



unit/update

SILENCING BULLIES AT MEETINGS

The following is an article written by Jimmy Thomson January 2018 of Domain's [www.flat-chat.com.au](http://www.flat-chat.com.au) It may be useful if your group is suffering from bullying.

Not many people enjoy formal committee meetings. Whether it's your local club or your company board, they often descend into battles of wills between those who know (but aren't saying) and those who don't know (but won't stop talking).

In strata, committee meetings can become even more fractious and frustrating because there are so many areas of potential misunderstanding – and what's at stake are people's homes or, at the very least, major financial investments.

But as frequent posts on the Flat Chat forum illustrate, meetings are easily disrupted by committee members and ordinary owners who either don't know or don't care about how they should behave.

So what can you do? If you are in a state that has a code of conduct, that's a very good place to start. In NSW, you should maybe consider drawing one up and adopting it as a by-law.

Practical rules

But as to the actual running of the meeting, a set of sensible standing orders – the nuts and bolts on how meetings should be conducted – could and probably should be adopted.

Many committee veterans depend on the time-honoured Robert's Rules of Order, but even that would have to be adopted as a by-law to have any effect.

So what should your standing orders contain? They could warn against aggressive behaviour, raised voices and personal, racial or sexist abuse.

They certainly should set procedures on the order of speaking – no one can speak twice on a subject until everyone who wants to speak has done so once.

But what if owners just ignore the rules? The standing orders could allow the chair to warn a member about their behaviour and then, if they continued to be disruptive, "name" them in the minutes of the meeting.

Most people would respond to this. For a bullying committee member, it could make a big difference to their prospects of re-election at the next AGM.

There's not a lot more you can do about the determinedly disruptive. For instance, you can't make acceptance of your code



viewpoint

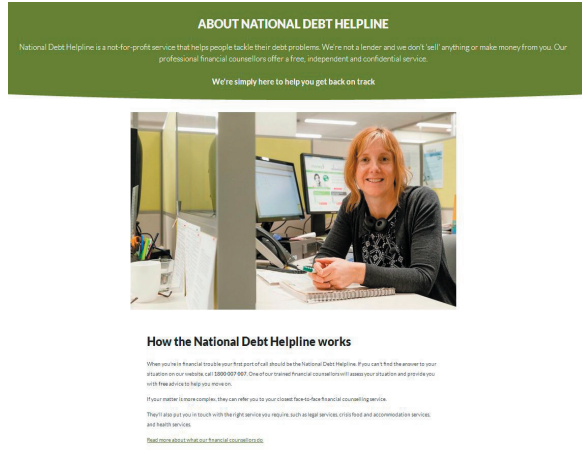
OVERDUE LEVIES - HELP

Some owners get behind in paying their levies. The following information may be useful.

If you are experiencing financial hardship you can seek free assistance from the National Debt Helpline by phoning 1800 007 007 or visiting [www.ndh.org.au](http://www.ndh.org.au)

Enlisting the support and guidance of this organisation and their financial counsellors will enable you to establish payment plans to not simply catch up with arrears but also to keep up with future fees and levies.

Please note: The National Debt Helpline operates a telephone financial counselling service providing free, confidential and independent financial advice to people experiencing financial difficulty.



of conduct a condition of membership of the committee.

However, clearly defined rules work. One story on the Flat Chat forum concerned an owner who brought a proxy to general meetings, where they would both harangue the chair from the floor.

Standing orders that required only owners or their proxies, but not both, to speak gave the chair the tools needed to get things back under control.

Jimmy Thomson edits the apartment living advice website [flat-chat.com.au](http://flat-chat.com.au), where you can see examples of both standing orders and codes of conduct. Different states have different strata laws.

AFR Contributor

Read more: [www.afr.com/personal-finance/how-to-silence-bullies-at-body-corporate-meetings-20180117-h0jjal#ixzz5978x2SwX](http://www.afr.com/personal-finance/how-to-silence-bullies-at-body-corporate-meetings-20180117-h0jjal#ixzz5978x2SwX)

Cheers

Gordon Russell

ps: Do you have any friends who need to read our newsletter? Ring and we will post one out or they can download it from our website ☐



PEACE OF MIND FOR UNIT OWNERS

SURVEILLANCE DEVICES ACT - \$15,000 FINE

The unauthorised surveillance of fellow residents at Strata and Community Titled groups can now result in a \$15,000 fine and jail time.

The Surveillance Devices Act came into force in South Australia on December 18th 2017. It specifically refers to video or camera surveillance under Optical Surveillance Devices. The Legal Services Commission website states...

It is an offence to knowingly install, use or maintain an optical surveillance device to visually record or observe private activity without the consent of each party to the activity. This applies even where the device is installed on premises of which the person has lawful possession or control and includes vehicles.

An optical surveillance device is defined broadly to mean a device capable of being used to observe or make a visual recording of people, places or activities and includes both still and moving pictures.

Personal media players and mobile phones are included in this definition.

Maximum penalty: \$15,000 or 3 years imprisonment (in the case of a natural person) or \$75,000 (in the case of a body corporate).

There are additional offences where the installation or use of the device involves entry onto or into premises or a vehicle or interference with premises, a vehicle or any other thing without consent.

The new Act is welcome and was used in a recent case before the Magistrates Court. One owner in a small group had installed many cameras on their property. The cameras faced the common driveway and other units.

We understand that the cameras had a wireless feed to not only the owner but also a relative.

This behaviour along with other nuisance behaviour has raised tensions at the group to a level that has required the Court to appoint an Administrator and order the immediate removal of the cameras.

The availability of cheap cameras and wireless technology has the potential to see a breakdown in the goodwill that is essential to residents peace of mind at home.

We welcome the Government's legislation.

