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20 April 2022

Sunshine Coast Regional Council

Attn: Mr Marc Cornell

Via email:

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Dear Marc

**Re: Letter of support for Body Corporate submission regarding short-term letting at Drift by Mosaic**

The matter of short-term accommodation/letting at Drift by Mosaic as per the application MCU22/0105 has been brought to OSCAR's attention. We appreciate that this matter is code-assessable and therefore the community has no right of appeal, however, we consider that several matters of wider import are related to this application and process. As such, we wish to write in support of the very detailed, well-researched and evidenced-based submission made by the Drift by Mosaic Body Corporate (BC).

As you would be aware, OSCAR is strongly supportive of transparency and certainty in relation to Planning Scheme development, implementation, amendment and compliance.

Key issues highlighted by this application include:

- short term accommodation
- parking
- creeping approvals and
- process.

Short term accommodation (STA)

The issue of STA has been raised by the community with reference to the development of the new Planning scheme 2024. In fact it was considered of sufficient importance to be listed as a "hot topic" in the recent community consultation process. This MCU and the objections raised by the Body Corporate highlight the requirement for adequate provision of active management and appropriate facilities required to support STA in a multiple dwelling buildings including:

- requirement for reception or onsite management to receive and manage guests
- suitable in-building facilities to accommodate short term guests without placing a privacy or maintenance burden on long term residents.

As we know well in Coolum and most of the Sunshine Coast residential accommodation, particularly rental properties are in short supply. At a recent presentation to Councillors and Strategic Planning officers – we posed the question "what research has been undertaken by SCRC to determine the impact of STA on the housing crisis?" Clearly this application at Drift by Mosaic is such an example.

## Parking

Parking is another matter highlighted by council for attention during the by PS review. STA accommodation and approvals place pressure on surrounding parking provisions as in this instance, which in turn impact other residents in a premise and/or the community generally particularly where there is no onsite management at the premises to control use of allocated and visitor carparks.

## Creeping approvals

In a recent presentation to Councillors and Strategic Planning Officers OSCAR and a previous meeting with Strategic Planning in 2021 we raised the issue of "Creeping approvals" where changes are made to an original approval, often through code assessment which in effect is changing the intent of the original approval without the public interest test being applied.

We understand in the case of Drift by Mosaic that short-term accommodation was precluded in the original approval process as outlined in the BC submission:

*All the owners who bought off the plan from the developer, Mosaic, were told by the salesperson that Drift would not be able to be used for short-term holiday letting, due to its post-2014 approval precluding Short Term Accommodation (STA) use of apartments. The purchasers relied on this statement, and Council's subsequent approval of Drift for long-term residential accommodation use (3 months or more), when making their decision to buy an apartment here.*

While the DA process is to further development, there appears to be a clear case in this instance of the application being against the wishes and amenity of the majority. It is a community expectation that the PS balance favours delivering the outcomes of current development approval conditions in the interests of a majority in preference to amending conditions in the interest of a few. If this balance is not found in the PS then it is surely a matter to be addressed in the upcoming review.

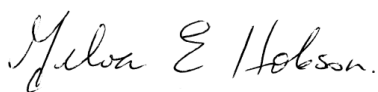
## Process

OSCAR is not in a position to review legal implications but the appearance of processing an application that to a lay person appears to be subject to potential breach of contract matters would seem inappropriate.

In conclusion, OSCAR supports the Body Corporate of Drift by Mosaic in their opposition to such an approval. Any such approval as requested in this MCU should not be considered until after SCRC has considered the impact of STA on long-term residential accommodation availability, the rights of residents who buy in a property on the basis of a set of rules which by 'creep' are changed thus potentially changing the character of the entire site and liveability within that community.

OSCAR hopes that this letter adds a community view to the process.

Yours sincerely



Melva Hobson PSM  
President  
OSCAR  
(Organisation Sunshine Coast Association of Residents)