

REPORT TITLE: SHORT STAY ACCOMMODATION - PROPOSED AMENDMENTS TO THE HOBART INTERIM PLANNING SCHEME

REPORT PROVIDED BY: Manager City Futures
Acting Director City Life

1. Report Purpose and Community Benefit

- 1.1. This report has been prepared in response to Council's resolution (in part) of 23 August 2021 that:

Council pursue inserting one or more specific area plans into the Hobart Local Provisions Schedule that prohibit entire home short stay accommodation use (SSA) (excluding for 'secondary residences').

- 1.2. The report will benefit the community by proposing a planning scheme amendment that may help to mitigate negative impacts of short stay Visitor Accommodation.

2. Report Summary

- 2.1. The proposal is to amend the Use Table in each of the General Residential Zone, the Inner Residential Zone, and the Low Density Residential Zone to restrict the use 'Visitor Accommodation'.
- 2.2. The amendment to each Use Table is to add a specific qualification for Visitor Accommodation.
- 2.3. The qualification has the effect of restricting the use of Visitor Accommodation if the use is wholly for Visitor Accommodation within:
- a) a single dwelling; or
 - b) a dwelling
- and the single dwelling or dwelling is not an ancillary dwelling.
- 2.4. The proposed amendment is provided in Attachment A.

3. Recommendation

That:

- 1. Council endorse the draft amendment to the Use Table in each of the General Residential Zone, the Inner Residential Zone, and the Low Density Residential Zone for inclusion in the Hobart Interim Planning Scheme 2015 to restrict entire home Visitor Accommodation use (excluding for 'ancillary dwellings') in specified zones of the Hobart Interim Planning Scheme 2015 as detailed in Attachment A.***

2. ***Under section 35 of the former provisions of the Land Use Planning and Approvals Act 1993, Council certify that amendment PSA-22-1 to the Hobart Interim Planning Scheme 2015 meets the requirements of section 32 of the former provisions of the Land Use Planning and Approvals Act 1993 and authorise the Chief Executive Officer and Lord Mayor to sign the Instrument of Certification (Attachment A).***
3. ***Under section 38 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council place the amendment to the Hobart Interim Planning Scheme on public exhibition for a 28 day period.***

4. Background

- 4.1. At its meeting on 17 December 2020, Council resolved inter alia that:

A report be prepared on the possible amendments, and their merits, to the planning regulations to more appropriately control the number of private properties being converted to whole home short stay accommodation.

- 4.2. At its meeting on 9 February 2021, the Council resolved inter alia that:

- (a) A report be prepared on the possible amendments, their merits and potential consequences, to the planning regulations to implement the following recommendations made in the UTAS Report titled: Regulating Short-Stay Accommodation in Tasmania: Issues to consider and options for reform:

Recommendation 3: That the Tasmanian Government amend the current planning scheme to allow consideration of housing market conditions when making planning decisions.

Recommendation 4: That the current planning scheme include provisions so that it can respond to community-level housing needs in a timely manner.

- (b) Advice be prepared as to the merits and potential consequences of endorsing Recommendation 5 of the same report

Recommendation 5: That the Tasmanian Government establish a Housing Supply Forecasting Council to collect and analyse housing supply and demand drivers, including the impact of the SSA sector, and provide policy recommendations.

4.3. At its meeting on 23 August 2021, Council resolved as follows:

That:

1. Council pursue inserting one or more specific area plans into the Hobart Local Provisions Schedule that prohibit entire home short stay accommodation use (excluding for 'secondary residences').
 2. Council advocate to the Minister for Planning to issue a planning directive that immediately prohibits new permits for entire home short stay accommodation within the Hobart Local Government Area;
 3. Council advocate for statewide regulations, similar to those in New South Wales, that enable councils to make decisions about properties within their local government area; and
 4. Council advocate to the Tasmanian Government to form a 'Housing Supply Forecasting Council' in line with Recommendation 5 of the report *Regulating Short-Stay Accommodation in Tasmania: Issues to consider and options for reform*.
- 4.4. As per the resolution, the Lord Mayor, wrote to the Minister for Planning (Minister) on 12 November 2021 (Attachment B). The letter outlined the concerns of Council that the current Planning Directive 6 (PD6) allows for Visitor Accommodation in existing buildings of up to 200m² (unless part of a strata scheme with existing residential use) as a permitted use in most residential zones except those within Battery Point.
- 4.5. Furthermore, noting that PD6 precludes individual planning authorities from inserting more restrictive SSA provisions into the current planning instruments (the Hobart Interim Planning Scheme 2015 (HIPS) and the Sullivans Cove Planning Scheme 1997 (SCPS).
- 4.6. The Lord Mayor requested that the Minister issue a prohibition for new entire home SSA permits within the Hobart Local Government Area (LGA), which might be achieved by way of an interim planning directive, with immediate effect, issued under the *Land Use Planning and Approvals Act 1993*. This would allow for new short stay accommodation restrictions to be in force in the Hobart LGA significantly more quickly than would be possible through an amendment of the Hobart Local Provisions Schedule (LPS)
- 4.7. In response to the above request, the Minister advised via letter on 20 December 2021 (Attachment C) that '...I have no ability to issue an interim planning directive unless it is recommended to me by the Tasmanian Planning Commission.'
- 4.8. Further the Minister advised that:
- 4.8.1. '...it is also possible for your Council to seek an amendment to its Interim Planning Scheme and, if supported by the

Commission, a Planning Purposes Notice can be issued to 'relieve' the Scheme from the mandatory application of PD6.'

- 4.8.2. 'This has occurred on a number of occasions in relation to other planning directives. I understand that such an amendment to the interim planning scheme would be able to be transitioned through to the draft Hobart LPS.'

5. Proposal and Implementation

- 5.1. The proposal is to amend the *Hobart Interim Planning Scheme 2015* (the interim planning scheme) by inserting a new qualification for 'Visitor accommodation' in the Use Table in each of the General Residential Zone, the Inner Residential Zone, and the Low Density Residential Zone.
- 5.2. While Council's previous resolution referred to introducing one or more specific area plans, after further consideration of the potential mechanisms in the interim planning scheme, it is considered that adding a specific qualification for 'Visitor accommodation' to various residential zones is the most effective way to achieve the policy intent.
- 5.3. The qualification is to restrict the use of 'Visitor accommodation' if the use is wholly within:
- a) a single dwelling; or
 - b) a dwelling
- and the single dwelling or dwelling is not an ancillary dwelling
- 5.4. A 'dwelling' is defined in the interim planning scheme as:
- 'means a building, or part of a building, used as a self contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.'
- 5.5. A 'single dwelling' is defined in the interim planning scheme as:
- 'means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.'
- 5.6. Rather than use 'secondary dwelling', a term used in the State Planning Provisions (SPPs) and the LPS but not the interim planning scheme, the most relevant term in the interim scheme is 'ancillary dwelling' and defined as:
- 'means an additional dwelling:
- (a) with a floor area not greater than 60m²;

- (b) that is appurtenant to a single dwelling; and
 - (c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.'
- 5.7. The Hobart LPS is currently with the Tasmanian Planning Commission for consideration.
- 5.8. It is expected that the Hobart LPS will be finalised towards the end of 2022. When the Hobart LPS comes into effect, transitional arrangements means the term 'secondary residence' can replace 'ancillary dwelling'.
- 5.9. It is noted that the change to the Use Tables will only impact new uses. It is not possible to remove existing valid permits or operations.

6. Strategic Planning and Policy Considerations

- 6.1. The proposed amendment is consistent with the objectives of the Capital City Strategy Plan 2019-29, in particular with the following outcomes:
- 6.1.1. Hobart keeps a strong sense of place and identity, even as the city changes.
 - 6.1.2. Hobart's cityscape reflects the heritage, culture and natural environment that make it special.
 - 6.1.3. In City decision-making, we consider how different aspects of Hobart life connect and contribute to sense of place.
 - 6.1.4. Hobart is a place where diversity is celebrated and everyone can belong, and where people have opportunities to learn about one another and participate in city life.
 - 6.1.5. Hobart's economy is strong diverse and resilient.
 - 6.1.6. Hobart has a diverse supply of housing and affordable homes.
 - 6.1.7. Development enhances Hobart's unique identity, human scale and built heritage.
 - 6.1.8. Community involvement and an understanding of future needs help guide changes to Hobart's built environment.
 - 6.1.9. Hobart is a city of best practice, ethical governance and transparent decision-making.

