The proposed NCC 2025 waterproofing and water shedding provisions (*NCC 2025*) and the impact on owners of existing Class 2 buildings in New South Wales; and

The interplay with State-based Planning legislation (Codes SEPP)

15 July 2025

PREFACE

Deborah Lockart, Lead ACRA Advocacy Committee

The enclosed discussion paper reflects ACRA's Advocacy work of the past four years in **New South Wales.** As Advocacy Lead, I acknowledge the commitment of the Advocacy Committee members: Tom Mackay, Helen Kowal, Peter Johnsson and Grahame Vile. This consultation paper is developing as we crystalise our messaging, in response to stakeholder questions and feedback. We value the consultation process and appreciate feedback as we strive to explore the complex and multi-layered legislative issues that impact the remediation of existing buildings and consequently owners.

In this version of ACRA's discussion paper we refer to NSW strata data in demonstrating the extent of the impact on property owners in NSW, should the proposed NCC 2025 be adopted without consideration and resolution of the unintended consequences outlined in this paper. The **Strata Community Association (SCA)**, partnering with **UNSW City Futures Research Centre** has prepared and published National data on the strata sector in Australia every two years since 2018 (2018, 2020, 2022 and 2024). In understanding the enormity of the potential impact of the proposed NCC 2025 we have explored the number of NSW residents owning in strata and the age of strata buildings (Appendix 5).

ACRA's statement (29 April 2025):

ACRA continues its commitment to working with the NSW Government in navigating and solving the unintended consequences of a multi-layered and complex changing legislative landscape, whilst supporting the regulation and compliance of remedial building work in class 2, 3 and 9(c) buildings.

ACRA welcomes the view of each and every stakeholder in achieving this primary goal.

The remedial-government consultation process to date has provided the opportunity to understand and discuss key challenges faced by the remedial building industry that have not previously been explored. This has included discussing issues such as:

- *The specialised nature of remedial building work and how it differs from new construction;*
- *How the intersection of the planning and building legislation impacts the delivery of remedial building work;*
- *The lack of regulatory guidance for the remedial building industry;*
- *The vulnerabilities of owners corporations and strata managers when contracting for remedial building work;*
- *Practical technical challenges that arise for remedial practitioners; and*
- *Opportunities for NSW building and planning laws to better facilitate the efficient and compliant delivery of remedial building work.*

(Reference: Enhancing the regulatory landscape to support an efficient and trustworthy remedial building industry (28 May 2024)

ACRA's advocacy work has provided ongoing learning opportunities for our members, guests, owners and strata managers as our Advocacy team and other ACRA members have participated in multiple government working groups and attended and contributed to quarterly meetings co-chaired by the Building Commission NSW and ACRA. We are proud of our consultation outcomes to date. However, we are of the view that we have more work to do.

Our end goal remains the same.

ACRA promotes building excellence in a regulated environment that supports owners in maintaining their ageing buildings. Thorough testing and investigation to establish the root cause is encouraged to achieve a long lasting and compliant solution whilst keeping as many remedial building works as possible as exempt development to assist in reducing costs and delays for owners.

Our work throughout 2023 and 2024 with the Building Commission NSW and the Department of Planning, Housing and Infrastructure (DPHI NSW) delivered outstanding outcomes for owners of existing buildings. DPHI NSW supported ACRA's position with potential legislative changes discussed for remedial works in the planning legislation and the publication of a DPHI housekeeping fact sheet. The Fact Sheet and some change to introduce remedial building works into the legislation have already been given effect.

In line with our commitment stated above, ACRA is advocating for a Building Commission led consultation process in facilitating a broad discussion with key stakeholders about the potential unintended consequences of the interplay between the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and the proposed NCC 2025 (Section F).

The purpose of our consultation paper has been to stimulate discussion with key stakeholders as we explore the interaction between the NCC and State based legislation. The intention is that the consultation paper will evolve in reflecting stakeholder contributions.

In relation to the proposed NCC 2025 (Section F), we welcome an alternate pathway which allows compliance with the NCC and avoids the necessity of planning approvals for owners corporations.

The remedial consultation has reviewed the impact of departures from the Deemed to Satisfy Provisions (DTSP) within Deemed-to-Satisfy Solutions (DTSS) (as part of exploring "remedial solutions"). Our co-authored paper referenced above outlines these considerations.

