



A GUIDE TO SERVING ON A STRATA COMMITTEE



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ABOUT ICONIC PROPERTY CARE

Iconic Property Care is a Strata Management and Real-estate agency serving since 2010. We provide solutions for all your property needs including Strata Management, Building Management, Real-estate (Sales, Property Management) and Renovation.

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WHAT ARE STRATA COMMITTEES

INTRODUCTION OF STRATA COMMITTEE

The Strata Committee in each Owners Corporation plays a vital role in managing their strata scheme. Committee members carry out their responsibilities voluntarily, without expecting compensation, which demands a substantial commitment of their personal time; therefore, it is crucial to comprehend the stringent legal requirements imposed on a Strata Committee under the Strata Schemes Management Act 2015 and Strata Schemes Management Regulations 2016, as well as the rules of the Owners Corporation, Strata By-laws, and other relevant legislation. This is especially important for property owners who have not previously served on a committee or are unfamiliar with the functioning of an Owners Corporation. The following guide has been created for the benefit of all property owners and Strata Committee members to aid in their understanding of the committee's roles, responsibilities, and duties, and how they interrelate with the operation of the Owners Corporation.

A Strata Committee consists of owners or their nominees who are elected to assist the Owners Corporation in the daily management of the strata scheme, adhering to the guidelines outlined in the Strata Schemes Management Act 2015, Strata Schemes Management Regulations 2016, and relevant legal provisions.



The Need for a Committee

Section 29(1) of the Act stipulates that a committee consisting of 1 to 9 members must be appointed, while section 30(2) specifies that, in the case of a large scheme with more than 100 lots, the committee must have a minimum of 3 members. However, if no owners or individuals are nominated for the committee, one of the following four scenarios will take place:

- 01** Delegation to Managing Agent: A Managing Agent is granted the authority of the Strata Committee under Section 52(1)(a).
- 02** Self-Administration by Owners Corporation: The Owners Corporation will manage itself, as outlined in Section 29(4). This means that every decision concerning the Owners Corporation must be made during a general meeting.
- 03** N.C.A.T. Intervention: The NSW Civil & Administrative Tribunal (N.C.A.T.) can order a meeting to appoint committee members under section 48. This provision would be applicable in cases where the original owner fails to convene the First Annual General Meeting after the initial period has expired, or when the Owners Corporation or Managing Agent fails to conduct an Annual General Meeting.
- 04** Compulsory Appointment of Managing Agent: After application, N.C.A.T. can issue an order for the mandatory appointment of a Managing Agent to oversee the scheme, as per Section 237.



Duty and Protection of Committee Members

Sections 37 ([Duty of members of strata Committee](#)) and 260 ([Personal liability of officers of owners corporation and others](#)) of the 2015 Management Act introduce new obligations as well as protections for committee members and officers of the committee. The new sections can be summarized as follows:

SECTION 37 - DUTY OF STRATA COMMITTEE MEMBERS:

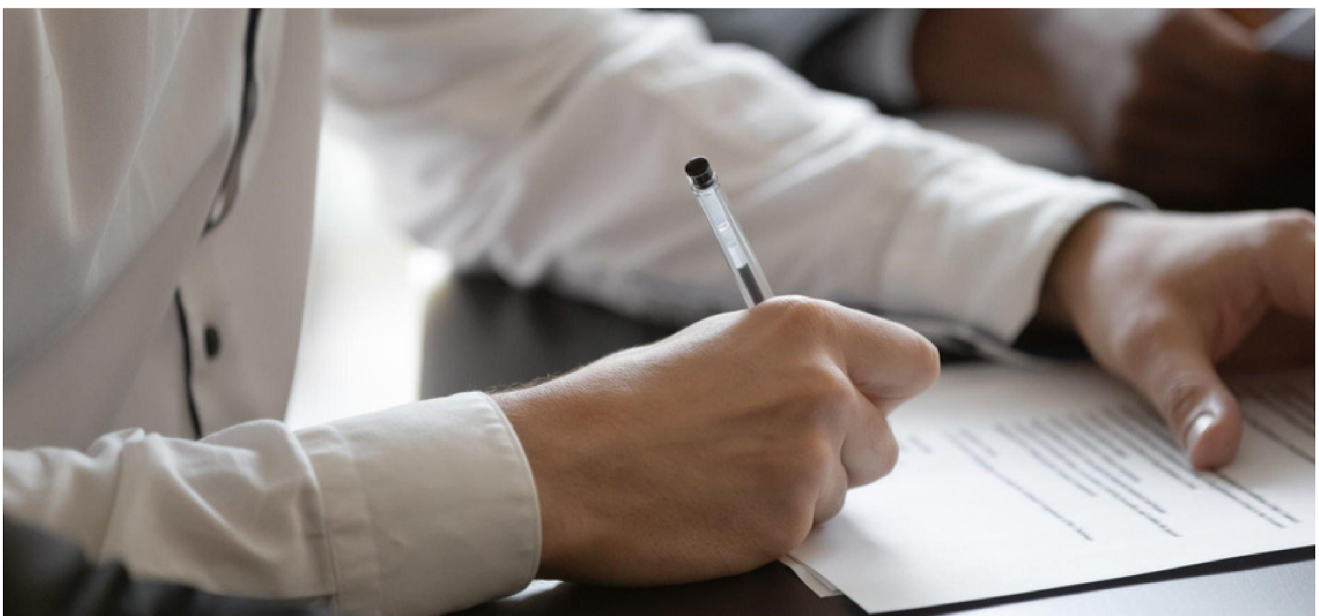
Each member of a strata committee within an owner's corporation has a responsibility to carry out their functions in a manner that benefits the owner's corporation to the best of their ability and with due care and diligence.

