Strata Titles Amendment Bill

Consultation Version Information Paper

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Department of Natural Resources and Environment Tasmania

Tasmanian Government

Contents

Introduction 3

Consultation on the Strata Titles Amendment Bill 4

1. How to provide feedback 4
2. Confidentiality 4

Items for consultation on the Strata Titles Amendment Bill 5

1. Disclosure Statements and Management Statements 5
2. Unit Entitlements 6
3. Common Property 6
4. Activation of a body corporate 7
5. Meeting Procedures 8
6. Quorum 8
7. Access to and Disclosure of Body Corporate Records/Information 9
8. Roll for a Body Corporate 10
9. Dispute Resolution 10
10. Strata Managers 11
11. Future Maintenance Plans 11
12. Capital Funds and Sinking Funds 12
13. Compliance with and Enforcement of By-Laws 12

Regulations 13

General application Regulations 13

Regulations applying to Smaller Developments 17

Introduction

The *Strata Titles Act 1998* (the Act) was introduced in 1998, with the Recorder of Titles being responsible for the administration of the Act. The Act was intended to provide a framework for the development of land by way of strata titles, including staged development schemes and community development schemes, and the regulation of day-to-day living in, and administration of, strata developments.

The strata environment has changed significantly since 1998. There are now 42,545 strata titles representing 11.13 percent of all titles issued. Strata developments currently range in size from two lots through to 255 lots. There are 11,598 strata developments with 84 percent of developments containing two to four lots. The most common number of lots for a development is two, followed by three and then four.

New South Wales, Queensland, Western Australia, and Victoria have undertaken reviews of their strata title or community living legislation. These reviews and the respective government responses to these reviews, primarily through legislative reform, were considered in the development of a Tasmanian Government 2020 Discussion Paper on the review of the Act.

The 2020 Discussion Paper was developed with a focus on the areas of strata living requiring review given the changes in the strata environment since 1998. It provided a brief description of each focus area, outlined the current legislative situation in Tasmania and some other states and discussed similarities and differences in each state's approach. It then offered some questions for consideration and invited comment in relation to aspects of the Act outside the focus areas.

A review of the Act provides an opportunity to ensure that the legislative framework effectively supports the strata industry, particularly lot owners, whilst providing an appropriate level of regulation and achieving the right balance between the rights of lot owners and tenants and the responsibilities associated with community living.

A Consultation Feedback Report was then prepared to summarise the responses received from the consultation process in June 2020. The Consultation Feedback Report has been used as the basis for developing the Consultation Draft of the Strata Titles Amendment Bill 2026 (the Amendment Bill).

Two sets of regulations are also being developed in conjunction with the Amendment Bill. The first set of regulations will be of general application. The second will apply only to smaller strata schemes containing four lots or fewer which, as stated above, account for 84 percent of strata titles. Further details on the regulations are included in this Information Paper for background information.

Consultation on the Strata Titles Amendment Bill

The purpose of this Information Paper is to provide a brief description of the 13 items which form the basis of the Amendment Bill and to seek public feedback on the items. The descriptions are intended to provide an overview of the amendments, and to aid in understanding the content of the Amendment Bill.

Your feedback will be taken into account in reviewing the Strata Titles regulatory framework.

1. How to provide feedback

The Consultation Draft of the Amendment Bill accompanies this Information Paper and is being released for a 6-week consultation period, closing at 11:55 pm (AEST) 25 October 2026.

Feedback may be submitted in two ways:

- By emailing your submission to: **star@nre.tas.gov.au**
- By posting your submission to:

  Strata Titles Amendment Bill Consultation
  Land Titles Office
  Department of Natural Resources and Environment Tasmania
  PO Box 541
  HOBART TAS 7001

2. Confidentiality

Your feedback will be treated as a public document, unless you indicate that all or any part of your feedback is confidential.

Your feedback may be published in full or included in a published summary report of submissions.