In supplementing our proposed Building Commission NSW led consultation process, we suggest that the agenda also explores the role of demarcation for localised repairs. Our remedial-government consultation process has explored this, but there is more work to do in resolving numerous issues identified to date. How can we utilise demarcation and ensure that the work remains exempt development?

This is a complex technical discussion and ACRA welcomes a Building Commission NSW led consultation process. A Building Commission NSW led consultation process will ensure that key stakeholders work together in exploring potential unintended consequences of the adoption of the proposed NCC 2025 in NSW.

We are striving to find good solutions that are practical, effective and cost effective for owners and allow practitioners to comply with their legal obligations under the reform.

Based on our consultation process and shared understanding of the issues for the remediation of existing buildings, ACRA's focus remains better outcomes for owners, practitioners and the system in general.

We are looking forward to a Building Commission NSW led consultation process as we explore together the remediation of existing buildings, in promoting a strong future for existing buildings.

Discussion Paper

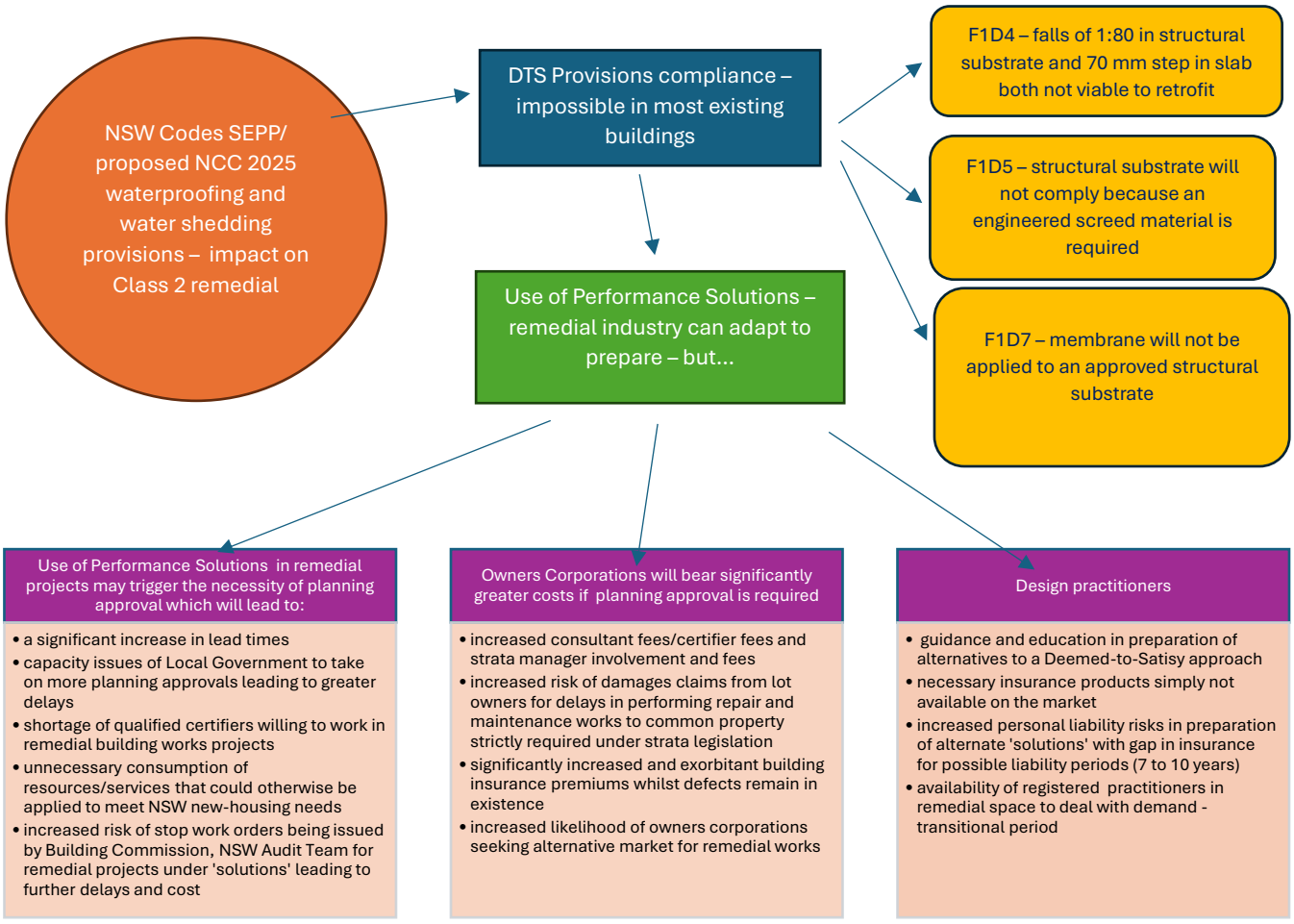
The proposed NCC 2025 waterproofing and water shedding provisions (NCC 2025) and the impact on owners of existing Class 2 buildings in NSW.

