of 10 Nabilla Court, about a noisy permanent tenant, and this complaint was acted upon immediately. I request that you please respond with particulars of the complaint you are referring to in your letter, and provide me a copy of same.

Due to the very confusing nature of the Clarence Valley LEP as it relates to Short Term Holiday Letting in its present state, and the lack of definition for Short Term Holiday Letting, I have engaged a legal representative to guide me through this issue.

Due to the extreme short notice of the upcoming holiday season, it is too late for me to be cancelling advance bookings. This would be extremely unfair, as these guests cannot be relocated at this late stage.

I am surprised to be in receipt of this correspondence, as on the 8<sup>th</sup> September, I was invited in the capacity of the Licensee of my real estate agency, to sit and discuss short term stays with three representatives from the council office, Ashley Lindsay, Des Schroder and yourself. After lengthy discussions, with not only myself but other agency principals from real estate offices, we were informed at this meeting, that you were seeking information to present to council, and that no further action would be taken until after the October council meeting. Therefore to be in receipt of this letter which places me under the threat of a fine of \$3,000 to \$6,000 is a serious concern. Several of my clients are also in receipt of this correspondence, which has caused considerable confusion and a great deal of anxiety.



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I am also aware that State Government is currently seeking submissions from stakeholders in relation to Short Term Holiday Letting. It is stated on the Planning NSW website "There is currently no consistent definition of STHL under the NSW planning system."

I am seeking a delay re the threat of a fine until such a time as further resolution in relation to this matter is found, as per your meeting with myself and others on 8<sup>th</sup> September.

I await your urgent reply.

Yours faithfully  
**YAMBA ILUKA REAL ESTATE**

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**Denise Gillies**  
**DIRECTOR / PRINCIPAL**