



STRATA & COMMUNITY LIVING

Strata law review

THE NEW SOUTH WALES GOVERNMENT HAS RELEASED THE STRATA LAWS ONLINE CONSULTATION FINAL REPORT, THE FIRST STEP IN THE PROCESS OF REVIEWING STRATA LAWS IN THIS STATE.

In mid-December 2011, the Minister for Fair Trading, Mr Anthony Roberts MP, launched an online forum inviting those living and working in strata to contribute to the conversation about what was good and not so good. What worked and what didn't.

The online forum closed on 29 February and the report was released in mid-May.

More than 1200 responses were received and have been collated into a 220 page report that the government will now use in the next step in the strata law review process which will be announced soon.

The report clearly identifies the issues that exist in the strata industry and brings them together in one place. By its very nature strata is a complex landscape with a high risk of issues as identified by the participants in the online forum.

People, pets and parking were typically the three main areas that caused participants in the forum the highest levels of frustration as did issues around governance. No doubt some of the issues raised will ring bells with some of our readers. Here is a small selection:

Governance

Many of the issues concerning people involved the way in which executive committees and strata managers carried out their roles and responsibilities as well as the lack of education about strata living for both committee members and new buyers into strata schemes.

Options suggested included mandatory formal education for executive committee members as well as courses for buyers, setting out their rights and obligations.

Other issues raised included transparency and accountability of executive committees and suggestions around improvements for strata managers and how they operate.

People

Noise and anti-social behavior were issues that were commonly raised throughout the consultation period. These included loud music, smoking on balconies, slamming doors, talking loudly, drinking on stairwells, swearing and aggressive behavior.

Both tenants and owners participate in this behavior but the main complaint was that while owners were responsible for their tenants, often the laws made it too difficult to get them to change their behavior or leave.

Pets

The issue of pets was the most fiercely debated with opinion evenly divided. While some wanted to ban pets outright, a number of people backed responsible pet ownership calling for regulation rather than prohibition.

Parking

Unauthorised parking is a continuing and pressing matter for a number of people. While many said that executive committees should be given more power to deal with parking some said it was the committee members who were the worst offenders.

Parking was also not just confined to the behavior of people living or visiting the strata scheme. Many reported use of the visitor parking by people who had no connection to the property. A matter the police were unable to prevent.

Strata Community Australia (NSW) is eagerly awaiting the government's announcement of the next steps in the review process and will keep readers informed of all new developments.

In the meantime the report can be downloaded from www.globalaccesspartners.org.

THE UGLY TRUTH OF GRAFFITI AND HOW TO PREVENT IT

MANY STRATA PROPERTIES ENCOUNTER THE UNFORTUNATE ACT OF GRAFFITI VANDALISM AND OFTEN FACE AN ONGOING BATTLE WITH REPEAT VANDALS. WHETHER IT'S WRITING, DRAWINGS OR SCRATCHING ON TO SURFACES, IF IT'S WITHOUT THE CONSENT FROM THE PROPERTY OWNER THEN IT'S CONSIDERED DEFACING PRIVATE AND/OR PUBLIC PROPERTY WHICH IS ILLEGAL.

The onus to remove the graffiti quickly and effectively falls to the owners corporation. And while there are many companies offering the service of graffiti removal, simply cleaning the surface is literally only removing the issue... visually.

The good people of Western Australia obviously thought the graffiti issue needed resolving and have since adopted an initiative by led by local government. Known as the Graffiti Taskforce it has resources from the WA Police to tackle the problem.

The Graffiti Taskforce was established to drive a range of initiatives with a "zero tolerance" approach to graffiti vandalism, focusing on prevention as well as clean up, so all Western Australians feel safe living in communities which are free of graffiti vandalism and the other social problems that sometimes co-exist.

Some key areas identified, especially around prevention, could easily be adopted in the strata sector in NSW with some being relatively inexpensive but very effective.

Landscaping to create graffiti resistant surfaces... naturally

Graffiti vandals target surfaces such as brick walls, sheds and solid fences because they provide a flat canvas to display tags and other markings.

Covering these kinds of surfaces with vegetation reduces suitability for graffiti as the colour and irregularity of the surface often prevents markings from being recognisable.

An alternative to covering a target area with vegetation is to use vegetation as a barrier to offenders reaching the surface. Placing a hedge or other dense vegetation immediately in front of a wall can inhibit access, especially if the plant has natural deterrents such as thorns or spikes. Placement is important: gaps between plants and the surface may provide cover for offenders and encourage acts of vandalism.

When creating graffiti resistant gardens, also consider:

- if a surface is unsuitable for natural forms of protection, anti graffiti coatings could be applied to assist with fast removal
- store rubbish and recycle bins away from vulnerable surfaces/structures to prevent them being used as natural ladders or as concealment
- install effective lighting to help deter vandals
- remove any graffiti as quickly as possible, the longer graffiti remains on display the greater the reward for the vandal and the more likely it is that the location will continue to be targeted.

How to report an incident

Many graffiti hotlines have been set up nationally by local councils for residents and businesses.

