

Legislative Council



MEDIA RELEASE

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Legislation Committee Report into Strata Titles Amendment Bill 2018 – Termination of strata titles schemes

The Standing Committee on Legislation tabled its report on the Strata Titles Amendment Bill 2018 in the Legislative Council today.

The key policy objectives of the Government in introducing Part 12 of the Bill dealing with the termination of strata titles schemes are:

- the revision of the process of terminating a strata titles scheme to facilitate redevelopment of strata land in light of the ageing of strata scheme buildings in Western Australia and increasing investment by owners in their maintenance
- to overcome the shortcomings of the current law governing the termination of strata titles schemes.

One of the main initiatives of Part 12 is the introduction of a majority termination process where unanimous support is not obtained for the termination of a scheme. This will apply to schemes of five lots or more and where the number of votes cast in favour of the proposal is at least 80% of the total number of lots in the scheme. This process provides various safeguards for owners and others with an interest in strata titles lots, including a fairness and procedural review by the State Administrative Tribunal.

The Committee received evidence of a broad range of issues arising from Part 12, revealing a range of opposing views. Some stakeholders expressed a number of concerns, including its impact on the property rights of strata lot owners. Other stakeholders were supportive of the reforms as representing an appropriate balance between the interests of owners wishing to terminate strata schemes and those who do not support a termination.

While being generally supportive of the policy behind Part 12 and the processes it provides, including the various safeguards, the Committee has expressed concern that some safeguards for owners and vulnerable people in relation to advice and representation are not

currently located in Part 12, with no legislative guarantee that they will be provided, despite references in explanatory material and evidence to this inquiry.

The Committee has made recommendations it believes will further enhance the safeguards for those subject to a termination process.

For media inquiries, contact Hon Dr Sally Talbot, Chair on 0409 339 039.

Other inquiries to Ms Maddison Evans, Committee Clerk on (08) 9222 7404.

The report can be downloaded from <http://tinyurl.com/y8ursjdz>.

Hon Dr Sally Talbot
Chair