

Seminar for owners

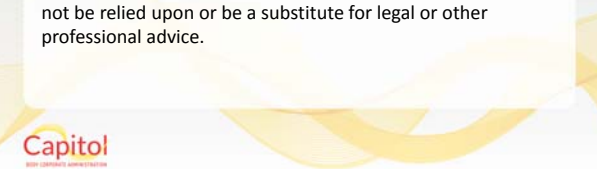

April 2016



Disclaimer

While all care has been taken in the preparation of this material, no responsibility is accepted by the presenter, Capitol Body Corporate Administration or its team, for any errors, omissions or inaccuracies.

This presentation provides general information only. It should not be relied upon or be a substitute for legal or other professional advice.




Introduction

- Capitol was established by Josephine D'Arcy in 1995
- This year marks our 20th anniversary
- We have grown from a small home-based business to now having offices in 3 locations:
Alderley, Redcliffe and Gold Coast



Introduction


- Josephine started by managing just 1 body corporate
- Capitol now manages 1,067 schemes and over 13,000 lot owners
- All directors, Josephine D'Arcy, Ian D'Arcy and Ashley Fox, continue to work in the business



Introduction

How are we unique from other firms?

- We publish direct contact details for directors and managers on our website so you get a personalised service
- Ongoing training for managers
- Monthly status reports
- 6 monthly reviews
- Dedicated in-house support teams
 - Accounts
 - Insurance
 - Systems (owner login)



Introduction

Ongoing training for managers

- There is no requirement in Queensland for a body corporate manager to be licenced
- Capitol ensures all of our managers are accredited members with the industry body, Strata Community Australia
- We invest in the ongoing training of our managers by way of an internal professional development program and external conferences and workshops
- The SCA training is specific body corporate training



Introduction

Our team

- Each Community Relationship Manager (CRM) is supported by a Community Relationship Assistant (CRA)
- Capitol has specialist in-house teams
 - Insurance
 - Accounts
 - Systems, design and marketing
 - Systems support for owner login and invoice approval hub
 - Online training materials via our website




Introduction

Owner login

You have secure online access to:

- Your statements and levy information
- Community management statement (including by-laws & plans)
- Building reports (including insurance valuations, safety audit reports and sinking fund forecasts)
- Meeting minutes


Committee members have additional access to your body corporate financial information.



Introduction

Owner login

- The owner login process has been changed and requires you to upgrade your account
- In future it means you will login with your email address and a password
- Capitol can perform the upgrade for you and then email your details to you
- If you have never used the owner login, leave your details on the list at the registration table or email kristina@capitolbca.com.au and we will set up your account



Introduction

- Emergency exit information
- Don't forget to turn your mobile phone to silent



- We have been supporting Act for Kids as our chosen charity for a number of years
- Our current goal is \$16K in 2016
- Thank you if you have already donated and please kindly make a donation at the door if you haven't already



Introduction

Session topics

Question time at end of each session

- By-laws and dispute resolution | 7.40am-8.15am
*Presented by: Office of the Commissioner for Body Corporate and Community Management
Chris Irons, Commissioner
Rosemary Priebe, Senior Information Officer*
- Regularly updating reports | 8.15am-8.45am
*Presented by: Phillips Safety Service
Michael Phillips, Managing Director
Roger Duckworth, Quantity Surveying Consultant*



Information Seminar

Capitol Body Corporate Administration
April 2016

Program

- **Introduction**
- **The role of the Information Service**
- **Maintenance**
- **Pets / enforcing by-laws**
- **Questions**



Introduction and Overview

Legislative Framework

- *Body Corporate and Community Management Act 1997*, plus regulation
- Five Regulation Modules: Accommodation; Commercial; Small Schemes; Specified Two-Lot Schemes: Standard
- Other, specified Act (e.g., *Building Units and Group Titles Act 1980*)

Key legislative objectives

- Self management as an inherent aspect of community titles schemes (BCCM Act, s5(a))
- Provide bodies corporate with the flexibility they need in their operations (Act, s4(f))
- Ensure accessibility to information (Act, s4(h))

Statistics

As of end of December 2015:

No. of schemes:	45,076
No. of lots:	427,913
Standard	28,903
Small	9,397
Accommodation	3,507
Commercial	1,958
Two-Lot	1,388

Titles Office is aware of the discrepancy in the total number of scheme

Statistics cont.

