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Guest editorial: Comparative perspectives in multi-owned developments across city-states

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Guest editorial: Comparative perspectives in multi-owned developments across City-States

Guest editorial

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I am delighted to have had the opportunity to be the guest editor of this special issue titled “Comparative perspectives in multi-owned developments across City-States”. The theme of the special issue seeks to explore the worldwide phenomenon of urbanisation across all major cities, which has inevitably led to the proportion of apartment or flat dwellers increasing significantly. Issues relating to creating multi-owned schemes, resolving disputes between neighbours and management corporations and eventually the termination of the development to facilitate urban renewal are thus shared commonalities for owners, tenants, landlords and developers across jurisdictions. The aim of the special issue is therefore to examine how the statutory framework and case law across jurisdictions can be compared to one another so that best practices can be identified and articulated.

This special issue drew several contributions from the 18th annual conference of the Australian College of Strata Lawyers (ACSL) [1], which was hosted by the Yong Pung How School of Law, Singapore Management University on 1st to 3rd of March 2023. Following double-blind peer-review – with all papers being reviewed by at least two reviewers, five papers were accepted for the special issue. Accordingly, it is my pleasure to introduce the work by the following authors for their contributions to the special issue, which not only meets the intended theme of the special issue but also continues to maintain the rigorous standards of the *Journal of Property, Planning and Environmental Law*:

David D. Knoll A.M. (Nine Selborne Chambers, Sydney) – David’s paper astutely questions quality standards of tribunal decision-making in strata disputes across Australia, arguing that appellate courts may be unduly deferential to tribunals. This is a significant issue considering the high financial value of many strata disputes.

Chen Lei (University of Durham) – Lei’s paper provides a fascinating socio-legal analysis of condominium law developments in China, exploring how Chinese cultural orientations both affect and are affected by condominium rules suitable for an emerging Chinese private property market.

Tang Hang Wu (Singapore Management University) – Hang Wu provides a comparative analysis between Singapore and New South Wales in discussing the limits of democracy within multi-owned housing. Citing the critical issue of ensuring children’s safety in high-rise buildings, he explains that the typical paradigm of majority versus minority interests cannot be used to provide for the rights of children, and his paper provides useful analysis of what can be learnt from both the Singapore and New South Wales experience in dealing with this issue.

Hazel Easthope, Laura Crommelin, Charles Gillon, Simon Pinnegar (University of New South Wales), *Kristian Ruming* and *Sha Liu* (Macquarie University) – Hazel and her co-authors discuss collective sales in the context of Sydney. Employing a case study of a development in Sydney’s northwest, the authors present interesting interview data of strata owners endeavouring to apply the *Strata Schemes Development Act 2015* (NSW).

Finally, my co-author *Alvin See* (Singapore Management University) and I present a comparative study of Singapore and England which highlights the differences in their housing landscapes and how such differences impact upon the adoption of ethnic



integration policies through housing. The paper seeks to also unpack, through a cross-disciplinary lens, the concepts of public housing and housing tenures, drawing heavily on socio-legal and housing literature.

The 18th ACSL conference in Singapore saw close to 70 in-person attendees, drawing participants mainly from Australia, New Zealand and Singapore. In this regard, I am grateful to Ngai Pindell (Dean of the Peter A. Allard School of Law, University of British Columbia, Canada), Amnon Lehavi (Atara Kaufman Professor, Reichman University, Israel) and Chen Lei (Chaired Professor in Chinese Law, University of Durham, UK), not only for gracing the conference but also for providing attendees fresh and diverse view on housing and property law beyond the Australasian perspective. The conference (and hence the special issue) would not have been possible without the support of Lee Pey Woan (Dean, Yong Pung How School of Law, Singapore Management University), Tim Graham (President, ACSL) and Nina Psaltis (GM, ACSL). Finally, I would like to express my grateful to Luke Bennett (General Editor, JPPEL) for entrusting me with this special issue, as well as to Emily Walsh (Associate Editor, JPPEL) for managing the review of my co-written paper. It goes without saying that the thoughtful and meticulous review of the papers could not have been achieved without the generous expertise of the peer reviewers, and I am very thankful for their time and effort in this regard.

I hope that the papers in this special issue have meaningful impact on students of the law, practitioners and policymakers alike.

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Note

1. ACSL is a self-governing association of legal practitioners and academics which seeks the development of laws for the common good and to achieve the highest standard of good governance under those laws. As an Australian-based association, ACSL has practitioner, government and academic members from across Australia and New Zealand bar one: I am grateful to ACSL for always making me feel welcome at their conferences over the years and for admitting me, a Singapore-based lawyer, as an academic member.