7. Financial Implications

7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. None

7.2. Impact on Future Years' Financial Result

7.2.1. Resources have been diverted from other strategic planning activities to prepare and facilitate this amendment.

7.3. Asset Related Implications

7.3.1. None

8. Legal, Risk and Legislative Considerations

8.1. Under the former provisions of the *Land Use Planning and Approvals Act 1993* (the Act), planning scheme amendments must:

- seek to further the objectives set out in Schedule 1 of the Act;
- be prepared in accordance with State Policies; and
- be consistent, as far as is practicable, with the Southern Tasmania Regional Land Use Strategy 2010-2035 (the regional strategy).

8.2. The Objectives of the Act require use and development to occur in a fair, orderly and sustainable manner and for the planning process to facilitate economic development in accordance with other Schedule 1 objectives.

Objectives of the Act

8.3. Part 1 of the objectives of the Act state:

The objectives of the resource management and planning system of Tasmania are –

- a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- b) To provide for the fair, orderly and sustainable use and development of air, land and water; and
- c) To encourage public involvement in resource management and planning; and
- d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

- e) To promote the sharing responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.
- 8.4. It is considered that changing the Use Table would further objectives (a), (b), (c) and (e) of Schedule 1 of the Act for the following reasons:
- 8.4.1. The increased availability of dwellings for occupation by permanent residents rather than sporadic occupation, ensuring more efficient use of land and resources.
- 8.4.2. The increased availability of properties in the long-term rental market.
- 8.4.3. More visitors using hotel or serviced accommodation is likely to result in greater economic benefit locally, as these businesses will require additional employees, which in turn will result in flow on spending from the increased levels of employment of local residents thereby benefitting more local businesses.
- 8.4.4. The benefits to local business and communities from having additional permanent residents in local suburbs, thereby benefitting the sustainability of local businesses and smoothing the flow of funds into the local economy.
- 8.4.5. The proposal was initiated following concerns raised by Council, the community and organisations such as Shelter Tasmania.
- 8.5. It is considered that the proposed amendment is consistent with the State Policy on Water Quality Management 1997 and the State Coastal Policy 1996. The State Policy for the Protection of Agricultural Land 2009 is not relevant and neither are any National Environmental Protection Measures.
- 8.6. It is considered that the proposal is, as far as is practical, consistent with relevant strategic directions and regional policies of the *Southern Tasmania Regional Land Use Strategy 2010–2035* (STRLUS), as it will facilitate the retention of dwellings for residential use, reduce the need for development of greenfield land and result in a greater proportion of the population living in proximity to services and employment opportunities.
- 8.7. In particular, the proposal is consistent with STRLUS State Policy SRD 2 'Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability'.
- 8.8. Section 32(e) of the Act requires that planning scheme amendments must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area. As the amendment does not alter the underlying

zoning of land adjoining land zoned under another different planning scheme it is considered that this requirement is met.

9. Environmental Considerations

- 9.1. The draft amendment has been considered in terms of its impacts on the environmental values of the site.
- 9.2. SSA has an impact on the environment to the extent that it affects the location and distribution of tourism accommodation infrastructure and restricts the use of dwellings by permanent residents in more sustainable locations.
- 9.3. There is increasing evidence that the use of whole dwellings for SSA has an effect on housing in Hobart. Long-term renters and home buyers are channelled towards housing in outlying suburbs and neighbouring Local Government areas, potentially leading to the development of greenfield land, rather than renewal of existing urban areas. Accordingly, this can lead to increased levels of car use and associated traffic congestion, and increased emissions.
- 9.4. At the same time, SSA uses existing housing stock to support tourists, which may limit the need for hotel developments (and cause under occupancy of hotel accommodation) but consequently, simultaneously, increase the need for new housing development. All new housing development has an environmental impact.

