

STRATA & COMMUNITY LIVING

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WINTER 2017



Celebrate great strata achievements

The annual Strata Community Awards are back for 2017 and will be sponsored by insurance company CHU. For those unfamiliar with the awards, each year Strata Community Australia (NSW) for the best part of the past decade, has encouraged and celebrated excellence across all facets of the strata industry.

Nomination for the awards is open to all current SCA (NSW) members – owners, strata managers and strata services. There are three awards areas - individual, business and strata schemes – with a few categories in each.

Strata owners may be interested in nominating for the Strata Community Environmental and Engagement Award sponsored by City of Sydney. This award recognises strata schemes that are working on ways to reduce their impact on the environment through initiatives that promote sustainability. This year, for the first time, the winner will progress to the NSW Business Chamber Awards 'Excellence in Sustainability' as a finalist (subject to meeting the terms and conditions).

Strata schemes may also nominate their individual strata manager or strata management agency or a service provider, which is also a first for the awards.

Previous awards winners say that receiving this recognition provides them with positive boost and the knowledge that they are serving their clients or owners well. For strata communities it is an opportunity to

celebrate all that is good and positive about community living and gives owners and residents a sense that they are living in a great place.

Nominations opened in late April and closed on 31 May but are worth considering for next year. Nevertheless, check out the SCA (NSW) website to see how the nomination is completed online and what the criteria is for your category. It's fast and simple. And again, if you didn't make it this year, consider who may be worthy for next year's awards and nominate then.

Judging the awards can be tricky but to make it fair and transparent, SCA (NSW) has sought the assistance of six independent judges, including a representative from NSW Fair Trading, one from the NSW Business Chamber, two academics, a lawyer and a sustainability expert. Their decisions will be final.

The 2017 CHU Strata Community Awards gala dinner will be held on the 21st of July where finalists will all come together for a grand occasion (like the Oscars for strata) and the winners will be announced.

SCA (NSW) will publish the list of finalists prior to the gala dinner and the winners after this event.

If you've already nominated for 2017, good luck and thank you for your contribution to the strata community.



Q&As from Strata Owners Day

Strata Owners Day 2017 held on 25 March was a huge success with over 100 owners taking time out of their busy lives to attend various presentations and participate in the panel session about living in strata.

Thank you to those owners who attended. SCA (NSW) aims to continue to support you by providing these opportunities as well as the regular strata owner seminars throughout the year.

For those unable to attend we have compiled some of the Q&As from the panel session hosted by Cindy Martin from StrataLive. It featured a strata law expert, strata insurance expert and a representative from NSW Fair Trading.

Strata Owners Day Q&A panel

Q The security door to our garage broke about a month ago and nothing has been done to fix it. Now my car has been broken into while parked in the garage and my work tools stolen from my car. What can I do?

A **Insurance expert:** This is a question about liability and the circumstances under which the repairs were unable to be carried out immediately.

Liability for the tools in the car should be directed to the cars' insurer in the first instance. If the tools had been kept in a storage cage then the owner should have taken steps to make sure the goods are safe, plus the owners corporation or strata owners committee might have considered engaging a security guard until the security door was fixed.

Q An owner bought the apartment next door to her to run as an Airbnb short-term let. The strata owners committee is not happy with this saying that it will affect insurance and fire safety at the very least, not to mention noise and increased wear and tear in common property areas. What can be done?

A **Legal expert:** Firstly these types of issues around short-term letting are matters for the local council and its planning laws, which the owner may be breaching, and then for the strata owners committee if this is in breach of the strata plans by-laws.

At present there is a NSW Parliamentary inquiry into short-term letting, including the activities associated with Airbnb and the report from this is due later this year.

NSW Fair Trading: If the local council allows short-term letting then it is a matter for the strata owners committee to determine the impact on the strata scheme. It is difficult to enforce by-laws made about short-term letting but much easier to enforce issues of nuisance against the owner. If the tenants were creating a problem, the strata owners committee could seek orders from the NSW Civil and Administrative Tribunal (NCAT) to have this nuisance cease. The owner of the apartment would have to comply with these orders.

Q When it comes to renovations what is and is not common property?

A **NSW Fair Trading:** this is about using your common sense according to the new legislation. You can put nails in walls to put up a painting without seeking committee approval. However, for minor renovations you need to check what is common property on the strata plan and then move a motion through the committee at its next meeting, seeking approval to do the changes you want. The motion and results are then registered with Land Titles and is forever on the plans records.

Q Where do I get by-laws drafted?