SECTION 260 - PERSONAL LIABILITY:

(1) Actions or omissions performed by certain individuals, or individuals acting under their guidance, in good faith for the purpose of fulfilling their functions as specified under this or any other Act, do not subject them to personal legal actions, liabilities, claims, or demands. These individuals include:

- (a) Officers of an owner's corporation.
- (b) Members of a strata committee.

(2) Instead of personal liability, any such liability for an officer of an owner's corporation or a member of a strata committee is attributed to the owner's corporation.



The Decision-Making Powers of a Strata Committee

In addition to the specific duties outlined for the Secretary, Treasurer, and Chairperson in the Act, it's important to note that no individual committee member possesses the authority to make decisions on behalf of the Owners Corporation independently. All decisions made by a Strata Committee, even if it consists of only one member, must be collectively reached during a properly convened committee meeting.

The primary duty of every Owners Corporation is to manage, control, and administer the common property for the benefit of all owners, tenants, and occupants within the scheme. The role of the committee is to ensure that the obligations of the Owners Corporation are effectively carried out.

Key Management Areas, as mandated by strata legislation, include:

1. Repairs, Replacement & Maintenance:

Sections 106 to 125 of the Act establish the mandatory duty of an Owners Corporation to repair and maintain the common property adequately. Notably, the 2015 Act grants owners a statutory right to act against an Owners Corporation for damage to their personal property resulting from the Owners Corporation's failure to properly repair and maintain the common property (Section 106(5)). This right, although existing in common law, is now specifically defined in the Act.

With the introduction of various mechanisms to assist Strata Committees in determining their maintenance responsibilities, such as the Initial Maintenance Schedule for new schemes, the responsibility of the Owners Corporation to review the Capital Works schedule at every Annual General Meeting, the option to adopt a Common Property memorandum, definitions of Minor Works and Cosmetic Works, it is evident that the legislative intent is for Owners Corporations to assume greater responsibility for repairs and maintenance. The Strata Committee plays a crucial role in ensuring these obligations are met effectively.

2. Financial Management and Accounting Records:

- Sections 73 to 105 of the Act delineate the responsibility of Owners Corporations to ensure sufficient funding for the strata scheme, primarily achieved through levies imposed on individual lot owners.

- Like the additional obligations placed on Owners Corporations regarding maintenance, the 2015 Act heightens the responsibility of Owners Corporations to adequately fund their scheme.

- It's important to note that while the Strata Committee does not have the authority to determine levies, they do hold the responsibility of preparing suitable budgets using relevant financial data.

- As previously mentioned, legislators have extended this duty by mandating that every Owners Corporation must review their Capital Works Fund report during every Annual General Meeting and take this report into account when formulating budgets and considering levies.

- This obligation is further extended by requiring Owners Corporations to provide details regarding the Capital Works Fund and proposed expenditure in Strata Information Certificates (Section 184 Certificates) for prospective purchasers within the scheme.

- In addition to the responsibility of creating an appropriate budget for the scheme, the committee must ensure that accurate financial records and accounting information are accessible to owners. This not only enables owners to scrutinize expenses and ensure the accuracy of financial data but also equips them with relevant financial information to make informed decisions when establishing budgets and levies for the upcoming year.



3. Insurance:

- Sections 160 to 175 outline the responsibilities of Owners Corporations in obtaining four mandatory insurance policies for the scheme. These policies are:

- Building Insurance (Damage Policy)
- Workers' Compensation (if the scheme employs workers)
- Public Liability
- Voluntary Workers

- Interestingly, the 2015 Act eliminates the requirement for an Owners Corporation to obtain a valuation for insurance purposes to determine the insured value of the building.

- The responsibility to determine the insured value now falls to the Owners Corporation, specifically the Strata Committee. It's worth noting that the Act does not prohibit the committee from seeking professional advice, such as from a valuer or quantity surveyor, to assist in determining the appropriate insured value for their scheme. However, this is no longer a mandatory requirement.



4. Administration of the Strata

By-laws Every Strata Scheme in NSW whether residential, commercial, retail, or industrial schemes has a set of standard By-laws that govern the rules and behavior of all stakeholders in the scheme, including owners, occupiers, tenants, mortgagees and the Owners Corporation itself.

By-laws generally fall into 3 categories:

(i) Behavioral Type By-laws

These by-laws are designed to regulate the behavior of residents at the scheme in relation to issues such as:

- making noise that is likely to interfere with the quiet enjoyment of another resident at the scheme.
- parking on common property, - keeping of animals.
- drying of laundry items on balconies.
- disposing of rubbish.

(ii) Common Property Rights

By-laws Previously called exclusive use By-laws, these By-laws grant an owner or owners an exclusive right to use a particular part of the common property or a special privilege.