10. Social and Customer Considerations

- 10.1. The proposed amendment is not considered to have any negative impact on social inclusion and is likely to result in some positive social impacts.
- 10.2. Restricting the use of whole dwellings for short stay visitor accommodation is likely to result in more dwellings being available in the long-term rental market.
- 10.3. More dwellings in the long-term rental market will facilitate increased access to housing for more people, in proximity to jobs and services.
- 10.4. It should be noted that many factors influence housing supply and affordability, not only short stay visitor accommodation; however, people already living in a more vulnerable situation without security of tenure (renting rather than owning) are in a more precarious position, as decreases in supply normally result in rent increases.
- 10.5. At the same time, regulating short stay visitor accommodation will have an impact on some prospective hosts, as (in the specified zones) they will no longer be able to purchase new properties or use a whole dwelling or single dwelling, for the sole purpose of providing short stay visitor accommodation.

11. Marketing and Media

11.1. There are no marketing or branding implications of this proposed amendment.

12. Community and Stakeholder Engagement

12.1. This report has been written in response to the Council resolution on 23 August 2021.

12.2. If the draft amendment is initiated and certified, amendment will be publicly exhibited for a period of 28 days. During this time, representations can be made to Council.

12.3. Following the closure of the exhibition period, a report will be prepared in response to the representations received for Council to consider. This report will be forwarded to the Tasmanian Planning Commission (the Commission) and form part of the draft amendment documentation.

12.4. If considered appropriate, hearings will be held by the Commission to discuss the representations and planning merit of rezoning the site. Following this, the Commission will make its decision.

12.5. In summary, there are several stages during the draft amendment process at which, the public may make comment.

13. Delegation

13.1. Delegation rests with the Council.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.




Sandra Hogue
MANAGER CITY FUTURES




Karen Abey
ACTING DIRECTOR CITY LIFE

Date: 16 March 2022
File Reference: F22/20739

Attachment A: Attachment A - Instrument of certification planning scheme amendment 22-1 ↓ 

Attachment B: Attachment B - Letter to Minister Jaensch MP - Short Stay Accommodation in Hobart ↓ 

Attachment C: Attachment C - Letter from Minister Jaensch to Lord Mayor
Councillor Anna M Reynolds - Short Stay Accommodation in
Hobart  ↓



HOBART INTERIM PLANNING SCHEME 2015

PSA-22-1 AMENDMENT INSTRUMENT OF CERTIFICATION

It is hereby certified that draft Amendment PSA-22-1 to the Hobart Interim Planning Scheme 2015 meets the requirements specified in section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993*.

The Common Seal of the Hobart City Council is fixed hereon, pursuant to Council's resolution of 28 March 2022 in the presence of:

..... Chief Executive Officer

..... Lord Mayor

Date:

AMENDMENTS TO THE PLANNING SCHEME ORDINANCE

Amendment PSA-22-1

Amend sub-clause 10.2 Use Table under clause 10.0 General Residential Zone by inserting a new qualification for the permitted Use Class ‘Visitor accommodation’, as follows:

Visitor accommodation	Except if the use is wholly within: (a) a single dwelling; or (b) a dwelling and the single dwelling or dwelling, is not an ancillary dwelling.
-----------------------	--

Amend sub-clause 11.2 Use Table under clause 11.0 Inner Residential Zone by inserting a new qualification for the permitted Use Class ‘Visitor accommodation’, as follows:

Visitor accommodation	Except if the use is wholly within: (a) a single dwelling; or (b) a dwelling and the single dwelling or dwelling, is not an ancillary dwelling.
-----------------------	--

Amend sub-clause 12.2 Use Table under clause 12.0 Low Density Residential Zone by inserting a new qualification for the permitted Use Class ‘Visitor accommodation’, as follows:

Visitor accommodation	Except if the use is wholly within: (a) a single dwelling; or (b) a dwelling and the single dwelling or dwelling, is not an ancillary dwelling.
-----------------------	--



OFFICE OF THE LORD MAYOR
HOBART TOWN HALL

The Hon. Roger Jaensch MP
Minister for Local Government and Planning
Via Email: Minister.Jaensch@dpac.tas.gov.au

Dear Minister

I am writing to seek your support in controlling the number of private properties within the Hobart Local Government Area (LGA) being converted to whole home Short Stay Accommodation (SSA) through:

- the issue of an interim planning directive that immediately prohibits new permits for entire home SSA within the LGA;
- the introduction of new state-wide regulations.