Personal information will be managed in accordance with the *Personal Information Protection Act 2004.*

Information provided to the Government may be provided to an applicant under the provisions of the *Right to Information Act 2009*. Such requests, including determining whether information is exempt from release, will be handled in accordance with the provisions of that Act.

Items for consultation on the Strata Titles Amendment Bill

The following items have been identified as the basis for the Amendment Bill:

1. Management Statements
2. Unit Entitlements
3. Common Property
4. Activation of a body corporate
5. Meeting Procedures
6. Quorum
7. Access to and Disclosure of Body Corporate Records/Information
8. Roll for a Body Corporate
9. Dispute Resolution
10. Strata Managers
11. Future Maintenance Plans
12. Capital Funds and Sinking Funds
13. Compliance with and Enforcement of By-Laws

1. Disclosure Statements and Management Statements

A disclosure or management statement provides detailed information regarding the proposed development for the relevant council and potential purchasers. A disclosure or management statement lodged with a strata plan provides information about the developer's intentions for that development, information about the development, and sets out rights and responsibilities in relation to common property and service infrastructure.

It also addresses the number and type of stages that are in a development, in what order they will be developed and whether there are any shared spaces.

Such statements are only currently required for those developments which are a staged development scheme or a community development scheme, but not for 'standard' strata titles developments.

A management statement has the potential to benefit strata titles developments generally, rather than being limited to staged development schemes and community development schemes, and accordingly it will now be required for all types of strata titles developments.

Proposed Amendments:

1. Strata titles developments, except staged development schemes, established after the introduction of the Amendment Bill must lodge a management statement with the Recorder of Titles, together with the strata plan.
2. A body corporate of a staged development scheme, upon reaching completion of the development, must replace its disclosure statement with a management statement.
3. All pre-existing strata titles developments are required to create a management statement and register it with the Recorder of Titles, within 12 months after the effective date of the Amendment Bill.
4. All bodies corporate must review and update their management statement at least annually to ensure that the information contained in the management statement remains relevant and accurate. If there is any alteration to the management statement, the amendment must be registered with the Recorder of Titles within 20 business days after completing the review. There is a monetary penalty for non-compliance with this requirement.

2. Unit Entitlements

Guidance as to what is 'fair and equitable' has been introduced in relation to the setting of unit entitlements and special unit entitlements.

Proposed Amendments:

1. The meaning of 'fair and equitable basis' in relation to setting of unit entitlements and special unit entitlements has been improved by providing the factors that may be considered when determining a unit entitlement for a lot such that it is 'fair and equitable'.

3. Common Property

An underlying principle of a strata titles development is that it has common property, maintenance of which is the responsibility of the body corporate of the strata titles development. Common property includes all shared areas which do not form part of a lot occupied for residential or commercial purposes.

The definition of common property and the identification of common property should be able to be read together to provide an understanding of what is and what is not considered common property in any strata titles development, and should be clearly identifiable from the face of the strata plan and the management statement for the strata titles development.

It can be difficult to determine whether infrastructure services that run through common property, an individual lot, or both, form part of the common property. The primary reason for this appears to be confusion in relation to both the current definition and its practical application.

Proposed Amendments:

1. Consolidation of the provisions relating to common property.
2. Developers of a strata titles development are required to clearly identify common property in a development on a strata plan and in additional documentations (if any), in consideration of the intended use of the lots and the strata titles development.
3. The definition of 'service infrastructure' has been amended.

4. Activation of a body corporate

Section 75 of the Act provides that it is the duty of the original proprietor (developer) to call and hold the first annual general meeting of the body corporate. This meeting must be held either within three months after registration of the strata plan, or on the sale of at least one-half of the lots contained in that plan, whichever is earlier.

Section 75 does not apply to strata titles developments that were established before the amendment was introduced in 2006.