Deborah Lockart and Tom Mackay, 7 March 2025

This Brief compares three case studies using a typical remedial building work project in demonstrating the potential impact of the proposed *NCC 2025* provisions on owners and occupants of existing Class 2 buildings (Strata buildings) in **New South Wales**. The NSW Codes SEPP plays an important role in determining how the NCC impacts the remediation of existing buildings. The legislative framework is multi-layered and complex.

ACRA's proposed Building Commission led consultation process to explore the interplay between the proposed NCC 2025 and the Codes SEPP is important in identifying potential unintended consequences for the remediation of existing buildings. This paper explores the impact on owners, should the Codes SEPP inadvertently force the remediation of existing buildings away from exempt development into planning approval.

We are of the view that it would be best practice to explore and resolve the potential consequences PRIOR to the adoption of the proposed NCC 2025. ACRA's position is that the remedial building industry, although currently working generally to compliance with 'Deemed-to-Satisfy' provisions, is willing to adapt to working to other solutions that are fully understood with respect to potential unintended consequences, and that are endorsed by the Building Commission. The potential impact for owners and occupants of existing Class 2, 3 and 9c buildings should planning approval be required for the remediation of existing buildings is significant and requires further assessment by all stakeholders.



Below is a summary of three case studies (outlined in detail in Appendix 1). The interplay between the NSW Codes SEPP and the proposed *NCC 2025* may significantly impact the cost of maintenance and repair of existing buildings with increased timeframes in completing remediation work.[1]

Apartment Building Remediation Works in New South Wales

Scenario

The Class 2 building comprises residential apartments.

The scope of works to a Level 7 balcony is for re-waterproofing of the balcony, replacement and integration of the sliding balcony door, reinstatement of floor wearing surfaces and make good (repainting etc.).

To note, we have considered a small remedial building work project. The impact is greatest for small remedial projects. As the remedial building work project scope increases, the planning costs as a percentage of the overall project cost will decrease.

CASE STUDY 1 – NCC 2022 Compliance with Deemed-to-Satisfy Provisions (compliance with DTS Provisions is required to constitute Exempt development under the CODES SEPP)

TOTAL PROJECT COST (including DBP)	**$55,000**
Project lead time	6 weeks
Project duration	6 weeks

CASE STUDY 2 – NCC 2025 Performance Solution (Development Application)

Remedial building work cost	$65,000
Planning costs	$137,000
TOTAL PROJECT COST	**$202,000**
Project lead time	56 weeks
Project duration	6 weeks

CASE STUDY 3 – NCC 2025 Performance Solution (Complying Development Certificate pathway – Codes SEPP amendment)

Remedial building work cost	$65,000
Planning costs	$131,500
TOTAL PROJECT COST	**$196,500**
Project lead time	24 weeks
Project duration	6 weeks

Appendix 1	Case Study 1, 2, and 3 calculations
Appendix 2	Matrix Deemed-to-Satisfy | NCC 2022 and NCC 2025
Appendix 3	ACRA's response to proposed NCC 2025 – excerpts only (June 2024)
Appendix 4	Remedial-Government consultation paper - excerpt only (May 2024)
Appendix 5	Exploring strata data and understanding the impact of the proposed NCC 2025 on strata owners

[1] Disclaimer: The matters stated in this paper contain the personal views of the authors and are not intended to be nor should be relied upon as legal, planning or engineering advice. All cost estimates referenced in this document are estimations only. Remedial projects may vary substantially from site to site including environmental or regulatory impacts on the site, the construction methodology of the building structures and so on. Independent advice from appropriate persons in the industry should be obtained by you in respect of your particular project or circumstance.

