

10 June 2019

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Via email: StrataTitlesActReform@landgate.wa.gov.au

Dear Sean

Leasehold Schemes, Scheme Plans and Miscellaneous

Thank you for the opportunity to provide feedback in relation to the above *Discussion Paper*. The Urban Development Institute of Australia (UDIA) WA is the peak body representing the property development industry in Western Australia. UDIA is a membership based organisation with members drawn from the residential, commercial and industrial property development sectors. UDIA members include both private and public sector organisations. Our industry represents approximately 12.7% of Western Australia's Gross State Product, contributing \$31.7 billion annually to the Western Australian economy and \$264.98 billion nationally. As well as helping to create sustainable and liveable communities, the industry employs a total of 215,100 Western Australians and 2.044 million Australians across the country.

The Institute wishes to reiterate its support for strata reform and greatly appreciates the inclusive consultation process that Landgate has adopted. Having reviewed the draft Parts of the Regulations UDIA offers the following comments:

Part 1 – Preliminary Terms Used, Calculation of open space, Calculation of plot ratio.

The draft regulations refer to the R-codes (defined as the Residential Design Codes prepared by the WA Planning Commission). However, it is important to note that the emerging Design WA, State Planning Policy framework replace parts of the R-codes. Whilst the draft 'Apartment Design Guide' has been adopted as SPP7.3 Residential Design Codes Volume 2 Apartments, it is important that the language between the draft regulations and the planning framework remain consistent.

Part 7 – Strata leases: Consent of owner to deal with or dispose of strata title

The Institute contends that the provisions of regulation 36 which provide the requirement to seek the consent of an owner of a leasehold scheme to transfer a lot, the mortgage of a lot, or lease of a lot should be extended beyond the Housing Authority. Limiting this provision to the Housing Authority only will prevent the private sector from delivering the government's infill aspirations and delivering private sector-led regeneration initiatives.



Further, UDIA reiterates its previous comments in response to the Leasehold Schemes Discussion Paper, that if the intention of this provision (whilst not expressed) is to ensure that affordable housing remains so in perpetuity, then the provisions should be tied to this outcome and not a particular government agency. As such, the Institute recommends that the provisions outlined under Part 7, Section 36 be extended to industry or at the very least community housing providers, endorsed by the Housing Authority.

Should any assistance or further information be required regarding this matter, the UDIA would be delighted to assist. Should any further information be required in relation to the comments above, please contact Chris Green, Director Policy and Research at policy@udiawa.com.au or 9215 3400.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tanya Steinbeck', is written over a light blue rectangular background.

Tanya Steinbeck
Chief Executive Officer