Common examples are:

- granting exclusive use for an owner to park on a particular section of the common property.
- allowing an owner to install an air-conditioning condenser unit on the common property to service their lot.
- permission for an owner of a top floor lot to install a skylight,
- signage rights in commercial schemes.
- permission for a retail lot to have an exclusive right over common property to say place tables and chairs on common property during trading hours to accommodate the customers of the lot.

(iii) Empowering By-laws

Empowering By-laws are By-laws passed by the Owners Corporation that enable them greater powers that are not outlined in the Act. A common example would be a By-law enabling the Owners Corporation to undertake the installation of an additional service to the property, such as cable TV or undertaking the installation of a BBQ area, swimming pool or solar panels. These By-laws CANNOT confer powers on the Owners Corporation that are contradictory with the Act or other legislation.

The Strata Committee CANNOT pass by laws, however their role in assisting the Owners Corporation administer the By-laws is generally twofold:

(a) Granting approval under the By-laws For example granting approval for residents to keep a pet under certain terms and conditions or granting approval for a resident to park a vehicle temporarily on common property, and

(b) The Enforcement of By-laws Section 146(3) of the Act stipulates that a notice to comply with a By-law cannot be issued to an occupier of a lot unless a resolution has first been passed by either the Owners Corporation or Strata Committee. In the event a complaint surrounding a Bylaw has been lodged, the committee must determine the merits of the complaint and whether to escalate the complaint by issuing a notice to comply. In certain circumstances the committee may not want the Owners Corporation to become involved in a dispute or use the resources of the Owners Corporation to prosecute a By-law complaint, particularly if there is a history of feuding between the parties or they deem the complaint as being vexatious or with little merit.

5. Record Keeping

Various sections of the Act require all Owners Corporations to keep and maintain proper records and information surrounding the administration of the scheme.

These records include but are not limited to:

- The Strata Roll,
- The Minutes Book,
 - Including Notices & Minutes of all general meetings and committee meetings
 - Proxies delivered to the Owners Corporation
 - Voting Papers– Financial & Accounting Records,
- Insurance Information,
- Copies of All Correspondence Sent & Received,
 - Including copies of all notices and orders
 - Building Defect Reports • Capital Works Fund reports
 - Building Manager or Strata Manager Agreements,
- By-laws, the Strata Plan, Management Statements (if any) and Certificate of Title for the Common Property.

These records must be kept for a minimum of seven years and must be made available for inspection by any owner, mortgagee or any person authorised by an owner. This would usually be a prospective purchaser into the scheme.

Restrictions To The Decision-Making Powers of the Committee

The Act outlines three circumstances that restrict the decision-making powers of a Strata Committee, which are:

1. Restricted Matters:

A restricted matter is any issue that only the Owners Corporation may determine via a general meeting, I.E. any issue that requires a resolution, Special Resolution or Unanimous Resolution of the Owners Corporation. There are numerous restricted matters listed throughout the Act, however common examples are:

- (i). Approving Levies or Special Levies,
- (ii). Changing, repealing or adding to the Strata By-laws,
- (iii). Changing the Owners Corporations Insurance Policies and Coverage,
- (iv). Approving an Addition to Common Property,
- (v). Appointing or dismissing a Strata Manager or Building Manager.

2. Removal of Powers or Additional Obligations:

Apart from the restrictions on the committee imposed by the Act, the Owners Corporation may decide to further restrict the powers of the committee or place further obligations on the committee. It is rare that an Owners Corporation would elect to do this, however a common example of a restriction on the committee is spending limits. For example, the committee may only spend up to \$10,000.00 on any maintenance item that is not considered an emergency or urgent. Any amount above this amount must be referred to the Owners Corporation for determination at a general meeting. An additional obligation could be requiring the committee to issue notices and minutes of their meetings to all owners, rather than just the selected committee members or placing a copy on the noticeboard.

The Act requires that the Owners Corporation consider the removal or restriction of powers at each Annual General Meeting. This allows the Owners Corporation to regularly consider the authority of the committee and whether any further restrictions or limitations should be imposed.

3. Veto of Proposed Decision:

The owners within a scheme have one final control over the decision-making powers of the committee. Where a motion has been proposed for a committee meeting, one-third of owners (calculated by Units of Entitlement) may object to the motion being determined by the committee, if written notice is served on the secretary prior to the meeting taking place.

THE ROLES OF THE SECRETARY, TREASURER AND CHAIRPERSON

The positions of the Secretary, Treasurer and Chairperson or the 'Office Bearers' must be determined by the committee at their first meeting following their election at the Annual General Meeting ([Section 41\(1\)](#)). The Act also allows one person to fulfil two or more Office Bearer Roles ([Section 41\(3\)](#)). As outlined above, no one committee member can decide on behalf of the committee, however the Office Bearers may perform specific tasks that fall within the confine on their roles without conducting a committee meeting, for example:

- (i). A mandatory duty such as renewing the Owners Corporation's insurances or arranging repairs and maintenance,

- (ii). An Implied authority

This is a duty that is listed as a function of the Secretary, Treasurer or Chairperson, E.G. maintaining the Strata Roll,

- (iii). An Incidental Step

For example obtaining council approval before removing a tree.