Summary	No. of schemes	Summary	No. of Lots
6 Lots and under	31,733	6 Lots & under	103,083
7 to 10 Lots	5,531	7 to 10 Lots	46,039
11 to 20 Lots	3,741	11 to 20 Lots	54,112
21 to 50 Lots	2,600	21 to 50 Lots	83,865
51 to 100 Lots	1,060	51 to 100 Lots	74,620
Over 100 Lots	411	Over 100 Lots	66,194
TOTAL	45,076	TOTAL	427,913

Statistics cont.

Top 5 local authorities by number of lots

Brisbane City	136,909
Gold Coast	118,408
Sunshine Coast	36,222
Moreton Bay	22,037
Cairns	20,332

Statistics cont.

Commissioner's Office 2014-2015

- 1,284 applications lodged
- 27,380 client contacts
- 66.7% of conciliation applications resolved by agreement
- 1.1% of adjudication orders overturned or altered on appeal
- 67% of adjudication applications resolved within 60 days of referral

Statistics, in context

- 2014-2015: 21,500 + information contacts and 1200+ dispute resolution applications
- By comparison: 422,000 individual lots

Role of the Information Service

Information Service

Legislative obligation to provide an Information Service

Based on *Body Corporate and Community Management Act 1997* and the 5 associated regulation modules.

How we do this

- Telephone call back service
- Written enquiries
- Yearly seminars
- Participation in stakeholder seminars
- Writing and updating website

What we don't do:

We do not:

- provide legal advice
- interpret the legislation or provide rulings
- interpret the meaning of bylaws
- interpret contracts
- take complaints about owners, occupiers, the committee, body corporate managers or caretaking service contractors
- provide information on the Building Units and Group Titles Act 1980 (BUGTA)

How to access information

Our website:

- www.qld.gov.au/bodycorporate
 - General information arranged by topic
 - Forms
 - Online training
 - Subscribe to common ground
 - Online payments
 - Search of orders
 - Seminars

Maintenance

Maintenance

- Plan of subdivision will define the boundaries of a lot and determine maintenance responsibilities.
- Building format plan
- Standard format plan

Maintenance

Building format plan (previously building unit plan)

- A building format plan of survey defines land using the structural elements of a building, including, for example, floors, walls and ceilings.
(See *section 48C of the Land Titles Act 1994*)

- Under a building format plan, the body corporate maintains:
 - Shared utility infrastructure
 - Essential supporting framework
 - Foundation structures
 - Roofing structures providing protection
 - Door, windows and associated fittings in a boundary wall between the lot and common property
 - Balustrades on the boundary of common property and the lot.
 - Roofing membranes that provide protection for lots or common property.

Maintenance

Standard format plan (previously group title plan)

- A standard format plan of survey defines land using a horizontal plane and references to marks (such as posts) on the ground. (See *section 48B* of the *Land Titles Act 1994*)
- Everything inside the boundary is an owner responsibility with the exception of shared utility infrastructure

Maintenance

Utility Infrastructure

The owner of a lot is responsible for utility infrastructure that is –

- solely related to supplying utility services to a lot;
AND
- within the boundaries of the lot **AND**
- located other than within a boundary structure for the lot.

If one or more of these does not apply then it is body corporate's responsibility (with the exception of hot water systems and air conditioners supplying only one lot)

Pets and enforcing by-laws

Pets

Always read the exact words of the animal by-law (permissive v prohibitive)

Pet approval may have conditions attached either by :

- Registered by-law
- Committee approval
- Adjudicators order

Pets cont.

If the pet becomes a nuisance and one of the conditions are breached. The pet owner may be required to remove the pet from the scheme. This may be achieved by either:

- Decision of the committee to rescind the permission given and/or contravention notice then
- Conciliation / Adjudication application

Pets cont.

Implications when committee refuse permission for pet application:

is the decision of the committee to refuse permission reasonable?

the committee have a legal obligation to act "reasonably" in making a decision (s.100(5) Act)

compared to

the body corporate must act reasonably in making or not making a decision (s.94(2) Act).