A **Legal expert:** You can do it yourself but it is best to call in a lawyer experienced in drafting by-laws. Once the new by-law or by-laws are passed they need to be registered on the common property certificate of title at Land Titles.

Strata managers don't usually draft by-laws themselves and would usually recommend a specialist lawyer.

Please note that the advice given here is of a general nature only and you should always seek independent professional advice for your specific matter.

Staying healthy this winter

It's that time of the year where all those around us – family, friends and even strangers – are coughing and sneezing their way through the day. So how do you avoid a trip to the pharmacy, doctors or worse, the hospital?

According to the ABC website 'Health and Wellbeing', viruses thrive in cold weather and during that time our immune systems are not at their best, which is why we're more likely to catch a cold or some other nasty.

Of course, all being together out of the cold means it's easy for viruses to be passed around. And if you have children it's highly likely they will bring some bug home from school or day care.

Here are some tips on staying healthy and if you do come down with something, how to take care of yourself and others:

- 1.** The number one way to avoid getting sick is for everyone to practice good hygiene. That means, anyone coughing should be encouraged to cover their mouth. Regular washing hands or using a hand sanitiser is also a good way of tackling nasties.
We're all familiar with the Dettol brand, which has several products that are great for targeting germs. Check them out in your supermarket or pharmacy.
- 2.** Wipe down surfaces where people who are ill may have coughed or sneezed on or around. Did you know that research suggested the velocity of a cough can reach 100km per hour and a sneeze can generate winds of up to 166km per hour? Best wipe down all surfaces in that case.
- 3.** Take a sickie. That's what they're for – if you're sick. Your co-workers do not want your cold. Sure it's great to share jokes over the lunch room table and sometimes a lunch out but not germs, never ever. Do see a doctor and get a medical certificate. Most workplaces demand that these days and even if the doctor says it's a cold and there is still no cure you and your HR people will be glad you did.
- 4.** Eating the right food can strengthen our immune systems. Fortunately, there are loads of green leafy vegetables in season in Winter such as spinach, cabbage, broccoli and bok choy as well as garlic and ginger plus fruit like oranges, mandarins and grapefruit. All of these are high in essential vitamins, including Vitamin C, which we all know our bodies need.



- 5.** Drink plenty of water and stay hydrated. Just because it's cooler and you don't feel as thirsty doesn't mean you don't need water. It's cheap, plentiful and easy to access so go and get a glass now. It also helps flush toxins, moves vitamins and minerals around the body and helps brain and muscle function.
- 6.** Get enough sleep. That means around 7-8 hours of uninterrupted sleep. We need sleep to allow the body to repair. If you're sick you may need more and that's fine as it means your body is fighting the virus. Having enough rest can also reduce stress, which when high can also reduce the effectiveness of our immune systems.

Enjoy Winter – it is a great time of year – just stay warm, hydrated and maybe tuck some tissues and hand sanitiser in your coat pockets.

¹ <http://www.sah.org.au/healthfacts-detail>

Strata snip-its



Be aware of these latest scams

The Australian Competition and Consumer Commission (ACCC) and NSW Fair Trading both issue warnings from time-to-time about scams that unscrupulous people are perpetrating. Here are some of the latest. If you think you may be the victim of a scam contact either the ACCC or NSW Fair Trading for assistance.

Fake online store

The ACCC put out a warning in March about fake online stores which had at that time duped around 1,000 people and stolen up to \$150,000.

Scammers have been setting up fake websites that for all intents and purposes look as though they are online stores selling known products at unbelievable prices. This is the first clue that they are not all as they seem.

The ACCC says that “the biggest tip-off is the method of payment: scammers will often ask you to pay using a money order, pre-loaded money card, or wire transfer, even gift cards from well-known retailers. If you make a payment this way to a scammer, you’re highly unlikely to see that money again.”

Scam energy bills

In mid-May, The Age reported that a hoax Origin Energy Bill that carried spyware had been released from France and had hit Australia.

The news report said that “the well-crafted email branded with the energy provider’s official logo claimed to be an electricity bill for varying amounts, with one sighted by Fairfax Media as high as \$911.”

The Age also noted that “in an attempt to deceive recipients, the fake bill contains a link to the legitimate privacy page on the Origin website and was designed to adapt to both mobile and computer screens.”

If you do receive such an email there are two things that the fake one has one is a 1300 customer-service number registered to a recycling business in Pinewood, Victoria and the other is the send email, which is “originenergysolar.net”, a domain registered in China.

Until you’re sure of the email do not click on the view bill button as this will release the spyware into your computer.

Also, check out NSW Fair Trading website for details of shonky tradespeople. We’ll try and do a round-up for the Spring edition.



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