

From:
To: [Legislation Committee](#)
Subject: Submission in relation to Strata Title Amendment Bill 2018 (the Bill) to the WA State parliament Legislation Committee Inquiry
Date: Tuesday, 18 September 2018 9:03:48 PM

Submission in relation to *Strata Title Amendment Bill 2018 (the Bill)* to the WA State parliament Legislation Committee Inquiry

1. I support the amendments proposed by Dr Honey MLA for the reasons identified in Dr Honey's Briefing Note.
2. In respect of the Bill, I urge the Committee to ensure that the applicable local government,
 - a. has a significant role in any proposal and decision to terminate a strata scheme termination; and
 - b. in which a strata scheme is located is consulted and has a recommendatory role in relation to any:
 - i. subdivision or re-subdivision for the purpose of establishing any strata scheme;
 - ii. development applications including those heard by the JDAP;
 - iii. approval for modification of restricted use conditions; and
 - iv. zoning rules apply to short stay accommodation use proposals in a strata scheme and that the zoning provisions of the local planning scheme in relation to short stay accommodation land use prevail unless there has been a specific scheme amendment proposal undertaken through the local government as currently occurs for scheme amendment proposals by applicants.

Rationale in Support

1. Local government should always have a role in development decisions that have the capacity to adversely impact on the amenity of the locality and contravene the objects of the applicable local planning strategy and local planning scheme within which a new strata scheme is sought.
2. A short stay accommodation land use policy approach has not been recently addressed by the WA state government. Short stay accommodation land use, which has the capacity to ruin the amenity of strata scheme residents and the locality generally, is currently causing significant disputes in many local government areas. Many local governments have resolved the short stay issue in relation to their own needs and aspirations. The Bill should not provide an opportunity for short stay land use in any strata scheme without the approval of the local government and in compliance with the local planning scheme zoning requirements (and without a scheme amendment where the use is prohibited in a particular area of local government). For example short stay use in non-hosted homes in residential areas with high tourism demand such as in the Town of Cottesloe, or where there is significant fire risk from and to uniformed non-hosted visitors staying on farms or on large vegetated blocks in rural residential areas such as in the Shire of Augusta-Margaret River.

Sandra Boulter LLB
Current Town of Cottesloe Councillor