Enforcing by-laws

Brief overview of the steps in the process:

- BCCM Form 1 (or committee member raises issue)
- Committee or general meeting decision
- Contravention notice issued (Form 10 / 11)

Website gives the process:

<http://www.qld.gov.au/law/housing-and-neighbours/body-corporate/by-laws/enforcing-by-laws/>

Enforcing by-laws cont.

Form 10 *versus* Form 11

- Not prescribed forms
- Form 10 / section 182 Act
- Form 11 / section 183 Act

If contravention is not remedied the body corporate need to decide the next step which is either:

- Magistrates Court
- Department Conciliation at BCCM

Conclusion

Questions?

Contact us:

Phone: 1800 060 119 (freecall)

Email: bccm@justice.qld.gov.au

Website: www.qld.gov.au/bodycorporate

THE NEED FOR SPEED

REDCLIFFE: CAPITOL'S SEMINAR FOR OWNERS - APRIL 2016

TONY ELLISON | TELSTRA | NBN SPECIALIST

Hard drive: Making the trip back home with 3 kids in the car.
Byte: What mozzies do.
Megabyte: What Townsville mozzies do.
Microchip: What's left in the bag after you've eaten the chips.
Modem: What you did to the lawns.
Web: What spiders make.
Website: Usually in the shed or under the veranda
Upgrade: A steep hill.
Network: What you do when you need to repair the fishing net.
Internet: Where you want the fish to go.



CONSUMER CONFUSION

38%

did not know that NBN was for Internet and landline telephone

20%

Thought NBN Co would become their service provider

THE CONNECTED HOME

2017 → 25 2022 → 50

Connected devices
OECD statistics 2013

OECD Statistics





WE ALL LIKE SPEED

STUDENTS

COUPLES

YOUNG PROF

FAMILY

RETIRED

IT'S NOW WE CONNECT

Copper
DSL
Fibre

Presentations Title | Presenter Name | Date
Page 8 | Telstra Unrestricted

ACCESS TYPES

NBN technology under previous Definitive Agreement

- Fibre to the Premise (FTTP) 92%
- Fixed Wireless 5%
- Long Term Satellite 3%

IT'S NOW WE CONNECT

ACCESS TYPES

NBN technology under previous Definitive Agreement

- Fibre to the Premise (FTTP) 18%
- Fixed Wireless 5%
- Long Term Satellite 3%

Additional NBN technology under new Definitive Agreement

- fibre to the Node (FTTN) 40%
- Hybrid Fibre Coaxial (HFC) 23%
- Fibre to the Building (FTTB) 11%

IT'S NOW WE CONNECT

THANK YOU

Kippa Ring
Peninsula Fair
Shopping Centre
Cameron Schultz
07 3883 1388
0455 054 039

Tony Ellison
NBN Specialist
Brisbane
07 3455 0017
Tony.ellison@team.telstra.com

nbnco.com.au
info@nbnco.com.au
1800 687 626

Belong IT'S NOW WE CONNECT

INSTALLATION

Telstra supports 3 installation options:

- Self Install Kit (SIK) – Available for FTTB & FTTN from 27 Oct
- Conversion Kit (CK) – Available from late November
- Professional Install Kit (PIK)

A SIK & CK will allow customers to set up their own services with a kit that includes everything they need to connect, after their NBN appointment. On the connection day the customer's service will be briefly interrupted, customers will be sent a SMS to complete the setup of their Gateway.

A PIK will ensure customers get the best out of their current in-home set up, will help to identify factors that may impact quality of service or speed. Remember, Priority Assist and Voice Only customers are provided with a \$0 Professional Install Kit (this is an ongoing offer).

WHAT IS INCLUDED

Self Install Kit (SIK)

The Self Installation Kit (SIK) includes the Telstra Gateway Max™ and everything else they'll need to get their services up and running on the NBN.

- After the NBN connection day, customers will need to follow the instructions in the Self Install Kit.

Conversion Kit (CK)

The Conversion Kit is suitable for customers who already have a compatible Telstra Gateway Max™.

- This kit contains a set of simple instructions, as well as an extra cable, so customers can use their current Gateway to connect to the NBN.

Professional Install Kit (PIK)

As part of the professional install kit the technician will:

- Delivery & install the Wi-Fi modem (Telstra Gateway Max™) and talk the customer through the equipment.
- Connect one wall socket to the new network, this will be the socket from which the Gateway will operate.
- Connect the customer's phone to the Gateway.
- Customers will need to keep their Gateway Max powered at all times, to ensure the phone continues to work.