THE SECRETARY

The Secretary of the Owners Corporation is essentially the chief administrative officer for the corporation. Unlike the secretary of a company, the secretary has no power to bind the Owners Corporation contractually, this right can only be conferred by the Owners Corporation or committee via a resolution of a properly convened meeting. The functions of the Secretary are listed in Section 43 of the Act, and are:



Functions of secretary of owners corporation

The functions of a secretary of an owners corporation include the following:

- (a) to prepare and distribute minutes of meetings of the owners corporation and submit a motion for confirmation of the minutes of any meeting of the owners corporation at the next such meeting,
- (b) to give on behalf of the owners corporation and the strata committee of the owners corporation notices required to be given under this Act,
- (c) to maintain the strata roll,
- (d) to enable the inspection of documents on behalf of the owners corporation in accordance with this Act,
- (e) to answer communications addressed to the owners corporation,
- (f) to convene meetings of the strata committee and (apart from its first annual general meeting) of the owners corporation,
- (g) to attend to matters of an administrative or secretarial nature in connection with the exercise of functions by the owners corporation or the strata committee of the owners corporation,
- (h) any other functions conferred on the secretary under any other Act or law.

THE TREASURER

If the Secretary is the chief administrative officer, then the treasurer is the chief financial officer of the Owners Corporation. The Treasurers' duties are listed in Section 44(1) of the Act.

Functions of treasurer of owners corporation

(1) General functions The functions of a treasurer of an owners corporation include the following:

- (a) to notify owners of any contributions levied in accordance with this Act,
- (b) to receive, acknowledge, bank and account for any money paid to the owners corporation,

- (c) to prepare any strata information certificate,
- (d) to keep the accounting records and prepare the financial statements.



THE CHAIRPERSON

The main function of the chairperson is to preside over meetings of the committee and Owners Corporation to ensure that meetings are conducted in accordance with the Act and Regulations. The duties of the Chairperson are listed under section 42 of the Act as follows:

Functions of chairperson of owners corporation

The functions of the chairperson of an owners corporation include the following:

- (a) to preside at meetings of the owners corporation and the strata committee of the owners corporation.
- (b) to make determinations as to quorums and procedural matters at meetings of the owners corporation and the strata committee of the owners corporation.

Can Committee Members be Paid?

While generally owners who nominate for a position on the committee do so without expectation of fee or reward, Section 46 of the Act does allow an Owners Corporation to authorize a payment to a committee member in recognition of the services they have performed during the preceding year.

Payment of officers of owner's corporation

An owners corporation may decide to pay to a person who is an officer of the owners corporation or another member of the strata committee of the owners corporation an amount determined by the owners corporation at an annual general meeting in recognition of services performed by the person for the owners corporation in the period since the last annual general meeting.

HOW TO CONDUCT STRATA COMMITTEE MEETINGS

The Strata Schemes Management Act 2015 Act introduces a few new provisions for convening and conducting a Strata Committee meeting including:

- Varying obligations for committees of Large and Non-Large Strata Schemes,
- Time limitations for convening meetings (once requested),
- New voting methods for committee members,
- Tenant Representative Participation (if elected),
- Time imposition for distributing minutes.

[Schedule 2 of the Strata Schemes Management Act 2015](#) sets out many of the procedures for conducting a Strata Committee Meeting, and a detailed reading of the Act and Regulations outlines all requirements associated with convening and conducting Strata Committee meetings.

CONVENING A MEETING

A meeting of the Strata Committee may be convened in a number of ways:

- By one-third of members requesting a meeting in writing**,
- The Secretary may convene a strata committee meeting at any time (Section 39(1)),
- A resolution of a previous committee meeting.
- A resolution passed at a General Meeting of the Owners Corporation,
- An order of a Tribunal Member at N.C.A.T. **Where a committee meeting has been requested by 1/3 of committee members the secretary must convene the meeting:
 - For Non-Large scheme (containing 100 Lots or less) within 14 Days.
 - For a Large Scheme (containing more than 100 lots) within 28 days,

Note the strata schemes management act 2015 still does not provide any solution that how non-committee owners can request that the strata committee convene a meeting, nor do they have the authority to request that a matter be put before the committee, however owners do have the authority to request a general meeting of the Owners Corporation via a request signed by owners representing 25% of the total unit of entitlement for the scheme.



ISSUING NOTICES OF STRATA COMMITTEE MEETINGS

Clause 7 of Schedule 2 of the Act specifies that notices of Strata Committee meetings must include a detailed agenda. In order to comply with this provision, it is recommended that motions be drafted, and agendas prepared with as much detailed as possible to avoid confusion or ambiguity as well as the threat of being challenged at a later date.

NOTICE PERIODS FOR COMMITTEE MEETINGS

For Large Schemes (containing more than 100 Lots) the notice of a Strata Committee meeting must be issued a minimum 72 hours prior to the meeting to:

- All Committee Members
- All Owners
- The Tenant Representative (if any)
- And be placed on the common property Notice Board (if any)