Appendix 1 Case study calculations

Remedial building work	Detail	Estimates (only)
CASE STUDY 1 Exempt Development		
NCC 2022 Deemed to Satisfy	**Works conducted as Exempt Development. Works designed in accordance with DBPA Handbook.** • Remove and replace sliding door – compliant to AS2047 and AS1288 • Application of screed atop the existing structural slab to achieve falls to drain. Note screed installed to falls of 1:100 because steep falls, e.g. 1:80, not possible without introducing non-compliances at existing barrier/balustrade heights and/or vertical upward membrane termination at doors. • Application of waterproofing membrane compliant to AS4654.1, designed and installed in accordance with AS4654.2. • Installation of floor finishes (tiles/pavers) • Repainting of adjacent surfaces.	
Approximate cost range to complete remediation works to single balcony as exempt development work	• Remedial building work - project cost approx. $45,000 • **DBP - Regulated design** x1 waterproofing -cost approx. $10,000 (includes drawings) • **TOTAL APPROX COST** (this does not include investigations, reports, specification, tender process, contract initiation, superintendence)	$45,000 $10,000 **$55,000**
Approximate time frame – DBP prep Contractor lead time project duration (assumes all Owners Corporation's approvals in place)	• Prepare DCD and Construction Issued Regulated Design • **Contractor lead time 6 weeks (concurrent to above)** • Project duration 6 weeks **LEAD TIME AND PROJECT COMPLETION** *(this does NOT include investigations, reports, specification, tender process, contract initiation, superintendence)*	6 weeks 6 weeks **12 weeks**

CASE STUDY 2 Development Application **		
NCC 2025 Performance Solution (no change to Codes SEPP)	• Same scope as detailed above. • **Refer to Appendix A Matrix of DtS for NCC2022 v NCC2025 for this project.** • Works no longer meet the DtS provisions of NCC2025 and therefore are not exempt development; planning approval is required. • Works are situated on the 7th storey of the building, therefore do not comply with CODES SEPP Clause 4.4B(3); Complying Development Consent (CDC) pathway is not available, **a Development Application (DA) is required.**	
Approximate cost range	**Remedial building work** • project cost approx. $55,000 • additional allowance for Building Practitioner Administration and Preliminaries $10,000 **Planning costs** • DBP Regulated designs (2-3 DCD/CIRDs required because additional "building elements" under the DBP Act, e.g. façade, drainage). $35,000. Note full suite of Architectural Drawings often requested by certifiers, hence adding significant scope and multiple disciplines. • Building Survey $2,500 (this is minimal estimate only) • Note performance solution cost range $25,000 - $60,000 (for this project $25,000) • Independent Peer Review of Performance Solution $5,000 Planning approval • Engage Planning Consultant to project manage: - Development application preparation and submission - Construction Certificate - Occupation Certificate • Engagement of Certifier/PCA for CC/OC services $19,500 • BASIX assessment: $1,000	$55,000 $10,000 **$65,000** $35,000 $2,500 $25,000 $5,000 $10,000 $19,500 $1,000

	• Payment of Levies (approx) - Council DA lodgement fee $2,000 - s7.12 (1% of cost of works) $450 - Long Service Leave Levy (0.25% of cost of works) $115 - Building works levy $1,500 - Bond with Council $10,000 (refundable if no claims against the OC) • Other consultants (eg Architect) $5,000 - $10,000 • Preparation of additional certificates as requested by Certifier (eg BCA report) $5,000 • Note an additional allowance should be made for scope creep and added planning consultant charges (eg Structural, Fire or Heritage statements) say $10,000 • Planning portal – developer profile $5,000 (engage planning consultant to manage the planning portal and legislative requirements) *(this does not include investigations, reports, specification, tender process, contract initiation, superintendence)* Other costs (not included in these estimates) • Additional Strata Management services required for administration say $3,500 • Note any latent conditions may require re-designs to all CIRDs, allow $10,000 **TOTAL ESTIMATE (planning and remedial building work)** **This represents a 367% cost increase ($55,000 to $202,000)**	$14,000 $5,000 $5,000 $10,000 $5,000 **$137,000** **$202,000**
Approximate time frame** **Development application** Planning approvals (of remedial projects approx DA 70%, CDC 30%)	Planning process: - DA application prep and submission DA Consent (4-6 months) - Construction Certificate (CC) deliverables and approval (4-6 months) ** currently this can vary significantly and can be impacted by numerous factors Contractor lead time to site after CC 4 weeks Lost time due to latent conditions (nature of remedial works) and coordination of CIRDs from various parties – 1 month **Approx. 56 weeks lead time prior to remedial building work commencement (compared to ~6 weeks). Project duration 6 weeks.**	12 months 1 month 1 month **14 months**