TELSTRA PLATINUM SERVICE SUBSCRIPTION PRO

From setting up Telstra devices to configuring your wireless network and connecting computers and gadgets to the

SPECIAL CONDITIONS

SECURITY ALARMS (BACK TO BASE)

- Customers need to work with their alarm service providers prior to switching to FTTBN. They need to advise they are in a NBN location, and therefore require a wireless alarm solution. Telstra will be offering product solutions such as Business Protect, which will provide customers with a wireless alarm solution (stay tuned for training, coming soon).

MEDICAL ALARMS

- NBN Co has a medical register that tracks customers needing additional support moving to the NBN. We recommend customers register their details with NBN Co (https://www1.nbnco.com.au/medical_alarms_register/registration) and also contact their alarm provider.

FAX MACHINES

- Fax machines will work with FTTBN.
- Dual (phone and fax multi-number) is not supported on any NBN access type.
- Customers can explore alternative solutions such as:
 - Share the phone line (where only the fax OR phone can be used at one time)
 - DOT Fax Line or an additional T-Biz Voice Line
 - Virtual fax or fax to email

EFTPOS & HICAPS

- Customers should contact their provider to verify their existing device will work on the NBN or if they should consider an alternative solution, such as IP or wireless EFTPOS. (Note there is no action required for customers to keep existing wireless or IP EFTPOS). Refer to the Telstra website for a list of compatible devices:
 - <http://business.telstra.com.au/15/How-to/Transitioning-your-Eftpos-services-to-NBN/s-p123>

FIRE ALARM AND LIFT PHONES


- Customers who have a fire alarm or lift phone service, need to make sure that they are registered with NBN. This will ensure that their services are carefully case managed by Telstra, ensuring a smooth NBN transition. For more information refer to www.nbnco.com.au/fireandlift.

PHONES

- Some older phones may not work with the NBN, customers are recommend to check with the manufacturer. Telstra's IP phones are a great option for customers taking up a digital voice service to help maximise use of their new smart calling features, refer to <https://www.telstra.com.au/small-business/bundles/dot>.

IMPORTANT

- Customers using any of these devices should check with the manufacturer as to whether it will work on the NBN.
- Recommend the customer contact their alarm service provider before making the move to ensure your device is compatible with the NBN. As FTTB/FTTN don't have a battery back-up, back to base alarms and Med-alert systems operating over your phone line won't work in a power outage, we recommend you check with your alarm Service Provider to see if they have a wireless solution.
- Customers can purchase their own Uninterruptable Power Supply (UPS) that will provide power during a power outage. Keep in mind that a UPS only backs up equipment connected to the UPS device (without a UPS emergency alarm systems will not work). If a node is damaged or NBN connection is lost, as a result a UPS will not help to maintain services.




SPEED AND QUALITY

Telstra In-confidence

The factors that can impact a customer's speed and quality of service are similar to ADSL:

- Distance from the node/NIDF
- Condition of copper wiring leading to the premise
- Number and position of phone sockets
- In-home wiring
- Modern position
- Number of people or devices connected
- Age of connecting device(s)
- Whether connected via Wi-Fi or Ethernet cable

A professional installation will help customers identify the optimal in-home wiring setup to reduce Service Quality and speed impacts.



CAN BE INFLUENCED BY

- DISTANCE TRAVELLED OVER COPPER
- COPPER CONDITION
- IN HOME WIRING
- NUMBER OF PHONE SOCKETS

- The plan speed e.g. 25/5 is the theoretical Maximum Speed, but this is not guaranteed to be the speed that the customer will actually experience because of these factors.
- A Speed Boost is ideal for customers who regularly watch movies and videos online, download/upload large files, enjoy gaming or want to use multiple devices in their home at the same time such as laptops, tablets or smart phones.
- To improve their broadband speeds on the NBN customers can add:
 - Very Fast Speed Boost - up to 50/10 Mbps (additional \$10 per month)
 - Super Fast Speed Boost - up to 100/40 Mbps (additional \$20 per month)

Actual speeds may be less and will vary due to a number of factors, some of which are indicated to the left.

IMPORTANT

- Actual speeds at any given premises will not be known until connection.
- Telstra will however assist customers getting the best possible speeds possible!



