



A short guide to running the Strata Committee of the Owners Corporation

The strata committee of the owners corporation is a group which represents the lot owners.

It assists in administering the day-to-day running of the strata scheme and is elected at each Annual General Meeting (AGM). Once the strata committee is elected, the members of the committee decide who is to hold the officer positions of Chairman, Secretary & Treasurer.

Meetings

There is no legal requirement as to how often strata committee meetings must be held. The secretary may convene meetings as required or one-third of the strata committee members may ask the secretary to call a strata committee meeting and set a time for the meeting to be held. If the secretary is away, any other strata committee member may act in that capacity.

Notice

The Secretary must put a notice about the meeting on the noticeboard at least 3 days before a strata committee meeting is held. If the owners corporation doesn't have a noticeboard, or if the scheme is a large one, the meeting notice must be given to each owner and strata committee member. The notice must have a detailed agenda.

Objection to motions on agenda

Owners holding more than one-third of the total unit entitlements for the strata scheme can oppose any motion appearing on the agenda for an strata committee meeting. Written notice of the objection must be given to the Secretary of the strata committee before a decision on the motion is made.

Any decision made by the strata committee on that matter will have no force or effect.



Owners' Attendance (Who are not members of the strata committee)

An owner, or where the owner is a corporation the company nominee of the corporation, can attend strata committee meetings but they cannot speak at the meeting unless the strata committee agrees by majority vote.

Election of Officers

At the first meeting of Strata Committee the office bearers are elected. The three positions to be filled are Chairperson, Secretary and Treasurer. One member may hold more than one office. With a managing agent engaged often the position of treasurer remains vacant with those functions being delegated to the agent.

Chairperson to preside

If the Chairperson is present they must preside at all meetings of the strata committee. If the Chairperson is away the strata committee must appoint another strata committee member to chair that meeting only. The Chairperson does not have a deciding vote.

Quorum

The quorum for an strata committee meeting is at least half of the members.

Voting

Each strata committee member has one vote and must be financial to exercise this vote. If the strata committee member is not an Owner then the Owner that nominated them at the annual general meeting must be financial. The Chairperson does not have a casting vote under any circumstances. A decision on any motion at a strata committee meeting is made by a majority vote. A vote recorded as 50% in favour and 50% against results in the motion being lost.

The committee may also resolve to attend meetings by telephone or electronically. It is still necessary to issue an agenda and minute such meetings.

Adjournment of meetings

An strata committee meeting can be adjourned for any reason if a motion is passed at the meeting for the adjournment. Notice of when and where the adjourned meeting is to take place must be put on the noticeboard. If there is no noticeboard, a written notice must be given to each owner at least one day before the meeting.

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Non-attendance at meetings

A strata committee member can appoint another owner or company nominee, whether or not they are a member of the strata committee already, to vote for them at a strata committee meeting. This delegation must be approved by the strata committee.

Voting in writing

Unlike general meetings, the strata committee can vote in writing even though the meeting was not physically held. A notice of the meeting and copy of the agenda must be put on the notice board 3 days before the proposed meeting, or a copy of the notice and agenda given to each owner if there is no notice board.

Where a meeting is to be conducted in writing a notice and agenda must also be given to each strata committee member. A resolution approved in writing by the majority of strata committee members is valid even though an actual meeting was not held. These resolutions must be put in the minutes.

Effect of decisions

Any decision made by the strata committee is treated as a decision of the owners corporation although there are some matters that the strata committee do not have the power to make (eg: raising levies). No individual strata committee member can make a decision for the owners corporation. (Unless the strata committee is comprised of only one owner). In the event of a dispute between the owners corporation and its strata committee, the decision of the owners corporation prevails.

Restrictions

Any owners corporation can limit the powers of its strata committee if it so desires. The restriction of powers is considered at the annual general meeting.

Restrictions of decisions (Legal expenses)

A decision of the owners corporation is required before the strata committee may commence or obtain legal advice on behalf of the owners corporation, except where the anticipated costs is less than \$3000 or in the event of emergency where the limitation is \$15,000.

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Restrictions of decisions (Large schemes)

Unless authorised by resolution of the owners corporation, the strata committee of large schemes cannot spend more than 10% above the budgeted item for any item, except in an emergency. Specific emergencies include burst or blocked sewer pipes, serious fire or storm damage, electricity or security failures and serious glass breakages. A minimum of two quotes must also be obtained for works over \$30,000.

Minutes of meetings

There are two ways the strata committee minutes can be made available:

- A copy can be given to each owner within seven days of the meeting, or
- A copy can be put on the noticeboard within seven days and must stay there for at least 14 days (but not if the scheme is a large one).

Where there is no noticeboard the strata committee must give a copy of the minutes to each owner within seven days.

Vacating positions on the Strata Committee

Any member may resign from the Strata Committee at any time. This must be done in writing. The Owners Corporation is required to fill any vacancy which occurs. The committee has the power to select the candidate.

If a member sells their property during the term of their appointment their position on the strata committee is automatically extinguished upon transfer of ownership

A member can only be removed from office by special resolution of the Owner Corporation at a general meeting (or by order of the Tribunal).



Powers and duties of the Chairperson, Secretary and Treasurer

(Please note that the strata manager is usually delegated many of these duties by the Owners Corporation.)

The duties of the Chairperson of an owners corporation include:

- **preside at meetings**
- **conduct meetings**
- **decide on issues relating to voting and procedure**

The duties of the Secretary of an owners corporation include:

- **preparing and providing notices for the owners corporation and its strata committee**
- **preparing and providing minutes of meetings and putting a motion to confirm the previous minutes**
- **maintaining the strata roll**
- **giving information to a person for the owners corporation under section 108**
- **answering correspondence addressed to the owners corporation**
- **convening meetings of the owners corporation and its strata committee (apart from its first AGM)**
- **doing all administrative and secretarial duties for the owners corporation and the strata committee.**

The duties of the Treasurer of an owners corporation include:

- **issue levy notices**
- **receive and bank monies on behalf of the Owners Corporation**
- **prepare Section 109 certificates**
- **prepare financial statements and other financial records**
- **maintain accounting records**

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Sample Agenda for an Strata Committee Meeting

STRATA SCHEMES MANAGEMENT ACT 2015 (NSW)

NOTICE OF STRATA COMMITTEE MEETING

BUSINESS to be dealt with at the Strata Committee Meeting of Strata Plan No _____ on _____ the _____ day of _____ 20xx at _____.

Agenda

Record persons present
Record apologies

The motions to be considered are as follows:

1.	That the minutes of the last committee meeting be confirmed as a true record of the proceedings at that meeting.
2.	That
3.	That

Dated

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Sample Minutes of an Strata Committee Meeting

STRATA SCHEMES MANAGEMENT ACT 2015 (NSW)

MINUTES OF STRATA COMMITTEE MEETING
of Strata Plan No on the day of 20xx at .

Agenda

Record persons present
Record apologies

The motions to considered are as follows:

1.	Resolved that the minutes of the last committee meeting be confirmed as a true record of the proceedings at that meeting.
2.	Resolved
3.	Resolved

Dated

Note:-

The minutes must reflect the agenda items as they have been circulated. Additional matters cannot be validly resolved. Any matters raised "from the floor" should be noted by the secretary and included in the agenda of the next meeting.

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