

Activating An Owners Corporations



Initial owner or the Property Developer's role

The initial owner should call the owners corporation's first meeting within six months of registering the plan of subdivision at Land Use Victoria.

The initial owner is usually the owners corporation's sole member at this stage.

At this meeting, the initial owner or applicant for registration must give the owners corporation:

- The owners corporation register
- A copy of the plan of subdivision and planning documents
- Copies of building contracts and building plans
- The maintenance plan (for prescribed owners corporations or if necessary)
- A copy of the Owners Corporations Act 2006, Owners Corporations Regulations 2018, Subdivision Act 1988 and Subdivision (Procedure) Regulations 2011
- Contracts, leases and licences binding or benefiting the owners corporation
- Insurance policies relating to the owners corporation
- Names of companies, tradespeople or suppliers who have provided a warranty or guarantee
- Books to enable the owners corporation to keep minutes, accounts and other records
- Any accounts or records made on behalf of the owners corporation
- Rules registered with Land Use Victoria

First annual general meeting

To activate an owners corporation, an annual general meeting must be held.

To hold this first annual general meeting, a notice must be sent out at least 14 days before the scheduled date to all members, stating:

- The date, time and place of meeting
- The text of any special resolution or unanimous resolution
- The financial statements setting out income, expenditure, assets and liabilities
- The proposed budget
- A statement that lot owners can appoint a proxy

Activating the Owners Corporations

an agenda for the initial Owners corporation with the following business:

- Election of a committee (mandatory if there are 13 or more lots)
- Election of chairperson and secretary
- Appointment of registered manager – instruments of delegation for the manager, committee, chairperson and secretary if required
- Registration of the owners corporation for taxation purposes. Your owners corporation may need to have a Tax File Number and an Australian Business Number (ABN)
- Notification to Land Use Victoria of changes to the owners corporation contact details
- Provision and details of insurance
- Additional insurance; for example, to protect office bearers
- Setting up a bank account
- Method of keeping books and records
- Letterbox and sign, if not already provided
- Building audit for the purposes of the Building Regulations 2018, including cooling tower registration if required
- Risk assessment for occupational health and safety purposes
- Budget for the next 12 months. The budget is usually for a financial year
- Consideration of financial statements
- The details of fees – rules, including the owners corporation's process for resolving disputes
- Consideration of reports. But, you may not have any to consider at the first annual general meeting.

The notice must be handed or sent to lot owners. It can also be sent by facsimile, email or other electronic means.

After the first annual general meeting

After activating an owners corporation by holding the annual general meeting, there may be a need to open a bank account or take out insurance in its name. To do this, evidence may have to be provided that the owners corporation is a legal entity.

This includes:

- A statement that the owners corporation is incorporated on the registration of the plan under section 28 of the Subdivision Act 1988
- A copy of the plan of subdivision
- Minutes of meeting recording the decision to open an account or take out insurance.

Setting Up New Owners Corporations



Concept/Planning/Construction Stage

- Review of building plans to foresee any management related complications
- Advice on multiple Owners Corporations to ensure appropriate allocation of resources/cost centres
- Setting annual budgets and levy schedule for OCCs to be included in the Section 32 statement
- Recommendation of key personnel including Building Manager, Concierge/Security staff etc
- Engagement of key contractors including waste, cleaning, ESM, etc
- Assist drafting, Welcome Manuals and special rules with legal advice
- Development of Long Term Maintenance Plan with Quantity Surveyors
- Arranging, obtain quotes for Strata insurance & advising matter related to cladding safety
- Establishment of building management systems to assist project management team
- Procurement of embedded network and other other leasing and licences

After Obtaining Certificate of Occupancy

- Setup all plans, warranties and instruction manuals in both BMS & Strata Management Systems
- Arrangement of Owners Corporation insurance
- Preparation of documentation under under Part 4, Division 1 Owners Corporation Act 2006
- Engagement of Building Management team including concierge
- Provision of Owners Corporation Certificates at no charge
- Convene the Inaugural General Meeting to formally establish the Owners corporation
- Register strata management updates with Landata

Preparation of the Building for Occupation

- Send out the Welcome pack including building manual and rules to all new owners
- Assist Building Manager with the induction of key personnel, contractors & Property Managers
- Assist the Building Manager with the moving in and out procedure through BMS
- Liaise with the Building manager, Builders in compiling a Comprehensive list of building defects

After commissioning the Building

- With more than 50% occupation, group members to arrange first Annual General Meeting
- Formally establish Owners Corporation Committee governance protocols and training
- Recommendation to engage Engineers to compile building defects report within 12 months
- Setup up Web Portal as the key communications platform with committee members and others

Adding value to your project at no cost to you



- Help secure the best Strata & Building management of the Built Environment to ensure protect and the enhancement of developer reputation.
- Assist with ongoing repeat sales from the client base.
- Setting up the Building and Strata management systems to assist the entire management of the project at no cost
- Prepare all documentation including Budget preparation including levy estimations inaugural General Meeting Notices, Agenda and Minutes, Insurance
- All Owners Corporation Certificates at no cost to you
- Work with all other stake holders to configure Owners corporations infrastructure
- Review of all plans including waste, lifts management etc. to establish maintenance contracts
- Defects reporting prior to the 12 month anniversary of handover of the site