

# WHAT IS AN OWNERS CORPORATION?

An **Owners Corporation** (formerly known as a Body Corporate) is the collective name given to the owners of properties within a development which has common property, that is, property which is shared equally by all owners such as a swimming pool, tennis courts or community gardens for example.



Once settlement has occurred and you are the owner of a property (or 'lot'), you are automatically a member of the **Owners Corporation**. Membership applies whether you own vacant land or an existing house.



All owners are members of the Owners Corporation. As a member you are entitled to:

- Access to Owners Corporation initiatives & Common Property (The Club )
- Vote at the Owners Corporation Annual General Meeting
- Stand for and vote to elect an Owners Corporation Committee
- Pay Owners Corporation fees
- Comply with all rules and legislation pertaining to the Owners Corporation



The Owners Corporation system is in place to guarantee that common property is consistently maintained through responsible administration, management and repairs.



The Owners Corporation benefits all owners by ensuring that Owners Corporation is well maintained which adds to the experience of living within the OC and, most importantly, adds to the value of your property.

# HOW DOES AN OWNERS CORPORATION WORK?

## There are three levels of management connected to an Owners Corporation

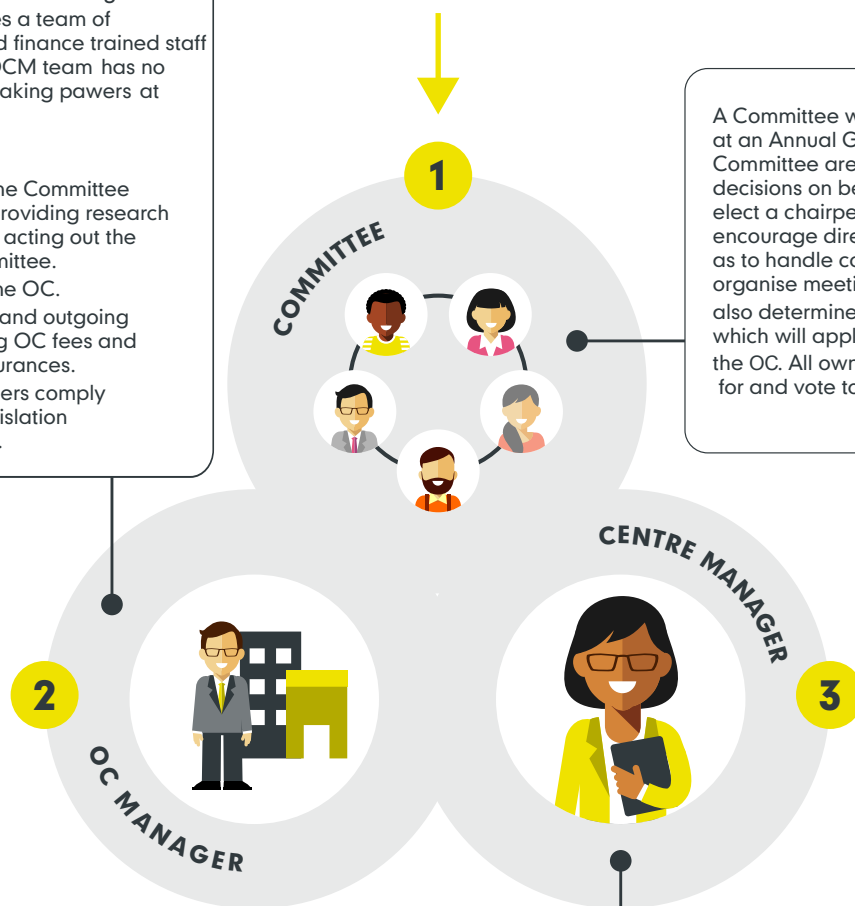
The Committee liaises with the Owners Corporation Manager that is responsible for managing such things as finances & insurances, meetings and maintenance of shared driveway and gardens.

The Owners Corporation Management (OCM) company is appointed to manage and OC. The company provides a team of administration support and finance trained staff to manage the OC. The OCM team has no voting rights or decision making powers at meetings of the OC.

### The OCM team:

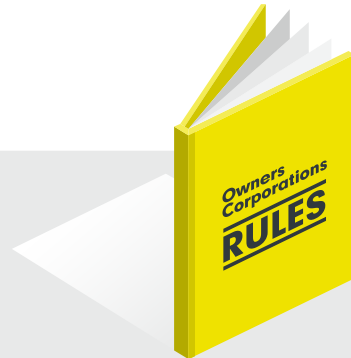
- Take direction from the Committee by completing and providing research for the task and then acting out the decision of the Committee.
- Store all records of the OC.
- Handle all incoming and outgoing money (eg. collecting OC fees and paying bills) and insurances.
- Ensures all stakeholders comply with all rules and legislation pertaining to the OC.

A Committee which is elected by owners at an Annual General Meeting. The Committee are responsible for making decisions on behalf of all owners and to elect a chairperson and a secretary to encourage direction and decision as well as to handle correspondence and to organise meetings. The Committee can also determine any ordinary resolutions which will apply to the management of the OC. All owners have the right to stand for and vote to elect a Committee.



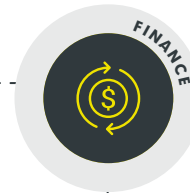
The day to day operations, functions and maintenance of the common property is the responsibility of the Centre Management team. This on-site team deal directly with the various contractors and suppliers in carrying out maintenance work or upgrades to ensure all common property and equipment is in perfect condition. The centre Management team are the first point of contact for the daily operation of the facility.