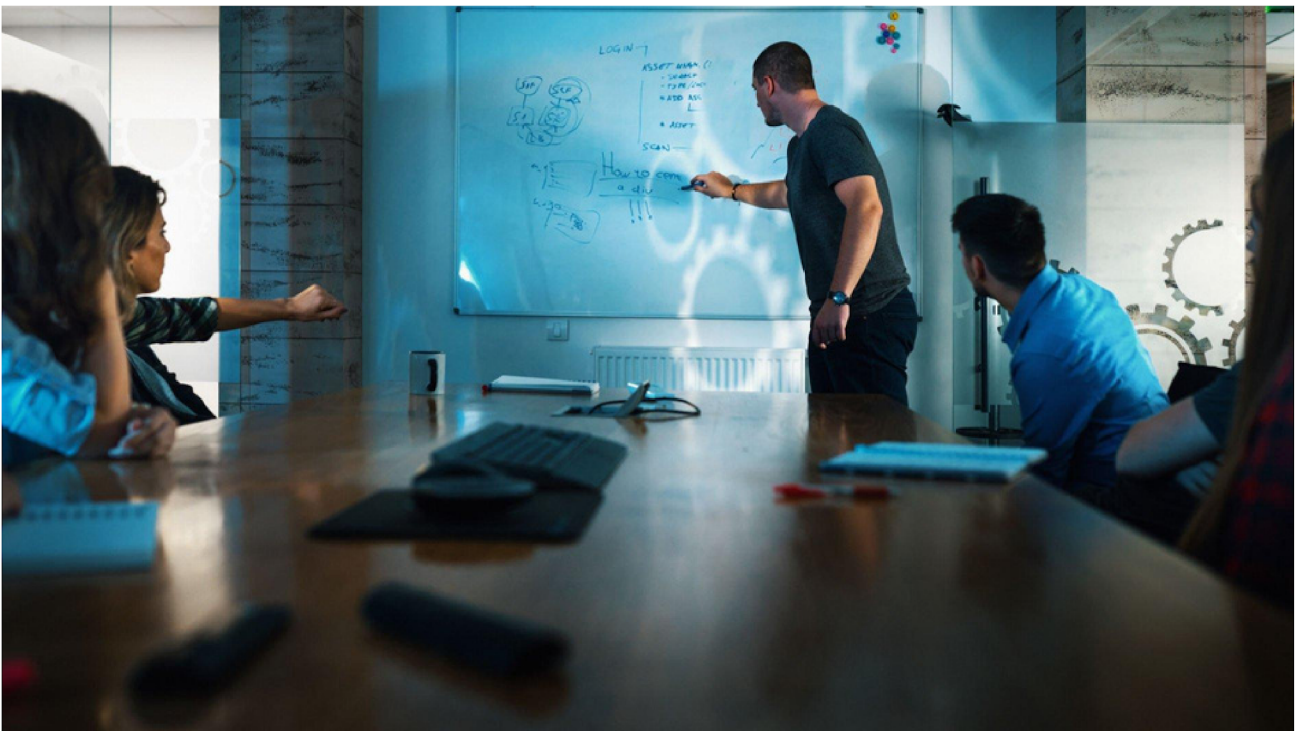
For Non-Large Schemes (containing 100 Lots or less) the notice of a Strata Committee meeting must be issued a minimum 72 hours prior to the meeting to:

- All Committee Members,
- The Tenant Representative (if any),
- And be placed on the common property Notice Board (if any),
- If the scheme is not required to maintain a common property Notice Board pursuant to the Strata By-laws, then the notices must also be issued to all owners.

MEETING PROCEDURES

For a Strata Committee to proceed the Chairperson must be satisfied of the following requirements:

1. The correct specified notice period of the meeting has been provided to committee members and owners,
2. The Chairperson (or nominated replacement) must be present,
3. A quorum for the meeting has been formed (i.e. sufficient committee members present – see below),
4. The motions on the agenda are within the powers of the committee to determine.



MEETING'S QUORUM PROVISIONS

Clause 12 of Schedule 2 of the Act specifies the quorum provisions for Strata Committee meetings, which are:

- For a committee consisting of 1 person, the quorum will be 1,
- In any other case, the quorum is half of the persons entitled to vote*, calculated based on the number of members determined by the Owners Corporation for the committee at the last Annual General Meeting.

*Clause 9(4) of Schedule 2 of the 2015 Act introduces the concept of non-financial committee members not being entitled to vote at a Strata Committee Meeting. I.E. owners (or owners that have nominated a committee member) must have all contributions (strata levies) paid in order to be entitled to vote or their nominated representative entitled to vote at the meeting. Let's assume that the number of members of a committee was determined at 9 by the Owners Corporation at the last general meeting, the usual quorum would be 5. In the event 1 committee member was unable to vote due to being non-financial, then the quorum would be calculated based on 8 members entitled to vote, meaning the quorum is now 4.

VOTING

1. Strata Committee Resolutions

Strata Schemes Management Resolutions 2016 Clause 9(1) of Schedule 2 specifies that there is only one type of resolution for a Strata Committee meeting that is simply a majority vote. For example, if there were six members of the Strata Committee and three votes were cast in favor of a motion and three votes were cast against, the motion **WOULD NOT** pass. If there is a deadlock a vote **CANNOT** be undertaken by Units of Entitlement as there is no provision for this in the Act and the Chairperson **DOES NOT** have a casting vote.

2. Methods of Voting

The 2015 Act allows a Strata Committee to determine voting in numerous ways, including:

- In Person,
- Via Telephone or Video Conference (if approved by the committee),
- Email or other electronic means (if approved by the committee, other than an election for office bearers),
- A substitute representative (if approved by the committee).