CASE STUDY 3 Complying Development Certificate **		
As per remedial-government paper recommendation – Consideration 1. Modernisation of Codes SEPP. CDC pathway (not DA) to apply to remedial building work	• Same scope as detailed above. • **Refer to Appendix A Matrix of DtS for NCC2022 v NCC2025 for this project.** • Works no longer meet the DtS provisions of NCC2025 and therefore are not exempt development; planning approval is required. • Works are situated on the 7th storey of the building. • **Apply proposed Codes SEPP amendment CDC pathway**	
Approximate cost range	**Remedial building work** • project cost approx. $55,000 • additional allowance for Building Practitioner Administration and Preliminaries $10,000 **Planning costs** • DBP Regulated designs (2-3 DCD/CIRDs required because additional "building elements" under the DBP Act, e.g. façade, drainage. $35,000. Note full suite of Architectural Drawings often requested by certifiers, hence adding significant scope and multiple disciplines. • Building Survey $2,500 (this is minimal estimate only) • Note performance solution cost range $25,000 - $60,000 (for this project $25,000) • Independent Peer Review of Performance Solution $5,000 **Planning approval** • Engage Planning Consultant to: - Project manage application/deliverables - Compliance report • Engagement of Certifier/PCA for CDC/OC services $15,000	$55,000 $10,000 **$65,000** $35,000 $2,500 $25,000 $5,000 $9,000 $15,000

	• BASIX assessment: $1,000 • Payment of Levies (approx) - Council DA lodgement fee $2,000 - s7.12 (1% of cost of works) $450 - Long Service Leave Levy (0.25% of cost of works) $115 - Building works levy $1,500 - Bond with Council $10,000 (refundable if no claims against the OC) • Other consultants (eg Architect) $5,000 - $10,000 • Preparation of additional certificates as requested by Certifier (eg BCA report) $5,000 • Note an additional allowance should be made for scope creep and added planning consultant charges (depending on the pragmatism of the certifier and competency/capability in remedial works) say $10,000 • Planning portal – developer profile $5,000 (engage planning consultant to manage the planning portal and legislative requirements) Other costs (not included in these estimates) • Additional Strata Management services required for administration say $3,500 • Note any latent conditions may require re-designs to all CIRDs, allow $10,000 *(this does not include investigations, reports, specification, tender process, contract initiation, superintendence)* **TOTAL ESTIMATE (planning and remedial building work)** **This represents a 357% cost increase ($55,000 to $196,500)**	$1,000 $14,000 $5,000 $5,000 $10,000 $5,000 **$131,500** **$196,500**
Approximate time frame **Development application** Planning approvals (of remedial projects approx DA 70%, CDC 30%)	Planning process: - CDC application, deliverables (3 - 4 months) - Certifier review and issue CDC (1 month) ** currently this can vary significantly and can be impacted by numerous factors Contractor lead time to site after CC (1 month) Lost time due to latent conditions (nature of remedial works) and coordination of CIRDs from various parties – 1 month **Approx. 24 weeks lead time prior to remedial building work commencement (compared to ~6 weeks). Project duration 6 weeks.**	4 months 1 month 1 month

IMPORTANT CONSIDERATIONS:

Cost estimates include GST

** The planning approval process and the timeframes for Strata-remedial building work projects will be impacted by:

- **Certifier availability**
- **Insurance industry response** to performance solutions and the related risks, impacting premiums
- Potentially, increased insurance premiums for certifiers operating in the remedial space
- Owners Corporation/Strata Managers' knowledge of planning processes (or lack of)
- Owners Corporation decision making including the requirement to schedule General Meetings for decisions
- Owners Corporation's ability to raise funds, notably planning costs would not have historically been budgeted
- Uncertainty of liability of certifiers for breach of duty of care under Part 4 of the Design and Building Practitioners Act with the recent High Court decision of *Pafburn Pty Ltd & Anor and The Owners – Strata Plan No. 84674* concluding [104] '*It is not self-evident that a certifier or the local council, in performing their duties, is a 'person who carries out construction work' within the meaning of s36(1)(d) of the DBP Act...'* bringing in potential limitations of bringing successful claim in negligence by an owners corporation against a certifier for 10 years post completion

Pricing is based on today's costings, and does not factor in added costs should insurance premiums increase, in reflecting the added risk exposure of performance solutions