Check with your local council by phone or via their website or contact the Police via:

- 131 444, if you are witnessing a crime in progress or wish to report a crime
- 000, only if you or someone else is in a life threatening situation or emergency
- 1800 333 000 Crime Stoppers, if you have information about illegal activity or suspected perpetrators relating to crime anywhere in Australia.

STRATA OWNERS CHAPTER now recruiting

SCA (NSW) INVITES YOU TO JOIN ITS NEW MEMBERSHIP CATEGORY, THE STRATA OWNERS CHAPTER, WHICH HAS BEEN ESTABLISHED SPECIFICALLY FOR OWNERS OF ONE OR MORE LOTS IN A STRATA OR COMMUNITY TITLE SCHEME AND FOR THOSE WHO SIT ON THE EXECUTIVE COMMITTEE OF THEIR SCHEME.

As a member of the Strata Owners Chapter you will enjoy the following benefits:

- Free online executive committee training
- Invitations to events at special SOC member rates
- Networking opportunities with other lot owners, strata managers and suppliers
- Invitation to the complimentary Christmas party
- 'Around the Grounds'- fortnightly e-newsletter from SCA (NSW)
- Copy every two months of Inside Strata magazine
- Access to the online directory of suppliers and strata businesses
- Access to fact sheets
- Use of the strata 'Works Agreement' template
- Membership certificate (electronic)
- Input into strata policy development
- Voting rights pursuant to the NSW Constitution

SCA (NSW) is encouraging its strata manager members to sponsor the first two years membership fee for the entire executive committee of some of the larger schemes they manage. The modest fee of \$100 for two years for the committee is certainly within the budgets of most companies and an excellent way of giving something back to the schemes they manage. Individual memberships are \$50 for two years and are also welcome.

The benefits for strata managers include better communications between themselves, their executive committee and SCA (NSW). A spin off is that by SCA (NSW) having more direct ties with lot owners it can better represent consumer issues to government policy-makers especially as we edge towards the next phase of the NSW strata law review.

More information and access to the online application form are available at www.nsw.stratacommunity.org.au

Save the date

The Lot Owners Forum will be on again this year as part of the SCA (NSW) Annual Convention and you are all invited.

Keep Saturday, 20 October 2012 free in your diaries to join us at the Sofitel Sydney Wentworth Hotel. Sydney Morning Herald and Flat Chat columnist, Jimmy Thomson, will be opening the event which aims to provide information to strata scheme property owners.

Last year's Lot Owners Forum was well received by owners who attended and this year's program promises to be even better, especially with Jimmy Thomson joining us.

Details of the event will be available on the SCA (NSW) website shortly. Online registration for this event will be held later in the year so for more information keep coming back to www.nsw.stratacommunity.org.au.

Roles & responsibilities of the Executive Committee

SO YOU LIVE IN STRATA. YOU MAY BE NEW TO STRATA LIVING OR YOU MAY BE WELL ACCUSTOMED TO THE HIGHS AND LOWS OF STRATA LIFE. EITHER WAY, YOU SHOULD BE AWARE OF THE RESPONSIBILITIES OF LIVING WITHIN YOUR STRATA SCHEME.

The owners corporation of a strata scheme is responsible for the overall administration including maintenance of the property for the owners, arranging insurance and running the annual general meeting (AGM). Within the owners corporation are representatives who are elected at each AGM and form the executive committee.

Did you know that every strata scheme in NSW, regardless of its size, has to have an executive committee? It's the executive committee that is responsible for the day-to-day running of the strata scheme and who literally become the voice of the owners corporation.

To be eligible for election to the executive committee, you must be either:

- an owner;
- a company nominee of a corporation that is an owner; or
- a person who is not an owner but who is nominated by an owner who is not standing for election.

The executive committee consists of a chairperson, secretary and treasurer (known as office bearers) however the owners corporation can decide on the number of executive committee members for the coming year at each AGM (up to nine committee members).

Basically the secretary's duties consist of the operation of meetings involving the executive committee and administrative

issues. The treasurer deals with payments associated with the strata scheme, maintains insurance, property maintenance and other administrative matters.

The owners corporation has the authority to dismiss some or all of its executive committee. An owners corporation may also employ a strata manager to carry out some or all of the responsibilities of the executive committee.

To help you understand how strata schemes are managed, or simply to learn more about the roles and responsibilities as an effective executive committee member, Strata Community Australia (NSW) has launched a new training program to assist you ... and it's free!

This valuable free online training was designed specifically to give you a good understanding of strata schemes and to help make your role on the executive committee more enjoyable.

The training covers the following topics:

- Governance and Ethics
- Roles and Responsibilities
- Strata Plan Interpretation
- Administrative Matters
- Communication

In addition to the online free training program, SCA (NSW) also hosts various Consumer Awareness Seminars at its offices in North Sydney. They are free for anyone to attend however as seats are limited, it would be wise to book your place. The next Consumer Awareness Seminars have been scheduled for late afternoon on:

- Wednesday, 4th July 2012
- Wednesday, 19th September 2012

Contact SCA (NSW) via phone 02 8904 0450 or visit the website at www.stratacommunity.org.au and check the Education tab for further details.

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Strata & Community Living is a joint initiative brought to you by SCA (NSW); the peak industry body representing strata managing agents and others committed to the continual improvement in standards of strata management practice in NSW and your strata managing agent.



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