Regularly Updating Reports
Insurance Valuations (IV)
Sinking Fund Forecasts (SFF)

A Presentation for Capitol BCA April 2016
Prepared by Roger Duckworth AIGS



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

WHY

1. It's compulsory



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

WHY

1. It's compulsory

- Required by the ACT
 - Insurance Valuations every five years
 - Sinking Fund Forecasts to be for at least ten years



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

WHY

1. It's compulsory
2. Changed circumstances



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

WHY

2. Changed circumstances

- New building codes (IV & SFF)
- Changes in timing (SFF)
- Unexpected expenditure (SFF)
- Insured event (SFF)
- Interest and tax rate changes (SFF)



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

WHY

1. It's compulsory
2. Changed circumstances
3. Escalation



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

WHY

3. Escalation

- Variance + or – from forecast
- Variance from Insurers proposed increase



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

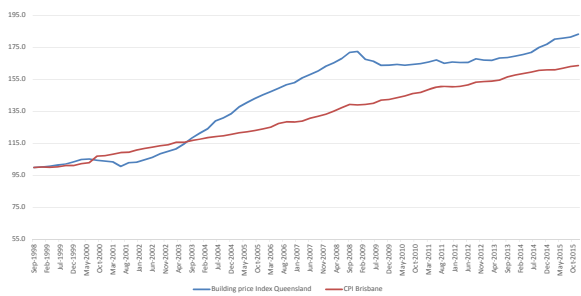
3. Escalation – Building Cost Indexes (BCI)

	Australian Bureau of Statistics - Index 6427.411 Building Construction - Qld	Australian Institute of Quantity Surveyors Building Cost Index	
	% change	% change	
2004 Increase	10.03%	12.62%	11.43%
2005 Increase	8.80%	8.64%	8.72%
2006 Increase	5.24%	6.28%	5.76%
2007 Increase	6.71%	5.51%	6.11%
2008 Increase	5.68%	5.60%	5.64%
2009 DECREASE	-4.99%	-1.77%	-3.38%
2010 DECREASE	0.61%	-2.52%	-0.96%
2011 Increase	0.60%	0.74%	0.67%
2012 Increase	0.70%	0.73%	0.72%
2013 Increase	1.49%	0.36%	0.93%
2014 Increase	4.39%	3.26%	3.83%
2015 Increase	3.55%	3.16%	3.36%



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

3. Escalation – CPI & BCI





Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

ADVANTAGES

Insurance Valuations –

- Avoid over-insurance and consequently higher premiums
- Avoid under-insurance and requirement for makeup of shortfall



Regularly Updating Reports
Insurance Valuations
Sinking Fund Forecasts

ADVANTAGES

Sinking Fund Forecasts –

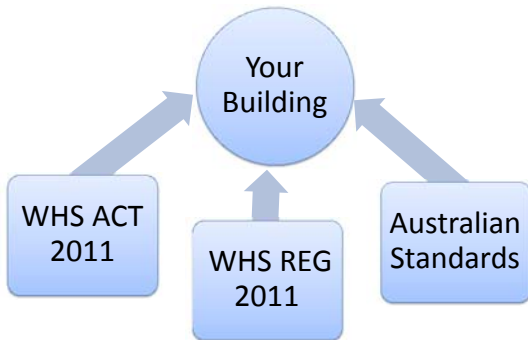
- Adjust levies to actual circumstances
- Minimise a fund shortfall and requirement for special levy



WHS&BFS Compliance Updates

A Presentation for Capitol BCA April 2016

Safety Reports



Is Your Building Up To Date

Managing Entities role is to:

- Ensure regular slip test are completed (wet areas) if required;
- Ensure the safety switches (RCD) are tested;
- Ensure that there are safe entry and exits to the complex;
- Provide assistance to Secondary Occupants in regards to the use of a common areas;
- To ensure house keeping for all common areas

Your Building Fire Safety



Managing Entity – Body Corporate

Managing Entities role is to:

- Ensure a FSA is appointed if required;
- Ensure the Fire safety equipment is regularly maintained AS 1851-2012;
- Advise secondary Occupants of their obligations;
- Provide assistance to secondary Occupants in regards to the use of a FSA for their tenancy if required;
- To ensure compliancy of Emergency Procedures AS 3745-2010



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