Appendix 2 MATRIX | Deemed-to-Satisfy for NCC2022 v NCC2025

BCA Volume 1 Deemed-to-Satisfy Provision Reference	NCC2022	NCC2025 Public Comment Draft Version (May 2024)	Comment
Performance Requirements			
F1P1	Yes	Yes	Yes, for this project we have an existing drain which can be "redirected to a drainage system" (NCC2025) and/or "appropriate outfall" (NCC2022).
F1P2	Yes	Yes	
F1P3	Yes	N/A	
F1P4	Yes		
Deemed to Satisfy Provisions			
F1D1	-	-	*Reference clause (non-technical)*
F1D2	-	-	*Reference clause (non-technical)*
F1D3	Yes / demarcation	Yes / demarcation	
F1D4	Yes	No	RE NCC2025 - falls of 1:80 in the structural substrate, and 70mm step in slab, both not viable to retrofit.
F1D5	Yes	No	RE NCC2025 - the structural substrate will not comply with AS3600-2018. An engineered screed material is required – which is not permitted as a “structural substrate” as per “Notes” in F1D4.
F1D6	Yes	Yes	
F1D7	Yes	No	RE NCC2025 -the membrane will not be applied to an approved structural substrate complying with F1D4(1)(a) and F1D5 because a proprietary screed system is required, and 1:80 falls is not viable without introducing other problems.
F1D8	Yes	Yes	
F1D9	N/A	Yes	
F1D10	N/A	Yes	
F1D11	N/A	Yes	
F1D12 (2025) / F3D2 (2022)	Yes	Yes	
F1D13 (2025) / F3D3 (2022)	Yes	Yes	
F1D14 (2025) / F3D4 (2022)	Yes	Yes	
F1D15 (2025) / F3D5 (2022)	Yes	Yes	

Appendix 3 ACRA's public response to proposed NCC 2025 (June 2024) - summary

Draft NCC 2025
F1P1 Managing water impact on the building and adjoining properties

There are numerous existing buildings where drainage (eg. balconies) is achieved by an open edge discharge or by a system of direct discharge overflows.

These buildings do not have a stormwater conveyance system to collect such discharge, nor do they have the installed stormwater pipes that are capable of taking up additional flow loads.

→ In this event, requirements of F1P1(1)(b) and F1P1(1)(c): could not be met, without extensive and costly re-plumbing of the existing building.

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Draft NCC 2025
F1D4 (1) Provision of drainage and grading to external areas

- Fall of 1:80 in "structural substrate"
- Drainage system compliant with AS/NZS 3500.3 2021
- In remedial applications the structural substrate already exists, and is not 1:80. Related Clauses preclude the use of screeds, therefore a compliant structural substrate is generally not possible.
- 1:80 falls may introduce various other non-conformances, e.g. balustrade/barrier heights, minimum opening heights, vertical termination heights for waterproofing, etc.
- Compliance to current Stormwater codes for old building will introduce extensive works at huge costs.

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Draft NCC 2025 F1D4 (2) integral hobs

- Concrete roof, balcony, podium or similar must have a minimum
  - 70 mm step down from internal floor level to the external structural substrate
  - 70 mm high integral hob around perimeter
- By virtue of this subclause all existing building projects will now need perimeter hobs to previously free draining balcony slab edges.
- As shown in the typical remedial scenario shown soon – if there is no existing step down in the slab, it is extremely difficult to introduce one (without introducing other problems).
- To install an integral hob on the perimeter of an **existing** concrete roof, balcony, podium or similar is not possible, at best, a retrofitted hob can be added which introduces several other considerations including drainage, structural capacity of existing building to accommodate new hob loads (to which there is often no existing design documentation).

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Draft NCC 2025 F1D5 Substrate materials

- Structural substrate must consist of
  - Concrete complying with AS3600; or
  - Fibre cement sheeting manufactured in accordance with AS 2908.2
  - Restriction of substrate material to concrete complying with AS3600[-2018] will create an unnecessary design and construction burden on upgrade and remediation of existing buildings by exclusion of the use of proprietary cementitious based concrete repair mortars which may not meet the definition of concrete as defined by AS3600.
  - Most existing substrates in a remedial context will not comply with the current version of AS3600.

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Draft NCC 2025

F1D7 External waterproofing membranes

- A roof, balcony, podium or similar horizontal surface part of a building must be provided with a waterproofing membrane:
  - consisting of materials complying with AS 4654.1; and
  - designed and installed in accordance with AS 4654.2

where a membrane required by (1) is applied to a concrete roof, balcony, podium or similar horizontal surface, the membrane must be installed directly on a structural substrate complying with F1D4(1)(a) and F1D5.