At its meeting on 23 August 2021, following the provision of a report on Short Stay Accommodation prepared by council officers, the Council resolved inter alia that it would advocate to the Minister for Planning to issue a planning directive that immediately prohibits new permits for entire home short stay accommodation within the Hobart Local Government Area, and that it would advocate for state-wide regulations, similar to those in New South Wales, that enable councils to make decisions about properties within this local government area.

Demand for and availability of housing within the Hobart Local Government Area

Hobart continues to see unprecedented demand for housing, despite Council's record dwelling approval numbers in recent years. Hobart has a low vacancy rate for rental properties, documented as at just 0.6 per cent, well below the healthy benchmark rate of 3.0 per cent provided by the Real Estate Institute of Australia.

Research has shown that Hobart has a higher density of AirBnB listings as a proportion of the overall rental market than any other city in Australia and has one of the highest densities of AirBnB in the world. There is a concern that at least some of these properties may be suitable for long-term rentals. With low rental vacancies, this is an important consideration.

Cont../

-2-

Planning Directive 6

The current Planning Directive 6 (PD6) allows for Visitor Accommodation in existing buildings of up to 200m² (unless part of a strata scheme with existing residential use) as a permitted use in most residential zones except those within Battery Point.

PD6 precludes individual planning authorities from inserting more restrictive SSA provisions into the current planning instruments (the Hobart Interim Planning Scheme 2015 (HIPS) and the Sullivans Cove Planning Scheme 1997 (SCPS)).

Prohibition of new entire home SSA permits within the Hobart Local Government Area

The issue of an interim planning directive prohibiting new entire home SSA permits would allow for new SSA restrictions to be in force in the Hobart LGA significantly more quickly than would be possible through an amendment of the Hobart Local Provisions Schedule (LPS) as the LPS is not due to come into effect until around the end of 2022.

An interim planning directive may be issued with immediate effect under the *Land Use Planning and Approvals Act 1993* (LUPAA).

Under the prohibition, an entire home should be defined as any dwelling, as defined under the HIPS, including apartments but excluding ancillary dwellings.

The types of SSA that could be excluded from such a prohibition should include:

- letting of a primary place of residence while the occupants are temporarily absent
- letting of rooms in a primary place of residence while the owner or occupier is present
- letting of ancillary dwellings while the owner or occupier is present on site

I ask you to issue a prohibition for new entire home SSA permits within the Hobart Local Government Area, which may be achieved by way of an interim planning directive, with immediate effect, issued under the *Land Use Planning and Approvals Act 1993*.

Introduction of new state-wide regulations

In addition to a new, interim planning directive, I ask you to consider implementing more detailed state-wide regulations, similar to those recently introduced in New South Wales. The New South Wales regulations include the following:

- requirements for property owners to meet a range of obligations relating to insurance, safety and evacuation;
- penalties for non-compliance;
- a by-law that Councils can choose to adopt that sets a limit on the number of days SSA premises can operate within a year;

Cont./

• -2-

- changes to strata legislation to allow strata schemes to opt-in to a by-law that restricts SSA;
- a public register of all SSA premises run by the state government.

I appreciate your support in these matters and look forward to hearing from you soon.

Yours sincerely



Councillor Anna Reynolds
LORD MAYOR

Friday 12 November 2021

Minister for State Growth
Minister for Environment
Minister for Climate Change
Minister for Local Government and Planning
Minister for Aboriginal Affairs
Minister for Heritage

Level 9, 15 Murray Street, HOBART TAS 7000
GPO Box 123 HOBART TAS 7001
Ph: +61 3 6165 7670
Email: minister.jaensch@dpac.tas.gov.au



20 DEC 2021

Councillor Anna Reynolds
Lord Mayor
Hobart City Council
Email: lord.mayor@hobartcity.com.au

Dear Lord Mayor,

I refer to your recent letter expressing concern at the conversion of private properties within the Hobart Local Government Area (LGA) to whole home Short Stay Accommodation (SSA), and your request that I issue an interim planning directive to prohibit new permits for entire home SSA within the LGA and also introduction new state-wide regulations.