Amendments:

1. Any member of a body corporate for a development established before the 2006 amendment can call and hold the first meeting, without having to seek an order to do so.
2. All pre-existing strata title developments are obliged to activate their bodies corporate by way of convening a first annual general meeting, if one has not been held, within 6 months after the introduction of the Amendment Bill.
3. After the effective date of the Amendment Bill, all new bodies corporate must activate their body corporate by holding their first annual general meeting and must inform the Recorder of Titles of this within 6 months of such activation
4. A list of agenda items that, as a minimum, must be addressed in the first annual general meeting of a body corporate is now included in the Act.
5. A list of information and/or documents to complement the minimum list of agenda items has been included in the Act. These must be provided to body corporate members by the original proprietor or, in the case of pre-existing developments, the person/ entity responsible for holding the first annual general meeting of the body corporate.
6. Included in the Act is a list of body corporate records and/or information that must be disclosed to a potential purchaser, to ensure that a potential purchaser has sufficient information to assess the management and financial position of the strata titles development, while protecting the privacy of body corporate members.

5. Meeting Procedures

The use of telecommunication technology by bodies corporate already occurs. Permitting the use of technology assists in achieving a quorum, and enables people to attend a meeting which they may not otherwise be able to attend. Each body corporate should, however, have the ability to choose its preferred methods of communication and attending meetings, depending on the views and needs of its membership.

The use of technology can save time and effort in terms of organising a meeting, developing documents for the meeting, sharing information, increasing attendance at meetings and achievement of a quorum.

The use of technology is an option and does not replace the right of a body corporate to facilitate in-person meetings, or to exclude the right of a lot owner to attend in-person. The legislation will be sufficiently broad to allow hybrid methods of conducting meetings, such as partially via technology and in-person if desired.

There will be adequate flexibility for technology to be used differently amongst bodies corporate. Lot owners should have the right to 'opt out' and elect to receive paper documents, or attend meetings in person. Bodies corporate should consider the size of its strata titles development and whether any strata manager is appointed, before determining whether its meetings should be held in-person, electronically, or a combination of both.

Proposed Amendments:

1. A definition of 'technology' has been included.
2. If a body corporate decides to use technology in its functions and/or meetings, a separate email must be created under the name of the body corporate for purposes such as correspondence and storage of records and/or information.

6. Quorum

There is a maximum and a minimum percentage for a quorum provided in the Amendment Bill with bodies corporate being granted the ability to set the quorum in their by-laws so long as it is within that legislated range.

Amendments address the concern that a quorum may be manipulated to advantage one or more lot owners by setting it at a level that gives them power such that their presence, or non-presence, alone at a meeting determines if there is a quorum.

The ability to review a change made by a body corporate to the quorum requirement has been included in the Act.

One person must not end up with proxies such that their presence or non-presence determines whether there is a quorum. As proxies will allow a voter to be considered as present in a meeting, a limit has been placed on the number of proxies that can be held by one person.

The Act is currently deficient in relation to the next steps that should be taken if a quorum is not

present at the commencement of a meeting. Lot owners who are unable to attend a meeting should have one further opportunity to attend, in the form of a second meeting convened 7 days later at the same time and place.

Proposed Amendments:

1. Inclusion of the ability for a body corporate to amend the requirement of 50% for quorum in the Model By-laws to a quorum being between 25%-50%.
2. Clause 10 of the Model by-laws is omitted.
3. A lot owner has the right to apply to the Recorder of Titles, in writing and accompanied with the appropriate fee, for a review of the change of quorum decided by a body corporate.
4. Proxies are considered as being present in a meeting such that they are used to determine if there is a quorum.
5. There is a limit on the number of proxies allowed to be held by one person in a body corporate meeting.
6. If there is no quorum within the first 30 minutes of the time scheduled for the intended body corporate meeting, the meeting must be adjourned to the next week, at the same day and time of the original meeting, with appropriate notice provided to all members of the body corporate.
7. In circumstances where a quorum cannot be achieved at the adjourned meeting, a mechanism has been included to allow bodies corporate to proceed with the meeting to avoid any undue delay.