# WHAT ARE THE RESPONSIBILITIES OF AN OWNERS CORPORATION?

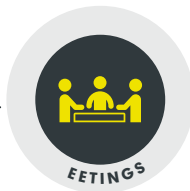


All Owners Corporations are governed by the Owners Corporations Act 2006.

**Owners Corporations** are required to have rules for the control, management, use or enjoyment of shared property and of owner's lots. These rules can be established by the Owners Corporation themselves to suit their particular requirements. Alternatively, the Owners Corporation can follow a set of rules which are the Owners Corporations Regulations 2007.



Working through its elected Committee, the OC is primarily responsible for the administration, maintenance and repairs of any common property. However, it also has responsibility for upholding the rules, convening and running meetings, managing finances including setting the annual budget and maintaining the required insurances, and also resolving disputes.



## PROPOSALS FOR CHANGE, VOTING AND RESOLUTIONS

All owners have the right to put forward a business case for changes to common property. Any such changes as well as important decisions are decided by a vote, either at the Annual General Meeting, at a Committee Meeting, or by a ballot. The business case is put to a vote as a motion and if it receives enough votes it becomes a resolution and will be acted upon.

There are 3 types of resolution:

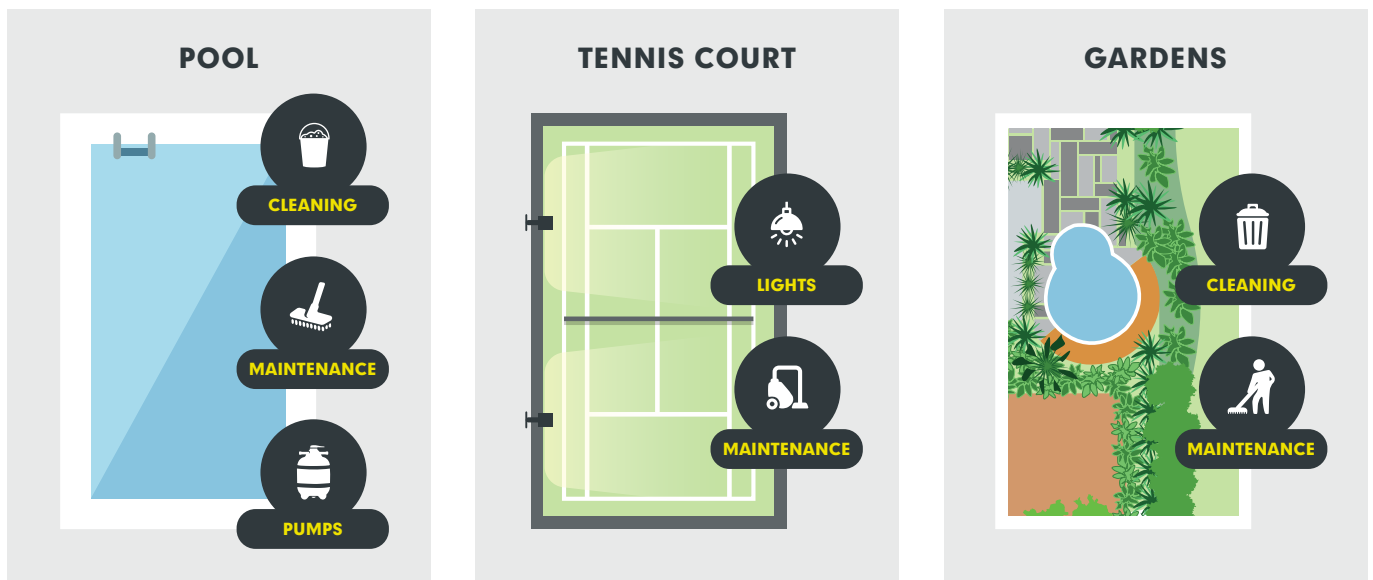
- 1 **Ordinary Resolution**  
requires approval of 50% or more of the owners
- 2 **Special Resolution**  
requires 75% of owner in favour
- 3 **Unanimous Decision**  
is 100% of owner approval

**An Ordinary resolution** is the day-to-day running of the OC. These decision making powers are delegated to the Committee to make these decisions throughout the year. The usual motions at an AGM are ordinary resolutions. At an AGM should a quorum not be achieved (half of total lot owners represented), an ordinary interim resolution is required.

**An interim ordinary resolution** initially requires a notice to be sent to all owners within 14 days of the AGM announcing the interim ordinary resolution and giving them 28 days to present a petition against the proposed change. If more than 25% say no then the vote on the proposal is lost. on the 29th day after the meeting, the decisions become decisions of the Owners Corporation.

# WHAT ARE OWNERS CORPORATION FEES?

All **Owners Corporation** members share equal responsibility for contributing to the costs associated with the running of the Owners Corporation and the maintenance and upkeep of estate's common property.



The fees paid by all owners to cover these costs are determined by the **Management team & Committee** who spend many months each year monitoring actual costs and researching and forecasting likely future costs so they can prepare a detailed budget which they present at the **Annual General Meeting**. The budget is forwarded to all owners with the Notice of the Annual General Meeting ready for discussion and receipt at the meeting.

## THE BUDGET

The budget lists the likely costs for each item that will require maintenance during the coming year.

All owners of the Trillium Owners Corporation fees for each lot that they own.

