25 October 2017

Director,
Housing Policy,
NSW Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Sir

RE: Option Paper - Short-Term Letting in NSW.

We represent three Strata Schemes (120 apartments) at Cabarita NSW 2137, and are a part of Community Scheme DP270193 – Cabarita is located in the State Electorate of Drummoyne.

The area is residential only, under the Canada Bay LEP – it is not a tourist area.

The three Strata schemes are strongly opposed to any short-term holiday lettings in the Cape Cabarita Community Estate and each of our Strata Schemes have By-laws, passed by special resolution, which prohibits such activity.

*We are seeking that existing legislation be amended to give Owners Corporations the power for the owners to decide by a simple majority whether to allow short-term holiday letting or not in their buildings - subject to local zoning and any further restrictions imposed by local councils.*

The majority the residents in Cape Cabarita are owner/occupiers, it is our home, and as Cape Cabarita residents we share extensive amenities comprising gardens, tennis courts, swimming pools, gymnasium, spa and sauna, village green and barbeque facilities.

The option paper acknowledges there is a very clear difference between the impact of Short-Term Letting on free standing dwelling houses and strata properties. Cape Cabarita is a community estate that is completely unsuitable for Short-Term Letting due to many factors including extensive community amenities, the effect on our insurance, building security, additional building maintenance costs, parking issues and the detrimental effect holiday makers would have on our peaceful community. We do not want the majority of owners to be severely disadvantaged, socially and financially, by strangers having unfettered use of community facilities with all the problems that brings in terms of possible unruly behaviour, damage to facilities, additional maintenance costs and insurance complications. Further there would be the added responsibility for our Strata Committees of supervision of the activities of the Short-Term letters.
The Government cannot be expected to come up with a policy that is absolutely right for every different strata community. That is why it is vital that there are laws put in place by this government that will allow strata schemes to make their own decisions, by way of By-laws, as to the suitability or not of their apartment buildings for Short-Term Holiday Letting.

Some will say that such By-laws would place undue restrictions on individual lot owners. The reverse side of the argument is that the rights of a few owners and the impacts of their Short-Term Holiday Letting activities would have adverse impact on the overwhelming majority of owners whose own rights are impinged upon.

The potential options of Industry Self Regulation and Registration are seen as of no assistance and would only allow problems with Short-Term Holiday Letting to fester and grow unchecked. Therefore we do not support these options.

Your sincerely

Gary Forster
Chairman of Lexington & New Hampshire SP 65157

Bert Houston
Chairman of Chesapeake SP 63114

Patricia Bevan
Chairperson of Nantucket SP 61542