OWNER ATTENDANCE AT MEETINGS

All owners that are not members of the Strata Committee are entitled to attend Strata Committee meetings, however non-committee owners may not address the meeting unless a resolution is passed by the committee giving permission for them to do so.

TENANT REPRESENTATIVES & TENANT ATTENDANCE

There is no provision in the Act for a tenant to attend a Strata Committee meeting unless the tenant has been duly elected as the tenant representative for the committee or nominated as a substitute committee member that has been approved by the committee. A duly appointed Tenant Representative is not entitled to vote on any motion put before a committee meeting, nor is their attendance to be included in the calculation of the quorum for the Meeting. The committee may ask the Tenant Representative to leave the meeting when discussing matters surrounding financial or auditors' reports, debt recovery, levying of contributions or a Strata Renewal proposal.



DISCLOSURE OF PECUNIARY INTERESTS

Clause 18 of Schedule 2 sets out a new requirement for committee members to disclose any direct or indirect pecuniary interests on a matter that is to be determined by the committee. Examples of a pecuniary interest include being employed by, or being the partner of, or having some other financial or specified interest in a company that is tendering for work with the Owners Corporation. These circumstances may create a conflict of interest. The conflict of interest may include the receipt of a commission for the recommendation of services.

A committee member must make the disclosure as soon as they become aware of a potential conflict of interest and that member may be asked to leave a committee meeting when other members of the committee are deliberating on the matter. Any disclosure made must be kept in a book maintained by the committee which is to be made available for inspection by other owners in the scheme. For a committee consisting of 1 member, it is recommended that any such pecuniary interest be disclosed to the Owners Corporation at a General Meeting and any determination on the matter made by the Owners Corporation.

DISTRIBUTION OF COMMITTEE MEETING MINUTES

The 2015 Act also sets out new obligations for the secretary to distribute minutes of a Strata Committee meeting, which are as follows: Within 7 days of a Strata Committee meeting the secretary must:

- Give each member of the Strata Committee a copy of the minutes,
- For non-large schemes give each owner a copy of the Strata Committee minutes,
- For Large schemes, give any owner a copy of the minutes if requested to do so.

Note: There is NO longer a requirement to place a copy of the Strata Committee minutes on the common property notice board, regardless of whether the scheme is large or otherwise.

ROLE OF STRATA MANAGER IN COMMITTEE MEETINGS

Due to the detailed and exacting legislative requirements imposed by Strata Legislation, managing agents are often engaged by Owners Corporations to administer the day-to-day functions of the scheme on behalf of the Owners Corporation. To perform these duties an Owners Corporation may delegate to the manager some or all their functions pursuant to Section 52(1) of the Act, including the roles of Secretary, Treasurer, Chairperson, and the Strata Committee.

Like the Strata Committee, a managing agent cannot be delegated the authority to perform restricted matters (i.e. those matters that can be determined by the Owners Corporation, such as passing By-laws). Regardless of what delegation may be provided to a managing agent, it does not affect the authority of the Owners Corporation or the Strata Committee to exercise their powers under the Act. The typical tasks performed by your Iconic Property Care's Strata manager include:

THE SECRETARY

The duties of the secretary are listed under section 43 of the Act (listed above). Practically these duties include:

Attending to Correspondence & General Inquiries

Addressing all written, email and telephone communication from:

- Owners,
- Residents and Tenants,
- Property managers and Building managers,
- Solicitors and conveyancers,
- Strata inspectors and prospective purchasers.
- Trades, utility, and service providers.
- Council and other statutory authorities.
- Answer all 'over the counter' inquiries.
- Issue welcome letters and information packs to new owners within the scheme.
- Issue By-laws to all tenants when notification is received pursuant to Section 258 of the Act,
- Maintain tenancy register,
- Inform the strata committee, owners and residents of pertinent issues affecting the scheme. Dispute

Resolution & Mediation

- Receive complaints surrounding compliance with the strata By-laws (including, but not limited to noise, washing on balconies, parking on common property or the removal of unauthorized works),
- Provide advice to residents and owners as to their rights and responsibilities surrounding the administration of the strata By-laws.
- Mediate general disputes between owners, residents, and suppliers.
- Issue warning letters to residents who are breaching the strata By-laws.
- Issue Notices to comply with By-laws pursuant to Section 146 of the Act,
- Attend mediation where necessary,
- Issue Notice of applications and orders to owners,

- Prepare evidence and applications for the NSW Civil & Administrative Tribunal (N.C.A.T.),
- Where necessary attend N.C.A.T. Hearings regarding By-law disputes.



Record Keeping

Ensure the schemes records are maintained in accordance with the Act and kept securely for a minimum 7 years, including:

- All written and electronic correspondence sent and received by the Owners Corporation.
- Keep and maintain the minute book of the Owners Corporation, including notices and minutes of all Strata Committee Meetings, Tenant Meetings and Owners Corporation meetings.
- All proxy forms, voting papers used in general meetings and nominations to the strata committee.
- All accounting records and financial statements prepared on behalf of the Owners Corporation.
- Copies of all contracts entered into by the Owners Corporation,
- Maintain the Owners Corporation's strata roll in accordance with Section 177 of the Act,
- Facilitate Section 183 inspections of the Owners Corporation's records,
- Maintain restricted key or swipe tag registers.
- Maintain a schedule of the registered By-laws.

