



# Changes to Community Title under the new Community Land Management Act 2021

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Australian College  
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# Changes to Community Title under the new Community Land Management Act 2021

With the changes to Community title under the new *Community Land Management Act 2021* and the *Community Land Development Act 2021* implemented on 1 December 2021, now is a good time to ensure that you as a strata manager have a full understanding of the changes prior to attending and facilitating Annual General Meetings with your community title managements.

The changes, generally, have brought the community management legislation in line with the previously changed strata management legislation and should make it somewhat easier for strata managers to be able to have consistent answers for questions from owners. It is also important to do a check of all your meeting documentation to ensure that your templates have all been updated to meet the latest requirements.

This updating process also includes your Strata Management Agency Agreements. If you are heading to a meeting and your management term is on the agenda, it is essential that you ensure your office has the most updated

agreements available. If your agreement is one drafted prior to the implementation date and you are signing it post 1 December 2021, it could put your management (and specifically your management fees) in question.

If your office is subscribed to a strata client management system, these documents should already have been provided for you - so it's simply a matter of double checking that your documents are the most recent versions and that if you have favourites or frequently used documents saved to your desktop, that these have also been updated to correctly reflect the most recent legislative requirements.

If your office has developed their own template documents, an internal audit should be conducted to ensure that the correct clauses are referenced and terminology that has been changed is also reflected in those documents. Terminology such as 'caretakers' is now referred to as 'Facility Mangers' and 'Capital Works Fund' has now been adopted to reference the 'Sinking Fund', in line with the strata changes of 2016.

Additional changes to remember include:

- ◇ The maximum term for an agency agreement is one year for an appointment at the first annual general meeting and three years thereafter;
- ◇ Three month extensions can be provided for the end of an agency agreement up until the next annual general meeting. The process is the same that was introduced in 2016 under the Strata Scheme Management Act, where notice is to be provided of the expiration of each extension with a minimum notice of one month;
- ◇ The Executive committee is now to be referenced as the Association Committee;
- ◇ When dealing with late levies, Associations may by resolution approve 10% discounts for payment by the due date. This was previously required a special resolution;
- ◇ Community Association meetings can now have the same additional voting means as is used in strata, being electronic voting and pre-meeting ballots.

Rosy Sullivan

Director | College Principal

## From the office

And we roll into 2022 as if Christmas was forever ago. With only a few weeks remaining now until all property agents in NSW need to complete their CPD – the team at ACOP are busier than ever. Our trainers are travelling the State conducting training program, as well as interactive webinars – it seems like there isn't a day of the week where CPD isn't a focus. Not only are we focusing on the 9 hours of training for Class 1 agents and the 6 hours for Class 2 licensed agents, we

are also conducting licensing modules so that Assistant Agents can meet their CPD requirements as well. It's a super busy time – and we are loving the challenge. The fortnight ahead has many miles of travel and training for ACOP.

The renovations to our new training rooms continue – the waiting on Council approvals and certifiers and co-ordinating the right people to be in the right place at the right time, is proving to be an ongoing challenge – however we are all getting very excited with the progress and we are already using the large new training room, which gives plenty of space in our current environment and is light and airy to enhance the learning experience. We are looking forward to the completion and enjoying our new work space.

This past fortnight has seen some fun celebrations at the College. It started with Ben's birthday, so of course there was cake – not only was it a decadent chocolate cake, but some of the girls in the office decided to decorate the top with additional easter eggs and chocolate, just to make sure that Ben enjoyed every last bit of sweetness for his birthday. Then came Valentine's Day – where every year John has flowers and chocolates delivered for every member of the team. He certainly didn't disappoint this year, with gorgeous roses for all the girls (a special dozen for Rosy of course), and chocolates for all the men (who were encouraged to share with their female team members). We all felt the ACOP love. And then, to top off the fortnight – we celebrated George's birthday (yes it was a big one, so the cake was a super huge one to match, with layers of caramel and chocolates and adorned with everything 'naughty'. Happy 'special' birthday to our fabulous trainer George – keep on educating and entertaining our students for many years to come.

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