

**Submission
No 25**

ADEQUACY OF THE REGULATION OF SHORT-TERM HOLIDAY LETTING IN NEW SOUTH WALES

Organisation: Executive Committee of the Owners Corporation of [REDACTED]
[REDACTED]

Name: Mr Ralf Harding

Date Received: 22/10/2015

[REDACTED]

The Chair,
Adequacy of Regulation of Short Term Letting in New South Wales (inquiry).
Via website.

22 October 2015

Dear Sir/Madam,

Short term letting in Strata Plans

I write as Chair on behalf of the Executive Committee of [REDACTED], a residential apartment building of approx. 140 lots in Rushcutters Bay, Sydney, NSW. [REDACTED] has a majority of owner-occupiers.

Since commissioning in 2001 we have had standing by-laws prohibiting short term lets (under three months) at [REDACTED]. These by-laws have been legally scrutinised and updated twice in the last 5 years and then approved by the Owners at General Meetings. The updated by-laws were passed with strong support and we believe that they reflect the contemporary thinking and values of our owners. We have an ongoing programme of communication to our residents regarding this policy banning short term letting, noting that this policy specifically excludes Airbnb apartment letting.

While we appreciate that there may be very legitimate concerns about security, and the impact on neighbour amenity and common facilities, that may result from widespread short term letting, specifically such operations as Airbnb, we have no opinion as to whether there should be a relaxation or normalisation of regulations regarding short term letting across NSW. It is very important to note, however, that our position assumes that any change in regulation or legislation does not interfere with the rights of owners to dictate and control the rules within their own strata plans.

We believe that it is critical that the Owners of any strata plan should be able to set their own rules regarding short term letting provided that those rules comply with state and federal law and those by-laws are appropriately, legally and democratically decided by the Owners.

It is vital, therefore, that whatever decisions you might make regarding any change to regulations and/or legislation do not interfere with, compromise or over-ride the ability for strata plans to make their own rules regarding short term letting and the amenity and security of their own building.

I would be happy to make further submissions if that is considered helpful.

Ralf Harding
[REDACTED]