- Maintain a copy of the registered Strata Plan and any relevant management statement for the scheme,
- Maintain and affix the common seal when required,
- Maintain and keep up to date a tenancy registers for the scheme,
- Provide owners with an Annual Strata Manager's report in accordance with Section 55 of the Act

Meeting procedures

- Issue notices of Owners Corporation meetings to all owners & tenants,
- Issue notices of Strata Committee meetings to owners (as required by the Act) and Tenant Representatives,
- Issue notices and facilitate Tenant Meetings for the purpose of electing a Tenant Representative where required by the Act,
- Facilitate the Pre-AGM Strata Committee nomination process,
- Facilitate any electronic voting procedure approved by the Owners Corporation for general meetings or Strata Committee meeting,
- Facilitate any pre-meeting voting procedure approved by the Owners Corporation for general meetings or Strata Committee meetings,
- Ensure proxies received comply with the limitation rules of Clause 25 of Schedule 1 of the Act,
- Ensure all meeting notices and agenda items for Owners Corporation and Strata Committee meetings comply with the Act,
- Write minutes for and distribute them in accordance with the Act,
- Action the resolutions of Strata Committee and Owners Corporation's meetings,
- Post copies of minutes on our website for easy access by owners. Building and Trade Compliance– Arrange the Annual Fire Safety Inspection of all lots (smoke detectors and fire doors),
- Arrange for periodical maintenance and testing of fire apparatus (e.g., sprinkler systems and hydrants),
- Authorize the Annual Fire Safety Statement,
- Provide certificates of fire compliance to the local council and Fire & Rescue NSW,
- Arrange annual inspection of air-conditioning towers and cooling systems to ensure compliance,
- Provide certificates of compliance to Work Cover for all major apparatus within the scheme (e.g. lifts),
- Ensure maintenance logs are maintained,
- Provide a safe work certificate and induction for all trades sent to site,
- Facilitate the installation of Window Locks in accordance with Child Window Lock Safety Devices Act,

- Ensure all trades sent to the site are Workplace Health & Safety and Work Cover compliant,
- Ensure all trades sent to site are appropriately licensed to perform assigned works,
- Ensure all trades sent to site carry appropriate workers compensation and liability insurance



Maintenance

- Arrange and supervise day to day maintenance such as cleaning, gardening and lawn mowing at the scheme,
- Arrange periodical maintenance such as carpet cleaning, window cleaning, gutter cleaning, and pest control,
- Arrange servicing of plant and equipment (pit & pump, elevators, air-conditioning, garage doors etc.),
- Arrange, supervise and follow-up routine maintenance and repairs such as general handyman repairs, plumbing & electrical works, or rubbish removal,
- Arrange quotations for specified or detailed maintenance works where necessary,
- Arrange and supervise all insurance claim work,
- Where necessary engage and liaise with engineers for detailed or specialized works,
- Attend to emergencies after hours,
- Provide access to residents for 24-hour emergency trades,
- Obtain quotations and undertake contract negotiations for service contracts (e.g., lifts, fire services, pumps etc.),
- Source quotations from utility suppliers,

- Implement energy efficient practices for your scheme,
 - Project manage Capital Works fund works such as painting, carpet replacement or major refurbishments,
 - Undertake regular inspections of the common property to assess state of repair,
 - Collaborate with engineers and project managers associated with major maintenance works, Insurance Compliance
 - Arrange annual valuation for Building Insurance,
 - Prepare claims history for potential insurance providers,
 - Complete insurance renewal applications,
 - Source a minimum of 3 quotations from specialist strata insurers,
 - Effect insurances and ensure all statutory insurances are in place,
 - Administer all insurance claims and arrange insurance claim assessors where necessary,
 - Notify insurers of issues of significance to the scheme such as fire certification and WH&S compliance,
 - Notify insurers of change of use of a lot or business within the scheme,
 - Ensure financial services guide and policy disclosure statements are maintained on scheme's records,
 - Complete wage and salary declarations for Workers Compensation insurance if required,
 - Upload Certificate of Insurance on Website,
 - Provide Certificate of Insurance to owners and mortgagees when requested,
 - Provide owners with details of any 3rd party commissions received in accordance with Section 60 of the Act.
- Building Defects**
- From the First Annual General Meeting: • ensure the original owner has furnished all documents in accordance with Section 16,
 - Ensure the original owner has supplied the Owners Corporation with an Initial Maintenance Schedule,
 - During the statutory warranty period, ensure a motion to determine how to address Building Defects is listed on the agenda for each Annual General Meeting,
 - Action any decision of the Owners Corporation surrounding the pursuit of defects,
 - Facilitate correspondence between the builder and Owners Corporation associated with Building Defects,
 - Ensure the Owners Corporation approves a Building Inspector for the Interim Inspection report to proceed in accordance with Part 11,
 - Facilitate access for any building inspector appointed pursuant to Part 11,
 - Provide copies of the interim building inspection report to owners, the builder and Secretary for Innovation and Finance at the NSW Fair Trading,

- Facilitate access for the builder to rectify defects identified in the interim inspection report,
- Facilitate access for any building inspector appointed to complete the final building inspection report in accordance with Part 11,
- Initiate claims on the building bond paid by the original owner pursuant to part 11,
- Oversee additional building defect claims.



