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February and March 2018 Newsletter

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# strata MEETINGS

The different types of meetings include:

- First Annual General Meeting
- Annual General Meetings
- Extraordinary General Meeting
- Strata Committee Meeting

## [First Annual General Meeting](#)

The original owner must hold the first Annual General Meeting within 2 months of the end of the initial period, that is, when one-third of the total unit entitlements have been sold.

The notice of the first Annual General Meeting must be served on each owner and each first mortgagee and covenant chargee shown on the strata roll. This must be done at least 14 days before the scheduled date of the meeting.

## [Annual General Meetings](#)

After the first Annual General Meeting, the next Annual General Meeting must be held between 11 to 13 months after the date of the first Annual General Meeting.

A notice of a general meeting must be sent to all owners shown on the Strata Roll at least 7 days before the scheduled date of the meeting.



### Voting at General Meetings

You are entitled to vote at a general meeting in person if you are:

- a company nominee of a corporation shown on the strata roll as the owner
- an appointed proxy
- an owner/mortgagee or covenant chargee of a lot shown on the strata roll.

Furthermore, to be able to vote at a general meeting you must be financial as at the date that the notice for the meeting was sent out. This means that your levies must be up to date and also any other outstanding amount must also be paid, which includes, special levies, penalty interest and debt collection costs.

### Quorum

There must be a quorum at a general meeting before any motion can be voted on.

A quorum is:

1. one-quarter of the people entitled to vote, or
2. a sufficient number of owners entitled to vote holding one-quarter or more of the total unit entitlements.

If a quorum is not present within 30 minutes of the scheduled start time, the meeting must be adjourned for at least 7 days. The Chairperson presiding sets the date and time for the adjourned meeting.

## How to call a general meeting or have an item included on the agenda?

A general meeting may be called when a request in writing is signed by lot owners whose total unit entitlement equal at least one-quarter of the aggregate unit entitlements for a strata scheme or by majority vote of the strata committee.

Any person entitled to vote at a general meeting can request for a motion to be put on the agenda for a general meeting. Written notice must be given to the secretary. The secretary must put the motion on the agenda for the next general meeting. Please note that a clear explanation regards the motion needs to be included.



Integrity Strata encourages owners to attend meetings and participate in the affairs of their building. Strata Schemes depend heavily upon owner participation to function correctly.

The active involvement of owners will assist in creating a peaceful and harmonious environment for owners and occupants to reside and to effectively protect and enhance the assets of the owners corporation.

If owners are unable to attend meetings we recommend that they consider the appointment of a proxy to ensure that their vote is counted. Limitations on how many proxies an owner can hold apply.

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## Living in a Cubic Strata Plan?

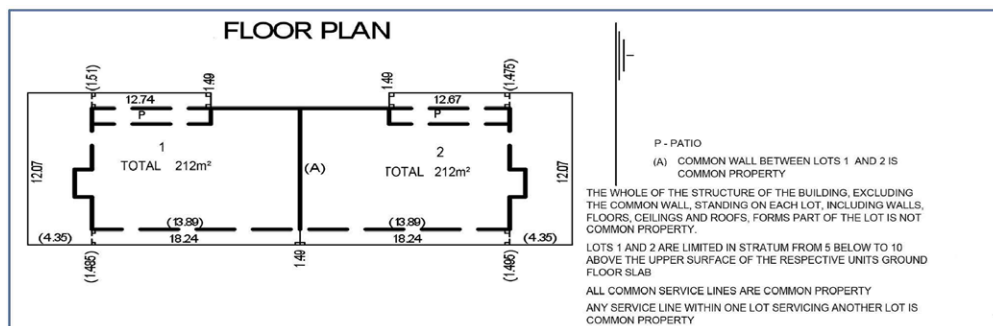
When Community Title or strata subdivision is not preferred Developers may consider CUBIC SPACE STRATA.

Buildings forming part of the lot It is possible to prepare a strata plan where it is intended that the buildings form part of their respective lot and not become common property.

In these instances, the following conventions apply.

Example:

- The building is not common property
- The location plan is prepared as normal
- The floor plan is prepared differently and it must show the following:



1. The walls will be shown by thick broken lines unless they form a lot boundary.
2. There will be only one-floor plan regardless of the number of levels in the building. The floor plan will represent the perimeter walls of the building at ground level.
3. The plan must have a statement indicating that the building forms part of the lot and is not common property for example. 'The structure of the building standing on each lot, including walls, floors, ceilings and roofs, form part of the lot and is not common property.
4. If a common wall exists the plan must indicate its status i.e. The Common Wall is Common Property or Boundary is Centreline of Common Wall shown in Examples 21 and 22.
5. The area will be calculated at ground level only regardless of the number of levels.
6. A stratum statement should be provided for the whole of the lots. The

stratum statement should take into account the height of the building. Consideration should also be given to any possible vertical extensions of the building.

7. It is recommended that the following statements be added: 'Any service line within one lot servicing another lot is common property.' All common service lines are common property.
8. No vinculum or reference to part lots will be used as there are no separate parts of the lots.

Information contained in this document was correct at time of publication but may have changed check with Land Titles.



The NSW Government wants to streamline the renovations process and cut red tape. They are going to do that, essentially, in two ways. Once the new laws start, there won't be a need for owners to obtain owners corporation approval to carry out cosmetic work to their units, even if that effects the common property – so painting and laying new carpets will be able to be done without getting strata approval. Also, minor renovations will be able to be approved by an ordinary resolution without the need for a bylaw. Things such as kitchen renovations, installing hard floor covering or reconfiguring, non-structural walls will be able to be approved a lot quicker, with much less red tape. That's going to speed up the renovations process.