7. Access to and Disclosure of Body Corporate Records/Information

All lot owners are members of the body corporate and should have equal access to all information created, received and/or maintained by the body corporate.

Access to information is also important to prospective purchasers where that information is reasonably required to assess the financial health and management of a strata titles development, and information related to the lot they are interested in purchasing.

Not all information retained by a body corporate, however, should be available to non-members of the body corporate.

Proposed Amendments:

1. The Recorder of Titles has power to make regulations in relation to the requirements to provide access to body corporate records and/or information, including how, to whom, in what format, and within what timeframe that access to records and/or information must be provided, and the associated fees.
2. Applications to bodies corporate for the access to and/or inspection of body corporate records and/or information should be made in writing, for purposes of accountability and transparency.

8. Roll for a Body Corporate

The requirement to create and maintain a body corporate membership roll means that up-to-date information regarding lot owners can be used appropriately to benefit the body corporate.

This requirement applies immediately to all new strata titles developments, with bodies corporate of pre-existing strata title developments provided with 6 months to gather and collate the information required to form a membership roll.

Proposed Amendments:

1. Bodies corporate must create and maintain a body corporate membership roll, reflect any changes to the roll when notified by lot owners within a stipulated time, and facilitate access to the roll by eligible person(s).
2. Bodies corporate of pre-existing strata titles developments are required to develop a membership roll within 6 months of the effective date of the Amendment Bill.
3. All lot owners are required to provide information to maintain the roll, such as the minimum information prescribed by the Act, and within a stipulated timeframe provide updates when there is any change to the information (e.g. change in leases/tenants or mortgagee).
4. A list of persons eligible to access the roll is provided.
5. There is a list of the minimum set of information a lot owner must provide to the body corporate for inclusion in the membership roll. In addition, bodies corporate may extend the list through their by-laws depending on their needs and/or use of certain information.
6. A body corporate must provide access to the information contained in a membership roll within 7 days of receiving a request for information.

9. Dispute Resolution

The simplest form of an internal dispute resolution process is an effective body corporate. All disputes should initially be raised with the body corporate, for the body corporate to attempt to resolve the dispute. If a resolution cannot be reached there are alternative dispute resolution mechanisms available, for example mediation. However, these may have cost implications for the parties involved.

While external dispute resolution processes should be the last resort for any strata title dispute, the avenue to refer to an external adjudicator should remain. This is especially relevant for 2-lot strata title developments where the dispute could not be resolved, or disputes with the body corporate itself, in which case internal dispute resolution would not be effective.

Proposed Amendments:

1. The Act requires that where a body corporate has an internal dispute resolution process, there must be proof that an internal and/or informal dispute resolution process has been attempted by the complainant prior to lodging an application for adjudication of a dispute.

10. Strata Managers

Regulation and licensing of strata managers is critical for consumer protection and builds confidence that a strata manager is a fit and proper person, and possesses the appropriate skills, ability, and knowledge.

The first step to introduce regulation in Tasmania is inclusion in the Act that every strata manager must be appointed through a formal written contract of engagement with a body corporate. Certain important matters must be prescribed, such as term of appointment, disclosure of remuneration and potential benefits or perceived conflicts.

The terms of engagement of a strata manager by a body corporate should also be regulated to address legal obligations and to prescribe the form, or the minimum terms of engagement, of a strata manager, for consistency and consumer protection. These considerations also align with other jurisdictions.

Proposed Amendments:

1. The appointment of a strata manager must be done through a formal written contract of engagement with a body corporate containing any particulars prescribed by regulation.

11. Future Maintenance Plans

When considering whether a maintenance plan should be developed, maintained and reviewed by all bodies corporate, rather than a one-size-fits-all approach, the size and type of a strata titles development should be considered.