For existing structures, a 'topping' or 'screed' is generally required to achieve falls therefore it will not be possible to apply a membrane direct to the concrete substrate.

Appendix 4 Remedial-Government consultation paper – *Enhancing the regulatory landscape to support an efficient and trustworthy remedial building industry (28 May 2024)*

Consideration 1: Modernisation of the Codes SEPP

Issues: The working group identified that the Codes SEPP does not clearly define common types of remedial building work which creates significant challenges for practitioners, applicants, and regulatory bodies (councils, certifiers, BCNSW).

Changes: Consider revising the Codes SEPP to incorporate content of the Fact Sheet published in 2023. Consider a separate criteria as specified exempt development and complying development for remedial building work for class 2 buildings, including the concept of replacing like for like. For example: change clause 1.16(1)(a) of the Codes SEPP to allow some performance solutions as exempt development. Change clause 4.4B3 to allow external remedial building work above 3 storeys without a Development Application.

Consideration 2: Modernisation of the approval pathways to integrate and leverage from the DBP Act

Issues: There is a large gap in the controls applied to exempt and non-exempt development, and the DBP Act excludes all forms of exempt development except for certain types (e.g. waterproofing and re-cladding). While the consultation on the enabling legislation on DBP Act reforms considered exempt development work as part of the broader discussion of what types of remedial work would be subject to the Act, the full scope of minor external alterations allowed as exempt development was not apparent to much of industry when the DBP Act was enacted. This included common remedial building work such as balustrades replacement which are currently allowed as exempt development without regulated designs while waterproofing work is captured by the declared design process.

Changes: Work with the Department of Planning, Housing and Infrastructure to explore how an expedited process that that sits between exempt development and the CDC pathway could be used to fast-track remedial building work without compromising its compliance with the BCA. In this new pathway, remedial building work could be required to comply with the DBP Act, but that work would not require planning approval. Further consideration on what the involvement of a certifier could be, including ensuring certifiers have the support they need to make timely decisions and do not require owners to procure unnecessary design or building work. This pathway could be used for work involving key building elements (e.g. critical loadbearing elements) or higher risks that would benefit from greater oversight as Construction Issued Regulated Designs (CIRDs) and Design Compliance Declarations (DCD) would apply to remedial practitioners.

7. Acknowledgment

Thank you to the following for sharing their time and experience in the working group, and in the drafting of this paper:

- ACRA Advocacy Committee: Deborah Lockart, Helen Kowal, Tom Mackay, Grahame Vile, Peter Johnsson
- Building Commission NSW: Matt Press, Jonathan Lynch, Charles Zhang
- Department of Planning, Housing and Infrastructure: Michael Lucchitti

Appendix 5. Exploring strata data and understanding the impact of the proposed NCC 2025 on strata owners

Deborah Lockart, 15 July 2025

An exploration of strata data is essential in understanding the potential impact of the adoption of the proposed *NCC 2025,* on owners of existing buildings and, consequently, the Government's broader housing agenda. Such impact will most likely lead to increased costs and project delays for strata owners. The **Strata Community Association (SCA),** partnered with **UNSW City Futures Research Centre** to prepare national data on the strata sector in Australia in 2018 and has subsequently published this data every two years since (2020, 2022 and 2024); this paper explores their data.

Australasian Strata Insights 2024 authored by Hazel Easthope, Yi Lu and Alejandra Rivera UNSW confirmed that currently 17% percent of Australian residents live in Strata in NSW. The strata data of Easthope *et al.* (2024) is summarised below (Table 1).

	Australia	New South Wales
Private apartment residents	2.5 million	1,287,377
% of Australian residents living in Strata (conservative estimate)	15%	17%
Total number of schemes	367,970	91,078
Total number of lots	3,173,631	1,055,664

Table 1: Percentage of Australian residents living in Strata. Source: Easthope, H., Lu, Y. & Riviera, A. (2025) Australasian Strata Insights 2024, Sydney: City Futures Research Centre.