THE TREASURER

The duties of the Treasurer are listed under Section 44 of the Act (listed above). Practically these duties include:

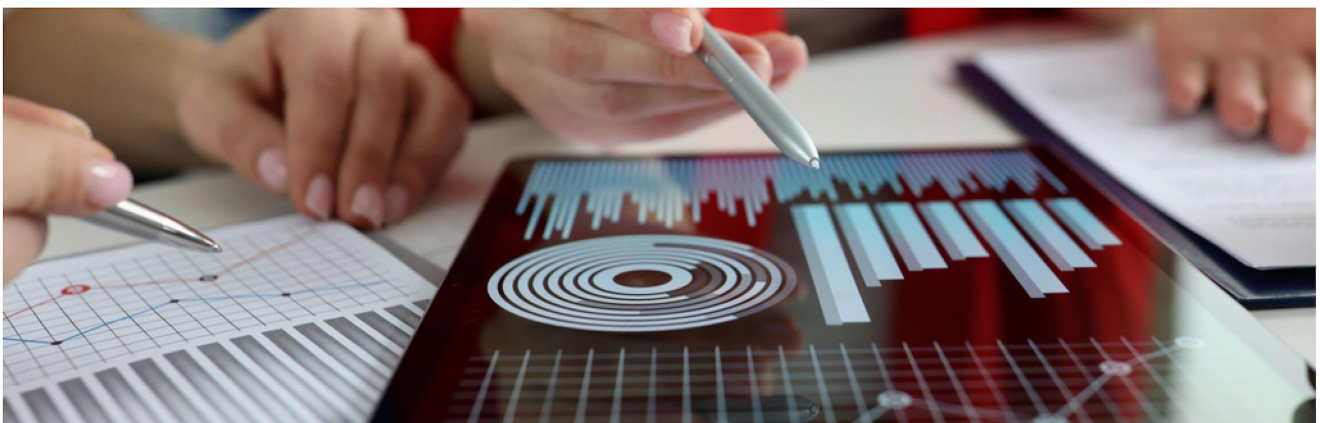
Invoice and Payment Approvals

- Process and approve all invoices issued to the Owners Corporation,
- Authorize invoices for payment against approved quotations or work order requisitions,
- Remit payment via cheque, bPay or E.F.T of approved invoices to suppliers,
- Issue remittance advices to suppliers upon payment,
- Record and receipt transactions within the Owners Corporation's trust account,
- Monitor cash flow to ensure accounts can be paid or future expenses can be maintained,
- Monitor financial performance against budget provisions,

- Monitor financial performance against budget provisions,
- Retain a copy of all invoices on the Owners Corporation's records,
- Issue copies of invoices to owners when requested,
- Facilitate on-line Invoice Approvals for selected committee members (when requested).

Accounting and Reporting

- Maintain and operate the Owners Corporation's trust account,
- Establish and maintain investment accounts on behalf of the Owners Corporation,
- Maintain all accounting records as provided in the Act,
- Prepare daily financial reports for your scheme that are posted to your client portal,
- Prepare monthly trust account reconciliation,
- Prepare yearly financial reports for distribution to all owners at the AGM in accordance with section 92 of the Act,
- Prepare the annual budget for presentation at the AGM, taking into consideration the expenditure during the previous years, associated Capital Works Fund report and Initial Maintenance schedule,
- Arrange and implement recommendations of the Owners Corporation's Capital Works fund forecast,
- Prepare books of account for the Annual Tax Return of the Owners Corporation,
- Prepare books of account for quarterly Business Activity Statements,
- Prepare books of account for the Annual Audit,
- Initiating phone call, email & SMS reminders to owners in arrears,
- Distributing arrears correspondence as required by section,
- Issuing Arrears payment notices,
- Monitor payments of owners pursuant to a debt recovery payment plan,
- Where necessary initiate formal debt recovery proceedings against owners who are substantially in arrears,
- Prepare evidence for use in local court or district court proceedings.



THE CHAIRPERSON

The duties of the Chairperson are outlined in Section 42 of the Act. The Chairperson must ensure Owners Corporation and Strata Committee meetings are conducted in accordance with the rules and procedures defined in the Act and that all resolutions passed by either the committee or Owners Corporation is valid. These include duties include but are not limited to:

- Ensure the proper procedure to convene and conduct the meeting has been followed,
- Ensure proper notice has been provided to all owners,
- Ensure all motions on the agenda are valid and may be passed, and if not how to properly invalidate a motion,
- Obtain an updated copy of the strata roll to record attendance at meetings,
- Prepare an updated levy arrears register,
- Record those owners present at the meeting as well as proxies, company nominee's and apologies,
- Ensure all proxies have been submitted on the prescribed form,
- Ensure the voting rights of co-owners, priority votes, covenant charge's and mortgagees are properly followed,
- Ensure a quorum for the meeting is present before opening the meeting,
- In the event a quorum is not present, following the proper procedures to either adjourn the meeting or have a quorum declared after the prescribed time,
- Executing the rules and regulations surrounding the election of the executive committee,
- Following the proper procedures for replacing executive committee members that may resign or be removed from the committee during the year,
- Ensuring the proper voting procedures at a meeting are followed including how to conduct a Poll Vote, an unanimous resolution, special resolution and ordinary resolution,
- Ensuring that proper procedures are followed when amending a motion.