A body corporate that is required to have a maintenance plan should be required to report at least annually to all lot owners. This enables the progress, or lack thereof, to be noted, as well as any emergency maintenance required. It also allows for the maintenance plan to be reviewed and approved for at least the next 12 months or longer depending on the expiry of the plan.

A crucial aspect of the maintenance plan is the funding required to fulfill the plan. The funding required to fulfill the plan must be reviewed at least annually as part of the discussion regarding the maintenance plan.

Proposed Amendments:

1. Bodies corporate are required to develop, review and maintain a maintenance plan, unless exempted through the application of a specialised regulatory framework.
2. The maintenance plan must be reviewed at least annually.
3. There is a penalty for non-compliance with the requirements to create, review and maintain a maintenance plan.

12. Capital Funds and Sinking Funds

Reporting and disclosure requirements in relation to funds maintained by bodies corporate have been improved. For transparency and accountability purposes, the funds must be established based on body corporate documentation and reflect the amount as stated in those documents. Higher disclosure and reporting standards also assist in solving and clarifying disputes about contributions.

The requirement for annual reporting and regular review by the body corporate as to the appropriateness of retention, use and collection of funds is introduced, including reporting and forecasting on any funds that are expended or allocated through an agreed maintenance plan or management statement.

Proposed Amendments:

1. Financial requirements have been included for the reporting and disclosure of any funds maintained by a body corporate.

13. Compliance with and Enforcement of By-Laws

A body corporate should be the first point of call for compliance with and enforcement of its by-laws, and is also responsible for ensuring that its members, being lot owners, are aware of the requirements with which they must comply. It is the responsibility of a body corporate to address non-compliance as soon as it becomes aware of it occurring.

Amendments:

1. A body corporate, upon being notified of a breach of the by-laws and reasonably believing that a breach has occurred, must give notice to the defaulting party as to the nature of the breach, and provide an opportunity for the party to remedy the breach within a timeframe of not less than 30 days as is currently provided in the Act, before proceeding with formal action.

Regulations

Regulation making power has been amended to provide that the regulations may:

(a) be of general or limited application;

(b) apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the regulations;

(c) differ in their application to different classes or types of strata schemes; and

(d) authorise any matter or thing to be determined, applied or regulated by the Recorder.

Two sets of regulations are being developed in conjunction with the Amendment Bill. The first set of regulations will be of general application, and the second will apply only to smaller developments (equal to or less than 4 strata lot strata schemes). Consultation will occur separately on these regulations, however details under consideration are included below.

Further sets of regulations applying specific classes or types of strata schemes will be considered after the Strata Titles Amendment Bill has come into effect.

General application Regulations

The following are under consideration for inclusion in the general application regulations.

1. Requirements for strata plans will be removed from the Act and included in the general regulations.

In addition to the current provisions, new requirements will be included relating to assisting future re-establishment of strata boundaries:

1. the definition and location of common property;

   Include an additional sheet or sheets that identifies common property additional to that which is clearly excluded by the lot boundaries, for example:

   - is the paintwork of the building common property?
   - is the cladding of the building common property, and if so, what was the cladding type at the time of registration?
   - is the external wall of a building from the underside of cladding to the centre of the wall common property?
   - clearer statements as to what services exist within the strata development and which remain the responsibility of the body corporate;
   - a separate sheet showing common property and underlying easements.

2. improvement in relation to the description of boundaries. The development of better boundary descriptions is complicated by the different types of building structures found in strata titles developments. Any requirement must be applicable to all forms of building types used currently and any building types likely to be used in the future

   Use should be made of "permanent structure" boundaries that are not walls, floors and ceilings.