Firstly, I would like to express my disappointment with your statement that the Hobart Local Provisions Schedules (LPS) are not due to come into effect until around the end of 2022. Ten Councils' Local Provisions Schedules are already in effect, and I am advised that the vast majority of the other councils across our State will be operating in accordance with the Tasmanian Planning Scheme by the middle of 2022. I encourage Council to prioritise the finalisation of its LPS.

I also note that the current regulatory settings for SSA under Planning Directive No.6 (PD6) were based on almost identical planning scheme provisions operating in the Hobart Interim Planning Scheme 2015 and many other interim planning schemes across the State, which provided for a permitted change of use for entire houses to visitor accommodation.

With respect to the issuing of an interim planning directive, I am advised that I have no ability to issue an interim planning directive unless that is recommended to me by the Tasmanian Planning Commission.

I understand that any person including a planning authority, may prepare a draft planning directive at any time and lodge it with the Commission. Should this be the way your Council wishes to proceed, I would suggest that you prepare and submit such a draft planning directive to the Commission for consideration, and frame it to specifically address your Council's concerns.

The Commission must consider a request under the former s.10 of the *Land Use Planning and Approvals Act 1993* and provide me with a recommendation on whether or not an assessment of a draft planning directive should be undertaken. The Commission may also recommend that it be given effect immediately as an interim planning directive.

MIN21/39011
DOC21/136549

2

I am advised that, it is also possible for your Council to seek an amendment to its Interim Planning Scheme and, if supported by the Commission, a Planning Purposes Notice can be issued to 'relieve' the Scheme from the mandatory application of PD6.

This has occurred on a number of occasions in relation to other planning directives. I understand that such an amendment to the interim planning scheme would be able to be transitioned through to the draft Hobart LPS.

I also understand that it is also possible for Council to seek variations to the State Planning Provisions through the development of its draft LPS, which could place controls on SSA in the broader Hobart LGA in a manner similar to those introduced for the Battery Point and Wapping Areas through PD6.

With respect to the requests that I consider implementing regulation to include the following controls:

Requirements for property owners to meet a range of obligations relating to insurance, safety and evacuation

In regard the safety of a property, I refer you to the [Director's Determination – Short or Medium Term Visitor Accommodation](#) made pursuant to the *Building Act 2016*, which specifies requirements and obligations in respect of premises used or intended to be used for short or medium term visitor accommodation in the State.

I am advised that penalties may apply where persons are found to contravene the Determination, pursuant to the Building Act.

I also understand that Consumer, Building and Occupation Services, within the Department of Justice, has implemented an auditing regime designed to ensure the safety of people who choose to use visitor accommodation in the State.

Mandatory insurance

While this is not a matter related to planning, I am advised that most landlord insurance policies incorporate a public liability component to cover instances where a landlord is found to be legally liable.

I am also advised that many insurance companies now specifically advise that parts of houses used for SSA are not covered automatically by the normal house insurance.

A by-law that Councils can choose to adopt that sets a limit on the number of days SSA premises can operate within a year

I understand that as Minister for Local Government I may make model by-laws for adoption by councils.

However, in doing so I am advised that I would need to be satisfied that it does not contravene the restrictions under s.150 of the *Local Government Act 1993*, specifically in regard to not being in conflict with a planning scheme in that municipal area.

If Council wishes to pursue controls on SSA through the planning scheme, or a planning directive, then it would appear unnecessary to also implement potentially contradictory regulation through a by-law.

Changes to strata legislation to allow strata schemes to opt-into a by-law that restricts SSA

I am advised that under the *Strata Titles Act 1998*, body corporates already have a capacity to limit the use of SSA by making provision for the use and enjoyment of lots covered by the strata scheme.

3

Furthermore, I understand that PD6 provides that where a block of units include any lots used for residential purposes, any use of a lot for SSA is deemed a Discretionary use.

A public register of all SSA premises to be run by the State government

It is my view that such a register is not required, given that councils are already able to access SSA information where required. It would only introduce a regulatory system that would effectively duplicate the various planning, building and other regulations already in place.

Thank you for your correspondence.

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a horizontal line extending to the right.

Hon Roger Jaensch MP
Minister for Local Government and Planning