Beware some major renovation. eg. Wet areas renovations within the Lot including:

- (a) Removal and replacement of floor tiling
- (b) Waterproofing of the floor and common walls
- (c) Structural works
- (d) Work changing the external appearance
- (e) Work affecting safety, fire systems
- (f) Work requiring a Development Consent
- (g) Reconfiguring walls

### [The Strata Building Bond and Inspections Scheme](#)

The strata building bond and inspections scheme, introduced under the NSW Strata Schemes Management Act 2015 (Part 11), will apply to all contracts for residential (or part residential) works entered into after 1 January 2018, if the development is not covered under the Home Building Compensation Fund.

The building defect bond scheme will require developers to lodge a bond of 2% of the contract price with NSW Fair Trading prior to the issue of occupation certificates. This bond will cover the costs of defect rectification works that are identified in the final inspection report to be procured under the new scheme. Roscon's recommendation is that similar models be implemented nationally.

The regime applies to developers engaged in residential building work associated with the creation of a strata scheme, and includes a defects inspection procedure that provides a trigger either for the ability of the strata scheme to call on that bond, or for the return of the bond to the developer.

Roscon has been lobbying heavily for consumer protection in buildings subject to strata schemes. Roscon was the only building expert witness who was invited to provide expert advice and recommendations to the Senate Committee for Building Defects (Federal Senate Enquiry). At the Federal Senate Enquiry, we noted that consumers purchasing a dwelling in a building over three storeys high are worse off than those purchasing in a single or double storey building as builders are not required to obtain builder's warranty insurance for buildings over three storey's high. Source - [Page 57, Senate Enquiry Hansard Record](#)

The NSW strata building bond and inspections scheme (the Scheme) works towards addressing this issue.

As part of the inspection procedure under the Scheme, developers must source a building inspector through the Strata inspector panel. The building inspector must be independent of the developer. The developer can be penalised for failing to disclose any connection with the building inspector. Likewise, the building

inspector can be penalised for failing to disclose any connection with the developer.

The developer must notify the Building Bond Secretary and the Owners Corporation of the proposed appointment of the building inspector. The Owners Corporation then approves or rejects the building inspector appointment. Where the developer fails to organise for one to be appointed (this includes if the Owners Corporation rejects the building inspector that the developer seeks to appoint) the Building Bond Secretary will appoint an independent building inspector. The building inspector then arranges a date with the Owners Corporation to inspect the strata property. At all stages where a building inspector is used in the process, the developer pays for their works.

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# upcoming EVENTS



***My name is Narell Whitehead & I am a Strata Manager at Integrity Strata  
Nowra***

I am hosting a fundraiser in my capacity as an Ovarian Cancer Australia Ambassador. I have been fortunate to have survived this disease TWICE. Ovarian Cancer is the deadliest of Women's cancers and the survival rate after 5 years from the initial diagnosis is only 43%.

The fundraiser will be held on Saturday, the 3<sup>rd</sup> of February in the private function room at the Ex Servos Sports Club in Worrigeer. Doors open at 7pm.

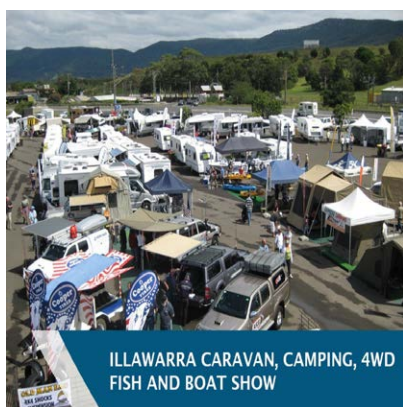


The cost of each ticket is \$40 and this includes catering and a live band. We have been fortunate enough to secure the band “TIWI DUO” on the night. Bring your dancing shoes as there will be a dancefloor. A private bar is available for you to purchase alcoholic drinks. There will be raffles and auctions on the night. Get a group together and come and help raise funds and awareness! Please contact me for tickets on 0413 010 609



5th February 2018 (Monday)

Nowra will showcase the Queen's Baton Relay. Its arrival & route will cause intermittent road closures for short periods in the Nowra CBD & along the Shoalhaven River foreshore. The Queen's Baton Relay will make a spectacular arrival on the banks of the Shoalhaven River by Navy helicopter landing on Greys Beach at 4:20 pm. From there, it will travel across the river on a Royal Australian Navy Rigid-Hulled Inflatable Boat to the Nowra Aquatic Park which will be hosting a free pool party from 2 pm – 4 pm.



23rd – 25th February 2018

(Friday to Sunday)

Don't miss one of the best outdoor events on the South Coast! Find your new dream boat or caravan, and while you're at it check out the freestyle bike show, the fishing show, and the reptile awareness show! With over 175 exhibitors you are sure to find what you're after to turn your next trip into an unforgettable adventure!



24th February 2018 (Saturday)

A great day of Sevens Rugby by the beach in beautiful seaside Kiama. Held annually on the last Saturday in February at Kiama Showground





9th – 11th March 2018 (Friday to Sunday)

90 Gigs, 40 Venues, All Free! Full programme ready February 2018



9th April 2018 (Sunday)

The Shellharbour Ocean Swim is open for all ages. Starting on the sandy foreshore at Shellharbour Boat Harbour, heading through the harbour entrance, then swim out and north around Cowries headland, follow the foreshore to Cunji Rock platform and onto the main patrolled beach at North Shellharbour. The Junior swim is 400 metres.



Integrity Strata Director, Leo Paternoster, has announced that the company will be a proud sponsor of the Jamberoo Rugby League Football Club for the 2018 season and hoping they can defend the premiership after the historic win last year.

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