3. requirement to show greater location information, either on the Lot description sheet, or a separate Location Plan if complexity requires it, to enable strata boundaries to be readily re-established. Aspects the Location Plan may include are:

   - two radiations to each building on the strata plan with clear relationship to the site boundary and should be clearly defined;
   - when identifying different types of scenarios existing between floors, definitions of what is meant by the centre of floor, centre of ceiling, underside of ceiling, centre of ceiling space, underside of roof, top of roof and where lot jurisdiction ends and common property starts could be incorporated into sheets and subsequently title plans, if appropriate;
   - where the lot boundaries are to the centre of floors, walls and ceilings, it should be specified whether doors and windows form part of the lot or part of the common property; and
   - include on the plan increased use of dimensions for each lot, and relationship of boundaries to permanent structures.

4. requirement of a floor plan for strata titles developments depending on the building type and complexity of a development. A floor plan for strata titles developments provides an opportunity to better identify common property and the boundaries between lots and common property;
5. inclusion on the plan of the number of parts that constitute a lot, for example, Part 1 of X parts of lot 1, and so forth;
6. notation on the title to each lot of any covenants and/or easements that may apply;
7. special unit entitlement should be provided for in relation to maintenance for exterior surfaces and where lot boundaries are to the centre of floor, walls and ceilings;
8. car park allocation which identifies visitor car parks and parks allocated to each lot; and
9. requirement for councils to allocate lot numbers and to approve the address for service of notices.

2. The purpose for which a special unit entitlement can be created is also being removed from the Act and included in the general regulations.

3. The Act is being amended to require that the appointment of a strata manager must be done through a formal written contract of engagement with a body corporate, and is to contain any particulars prescribed by the regulations.

The details to be included in a contract of engagement are being considered, including:

1. The strata manager's and strata company's name and address for service;
2. The Australian Company Number or Australian Business Number of each party with such a number;
3. The start and end date of the strata manager's contract;
4. Duties and tasks (scheme functions) the strata manager is to perform and any conditions that are to apply to the performance of those functions;
5. Basis of payment of the strata manager;
6. Details of which account the strata manager will operate for the money received on behalf of the body corporate;
7. Requirements for a strata manager to give written reports to the body corporate about the functions performed and declaration and management of conflicts of interest;
8. Grounds for which the contract may be terminated and processes to be followed; and
9. Warranties that:
    - The strata manager holds, and will hold for the duration of the strata management contract professional indemnity insurance at the prescribed level; and
    - The strata manager will furnish members of the body corporate evidence of the currency and adequacy of the required insurance.

4. The Amendment Bill allows for the prescription in the general regulations of the type of electronic communication and/or means to be used for specific functions under its relevant sections in the Act.

The Amendment Bill establishes a process by which records and information held by a body corporate can be accessed. The management of records and information by a body corporate will be governed through regulations.

The types of information and records to be kept might include:

1. Roll must be kept up to date, records showing the changes must be kept for seven years.
2. Financial records must be kept for seven years.

    These include:

    - financial statements for the funds in the scheme (including key financial statements)
    - receipts and invoices, numbered in the order received (for example stationery receipts or cleaning services)
    - financial statements showing deposits and withdrawals from the owners corporation accounts
    - a cash book (used to record details of cash payments)
    - a record of all levies paid by owners.

3. Communications sent and received by the owners corporation and strata committee must be kept for seven years.
    - Communications are anything written to or by the strata committee.

    Examples include:

    - letters
    - emails
    - reports
    - contracts with strata agents or building managers
    - documents from meetings
4. Whenever the body corporate holds a meeting, documents will need to be kept.

    These include:

    - a copy of the meeting agenda
    - a copy of the meeting minutes
    - details of any motions that were discussed
    - details and results of any votes
5. If the meeting is an annual general meeting, the following will need to be kept:
    - copies of financial statements for any body corporate funds:
    - the Maintenance Schedule
    - details of the insurance taken out by the body corporate

Regulations concerning the form in which records or information are to be kept might include:

- Stipulating that records or information can be kept either in paper or digital form or a combination of both.
- While digital files are highly encouraged for transparency, searchable retrieval, and streamlined access, body corporates and strata managers must ensure electronic storage meets several criteria:

    (a) Accessibility: Records must be readily accessible when requested by lot owners, purchasers, or during formal dispute resolutions.

