

A Better Deal for Strata

Commissioner for Strata Living

To restore confidence to the strata sector, the Government must commit to delivering better policy and services that support strata living.

The Commissioner for Strata Living would be a statutory office holder. He or she would provide expert advice to government on strata related matters, and provide education, information and dispute resolution services to strata owners, committee members and residents.

The objectives of the Commissioner for Strata Living should be to:

- (i) promote and protect the reputation, value and standards of residential strata schemes;
- (ii) ensure consumer protection for residential lot owners and residents; and
- (iii) promote social cohesion and better living in strata.

To achieve these objectives the Commissioner would require a dedicated:

- ❖ strata policy and strategy unit;
- ❖ dispute resolution service; and
- ❖ information and education service.

Policy and Strategy

There should be a small policy and strategy unit to deliver high quality policy advice to government. The unit needs the capacity to address a broad range of issues informed by data and research. In addition to strata specific issues, such as governance and financial management, there are a range of wider issues that impact on the strata sector: building defects; short term letting; fire safety; insurance, and, importantly, the transition to a non-carbon economy. The impact of these issues on strata owners and residents is very significant and requires an intelligent and informed voice from a strata perspective within government.

The context in which these issues emerge has become vastly more complex. There are now over 1.2 million people living in approximately 76,000 residential strata schemes in NSW. The sector is growing rapidly. Residential strata living is now a mainstream permanent form of housing for a larger and more diverse population. The schemes are larger, more complex with more mixed-use and multi-scheme developments. There are significant long-term strategic issues on the horizon like climate change which has no strategic focus within government. A specialised policy unit is essential for any forward-thinking government.

Mediation and Advisory Service

There should be a dedicated mediation and advisory service for the strata sector. This service must be staffed by people with expertise in strata matters and who understand the strata environment. It would provide expertise to the policy unit to help to identify systemic or widespread issues that may require a policy response.

The mediation and advisory service should operate a telephone and online service for all strata owners and residents in NSW. It would use interpreters and have an office in the CBD and in the inner west or Parramatta. It may also require a regional presence, and must provide services to regional and coastal strata schemes that are growing in number.

Information and Education Service

The information and education arm of the Commission should deliver information and education to the owners, committee members and residents. It should be a trusted source of comprehensive and reliable “plain English” information and education. The objective is to promote healthy strata living, consumer protection and participation in the governance of residential strata schemes. The Commission will need to develop strategies to reach culturally and linguistically diverse communities. It should also work in partnership with not for profit and private providers to deliver or support initiatives to train committee members.

Strata Stewardship Group

To ensure there is a conduit for real-world information there should be a stewardship policy group made up of owner corporations and relevant stakeholders. The aim is to establish a consultative mechanism that facilitates discussion and rational consideration of strata related issues. The aim is to strengthen owner corporations.

The stewardship group would be chaired by the Commissioner. It would be consultative and advisory in nature, have clear terms of reference and be held quarterly. It may form working groups on particular issues and conduct broader consultative forums with strata owners, residents and committee members.

NSW Civil and Administrative Tribunal

The Commissioner would have a “watching brief” on the performance of NCAT in relation to the progress and finalisation of strata disputes. It should have a good working relationship with the Tribunal President, including an MOU on the sharing of information to support policy research.

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