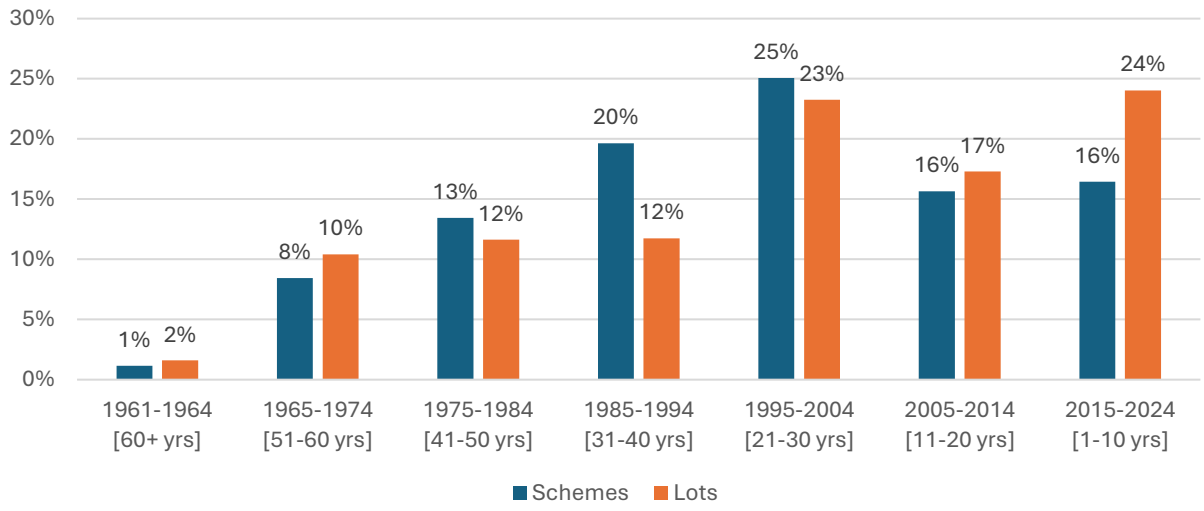
Easthope et al. (2025) state that in New South Wales, more than half of all strata and community titled properties are over 20 years old. The authors posit that approximately two-thirds (67%) of strata and community titled schemes (buildings and complexes) in the state were registered before 2004 and contain 59% of all strata and community title lots (individual properties).

Almost a quarter of schemes (22%) and lots (24%) are more than 40 years old, having been registered before 1984. It is important to note that the majority of schemes (61%) and lots (52%) are in buildings aged 10-40 years (registered between 1985 and 2014). Buildings approaching 20 – 30 years of service, where there has been minimal maintenance and repairs, will most likely require capital funds for a remediation project.

Easthope et al.'s (2024, 2025) data provide an indicator of the potential number of NSW property owners who may be impacted should the remediation of existing strata buildings be required to comply with the proposed NCC 2025.

Figure 1 below provides a breakdown of strata and community title lots by registration date for NSW.

Figure 1. Proportion of strata and community title schemes and lots by date of registration, NSW



Source: *Easthope, H., Lu, Y. & Riviera, A. (2025) Australasian Strata Insights 2024, Sydney: City Futures Research Centre. [Accompanying local government information, available at: 2024 Australasian Strata Insights | City Futures Research Centre].*

To note, buildings built prior to 1961 and registered originally as company title later converting to strata title, may be significantly older than the 60+ years denoted in Figure 1.

Different building designs, and the influencing factor of buildings constructed in different eras, will result in varying levels of remediation requirements. Some older buildings need significant remedial repairs at 20-30 years, and others at 10 years of the building's life. In understanding the enormity of the challenge for strata owners, and to help put into context the existing building stock and outstanding remediation work, it would be helpful to have data which summarises remedial projects that have been undertaken for existing schemes. Research might explore such things as: the scope of works; the project cost; the year the remedial projects were undertaken. Further to this, an understanding of Strata Schemes' capital works fund balance is important in understanding the capability of strata owners to be able to maintain their existing and aging buildings into the future.

In understanding the enormity of the challenge for strata owners, and to help put into context the existing building stock and outstanding remediation work, it would be helpful to have data which summarises remedial projects that have been undertaken for existing schemes. Research might explore such things as: the scope of works; the project cost; the year the remedial projects were undertaken. Further to this, an understanding of Strata Schemes' capital works fund balance is important in understanding the capability of strata owners to be able to maintain their existing and aging buildings into the future.

The potential impost on strata owners of existing buildings older than 20 years cannot be overstated. With potentially low capital funds in place and the changing legislative landscape impacting remediation costs and project timelines, owners in strata will be challenged financially. The capacity for strata owners to afford the future maintenance and repair of their strata buildings should or even *must* be an important consideration for the NSW Government before taking a decision in relation to the proposed NCC 2025.

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