    (b) Security & Backups: Digital files must be kept secure, protected against unauthorised access, and properly backed up so critical information is not lost.

    (c) Evidentiary Needs: As a general rule, highly significant physical documents (e.g., executed contracts, certificates of title, or signed deeds) should still be retained securely by the management team as originals, or at least scanned to a high-quality standard.

Regulations regarding the period that records or information must be retained may include:

- Most essential records (financial statements, meeting minutes, correspondence, and contracts) must be retained for a minimum of seven years.
- Proxies and voting/ballot papers should only be retained for a minimum of 12 months after the proxy expires or the vote occurs.

Regulations applying to Smaller Developments

Any regulation will need to avoid unnecessary red tape and unnecessary interactions between lot owners while maintaining common property and individual lots in good repair.

This set of regulations will apply to 4 or less residential lots included in the scheme with no shared walls, floors or ceilings.

It is proposed that a "residential lot" is a lot that is used for residential purposes, and includes a lot that is—

(a) the subject of a lease or letting for accommodation for long- or short-term residential purposes; or

(b) immediately available to be the subject of a lease or letting for accommodation for long- or short-term residential purposes.

The regulations will set out different requirements for strata schemes which fall within the definition of a smaller development.

The following are being considered for inclusion in the regulations:

1. Owner's Agreement

An owner's agreement is:

- a mechanism for making decisions without the need for direct contact;
- for a specified smaller development scheme;
- an agreement between the owners of the lots included in the scheme about a matter
  - (a) related to the carrying out of the functions given to the body corporate under this Act; and
  - (b) for which the body corporate is required or permitted to make a decision under this Act;
- a decision of the body corporate and is deemed to be the sole method for making decisions.;
- to be in writing, show the date of the agreement, detail what has been agreed to, and be signed by the owners of all lots;
- to be recorded.

Furthermore, agreements could be reached electronically, such as via email, so long as the agreement adheres to the *Electronic Transactions Act 2000 (Tas)*.

2. Insurance

The requirement for insurance over common property and individual lots will be different, with:

- a body corporate to insure common property for public risk insurance; and
- lot owners to insure buildings on lots; or
- the buildings to be insured either by a body corporate or separately by lot owners.

3. Meetings

After the developer holds the first meeting, smaller developments do not need to comply with frequency of meetings or the items listed to be discussed at meetings.

If a body corporate does choose to meet, there is no need to keep minutes.

4. Roll of owners

Smaller developments being exempt from maintaining a roll of owners.

5. Contributions

The setting and collection of contributions, where necessary, can be via an Owner's Agreement setting out which lot owner(s) pay for what shared expenses.

Alternatively, contributions could be paid into an administration fund account with a lot owner(s) responsible for using the money in the administration fund to pay expenses. This could also be the subject of an Owner's Agreement.

There may be a shared expense associated with insurance over common property.

6. Maintenance plans

A maintenance plan is not needed for smaller developments where each lot owner is responsible for maintaining the buildings and infrastructure on their lots, and there are Owner's Agreement(s) dealing with the maintenance of shared infrastructure such as fences, paths and driveways.

Alternatively, a smaller development can have a maintenance plan for a shorter period of time and containing less detail.

