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**The Hon Terry Redman MLA  
Minister for Regional Development; Lands;  
Minister Assisting the Minister for State Development**

Our Ref: 39-26963  
Your Ref: Petition No 39

Hon Simon O'Brien MLC  
Chairman  
Standing Committee on Environment and Public Affairs  
Parliament House  
PERTH WA 6000

Dear Simon

**PETITION NO 39 – LICENSING OF STRATA/CARAVAN PARK MANAGERS**

Thank you for your letter of 26 June 2014 (Letter) requesting comment on three issues concerning Petition No 39 – Licensing of strata/caravan park managers (Petition).

Dealing with each of the issues in turn:

**The terms of the Petition**

The Petitioner (who is not identified) says that strata managers should be licensed and that WA is one of a few States in Australia where strata managers are not licensed. Landgate advises me that the Department of Commerce is conducting a Regulatory Impact Assessment (RIA) process with the Regulatory Gatekeeping Unit of Department of Finance on the issue of licensing of strata managers. The outcome of the RIA process is awaited. Landgate further advises me that its research into licensing of strata managers indicates that there is no uniform approach to licensing of strata managers in the other States and Territories.

The Petitioner also advocates that minutes from annual general meetings should accompany all documentation lodged by strata companies at Landgate for verification. Landgate advises me that the Registrar of Titles (Registrar) has not generally required supporting evidence such as minutes of meetings to be provided in respect of documents lodged by strata companies. The Registrar has the function of registering documents that are in registrable form. The strata company, not the Registrar, is responsible for ensuring that the strata company's internal procedures are complied with (eg. relevant meetings, resolutions etc.) before a document is lodged at Landgate. Neither the Registrar nor Landgate has been made aware of any substantial abuse by strata companies in respect of documents lodged at Landgate that would cause the Registrar or Landgate to review the process by which strata companies lodge documents.

**The current status of the review of the *Strata Titles Act 1985* (STA) and if the review will encompass the role of strata managers**

To avoid any possible misconception about the scope of the strata title reforms, Landgate advises me to inform you that the strata title reform process is not a wholesale review of the STA. There are four main streams of reform, one of which is the regulation of strata managers (the licensing option being excluded at this stage pending the outcome of the RIA process being conducted by the Department of Commerce). Reform proposed includes definition of the role of the strata manager, prescribing key terms and conditions of contract between the strata company and strata manager (for example length of term, holding of strata funds, accounting for funds, record keeping requirements, dealing with conflicts of interest and receipt of commissions) and providing for disputes to be brought to the State Administrative Tribunal.

**Expected timeline for completion of the review of the STA**

Landgate advises me that the STA reform process is at the stage of Discussion Papers being written on the key areas of reform before being made available on the Landgate corporate website and provided to stakeholders for comment. The consultation phase is scheduled to be completed by the end of 2014 following which there will be a RIA process for the reform proposals before drafting instructions can be presented to Parliament with a request to draft a Bill to reform the STA. It is currently intended to have a Bill passed by Parliament in 2016.

Should you require further information or clarification on any point in this letter please contact Alison Fleming, Lead Lawyer STAR Project on 9273 7022 or email [alison.fleming@landgate.wa.gov.au](mailto:alison.fleming@landgate.wa.gov.au).

Yours sincerely



HON TERRY REDMAN MLA  
MINISTER FOR LANDS

21 JUL 2014