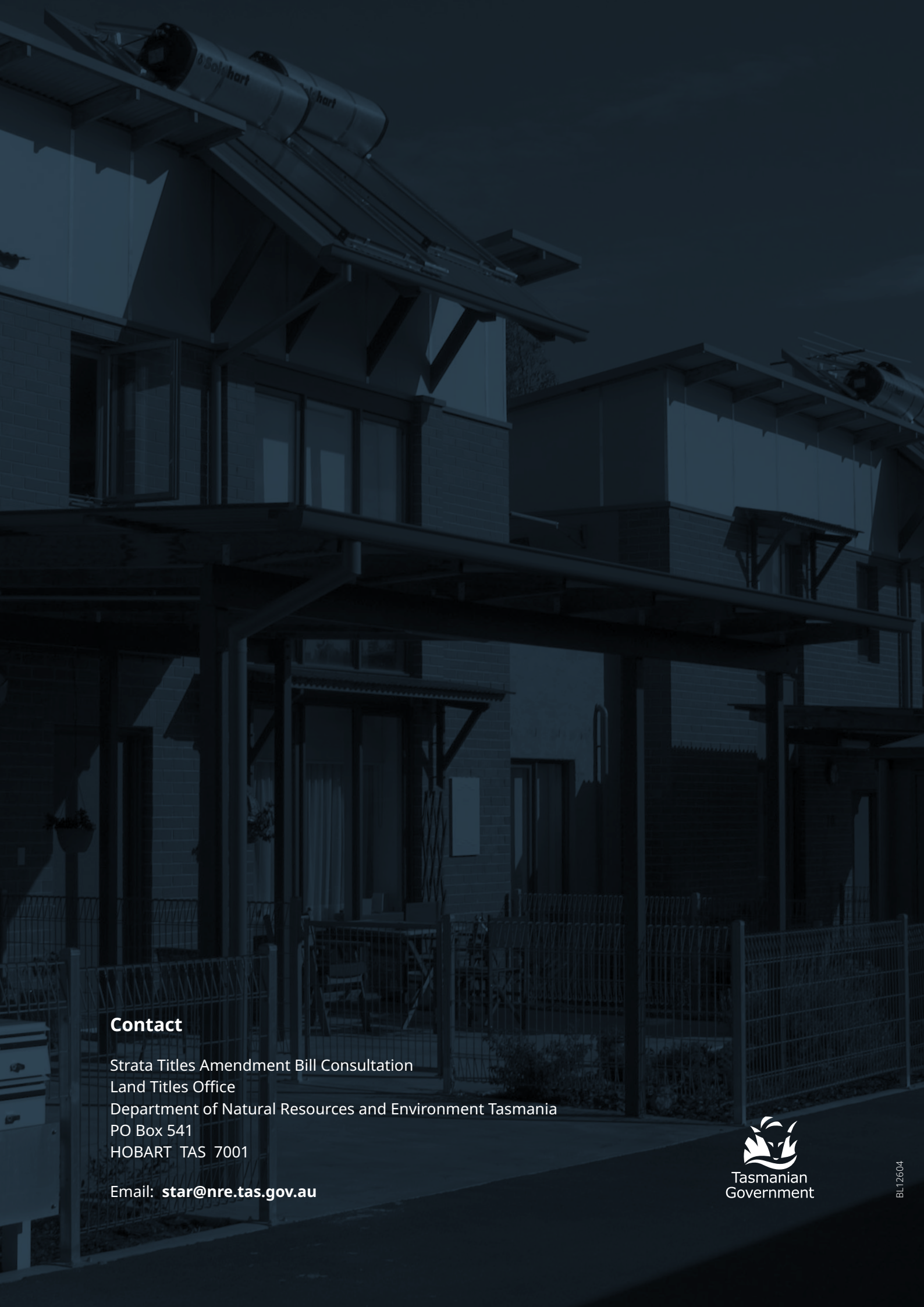
7. Sinking Funds

A smaller development can choose to have a sinking fund. If a smaller development has a sinking fund, this could also be the subject of an Owner's Agreement, with a lot owner(s) responsible for using the money in the sinking fund to pay expenses.

If a scheme chooses to have a sinking fund, the requirement to meet at least every 15 months would need to remain.

8. Dispute resolution

Disputes within a smaller development will be exempt from the requirement for internal dispute resolution, with an application for relief being made to the Recorder of Titles without the need for an attempt at internal dispute resolution.



Contact

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Tasmanian Government

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