See our website [www.unitcare.com.au](http://www.unitcare.com.au) for the Legal Services document and the full Act - see Legislation.



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Electrical	1300 130 229
Building repairs	0412 034 173
Police to attend - noise/robbery etc	131 444
State Emergency Service storm/flood	132 500

Published by UnitCare Services. P.O. Box 4040, Norwood South 5067 52 Fullarton Road, Norwood.

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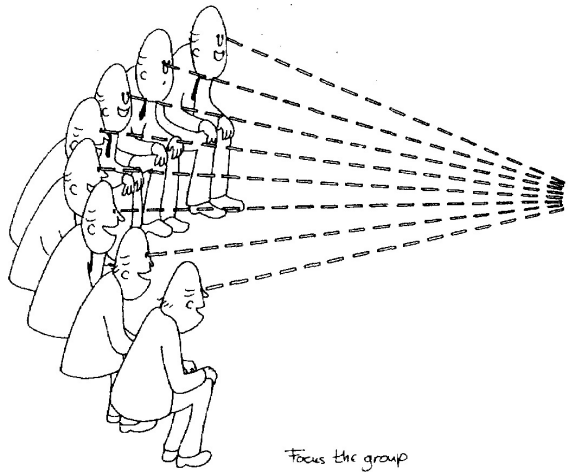
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THREE LAWS OF MEETINGS PART 2



Meetings: The Three Laws

In this article we explore an approach to managing the meeting members.

Much of this content appears in the Video Arts training film More Bloody Meetings. It centres around the Three Laws of Meetings.

Link to training video web site [www.videoarts.co.uk](http://www.videoarts.co.uk) where you can preview the video and support material.

Meeting Laws

A meeting isn't a battleground, but it can be a jungle. We're all capable of behaving differently on different days, at different meetings, with different people—and consequently, we may all need handling differently as the occasion demands. The chair's task is to plot a skilful route through the jungle, however beastly people may behave, and get the most out of the participants.

A meeting is a process, and a successful meeting is a building process, where the chair promotes collaboration and avoids damaging conflict, combining all the positive elements from all the contributions made by different participants, moving forward despite awkward moments to add together all the good bits from suggestions and ideas to reach a positive, useful outcome — or decision.

It's not the chair's task to batter the participants into submission; into accepting either his own or anyone else's views. The aim should be to secure commitment to a consensus. It really doesn't matter whether the meeting is formal or informal, peer-group or mixed levels of responsibility.

Everyone attending has a part to play, otherwise they shouldn't be there. The chair has to make them play to the best of their ability, and as a team; to maximize each individual's involvement, and get the best return from the meeting.

If you fail to build the right decisions, which people understand and agree with, then you will find it much harder to get people to implement them later. If people leave a meeting committed, they will be prepared to cope with any difficulties which might arise. There's no point in reaching a decision which nobody feels happy about, or which leaves half the participants at the throats of the others.

Focus the Group

Chief danger	Getting off the point
Techniques	Stay alert Keep a hand on the wheel Test comprehension Paraphrase/check back

The second law is 'Focus the Group', and the principal threat which blurs the focus is letting people ramble, or get off the point at issue.

We're all prone to rambling, especially if it's possible to get onto matters more parochial: good places to eat, last night's television. A little ramble can sometimes be helpful, especially if the issue under discussion could do with a

'breath of fresh air' to help everyone reconcentrate their minds. The secret is not to go too far, and to get back onto the original track as soon as possible.

STAY ALERT

Listen with an open mind, don't just hear what you want to hear or select those bits from what the last speaker said which relate to an issue that concerns you more. Listening actively, instead of passively, is what's called for.

The chairman needs to stay particularly alert to the flow of dialogue, and taking notes which summarise the main points participants are making can be a very useful aid. It helps you sort the wheat from the chaff, and also makes sure you stay awake.

Listen to make sure that the real point of someone's contribution isn't being missed or skipped over, and that other people aren't jumping in too quickly with apparent similarities, or going over old ground. Listening will also help make sure that all the topics being discussed are relevant ones.

KEEP A HAND ON THE WHEEL

If you're in the driver's seat, keep both hands firmly on the wheel, making all the light and right touches as needed. Don't wait until you get so far over the other side of the road that you have to swerve and veer violently to get back on course — or worse still, take a wrong turn.

There are lots of polite ways of doing it, even when someone else is speaking. Cough, lean forward, fix your eyes on the speaker, tense your muscles, raise your eyebrows. Or if none of this fits your personal style, make a comment.

"Hm.. We're getting off the point aren't we?" or

"Well, I reckon that's your 3 minutes George. But we do have to move on."

Or you can bring in a different speaker to take up a point of detail which a rambler has raised, and so get the discussion back onto the right track. It helps if this can be specific and factual.

"Introduce new manuals. Good point George. Who could write one, Ian?"

There are various techniques and phrases which can be applied in this way to get wanderers back into the fold, and for those who meet together regularly, the participants will soon get used to the verbal and non-verbal cues from the chairman. They'll spot your signs, and respond to your hand on the wheel.

A final comment here. Don't be too tolerant with people who take the meeting off at a tangent, because if they do it regularly you will lose the respect of the other people at the meeting as well as lose your direction.

TEST COMPREHENSION

Always check your assumptions. It's all too easy to talk at cross-purposes, and misunderstand what someone else is saying, whether consciously or unconsciously.

None of us like to appear stupid, and sometimes it's easier to act as though we've understood a speaker's contribution rather than risk asking the obvious:

"Hang on a sec. I don't understand."

If you don't ask, you'll never find out. The meeting will start to pass you by and get out of control. So always test your own comprehension of what's been said, ask follow-up questions as necessary, and don't forget that the others might not have understood either.

PARAPHRASE/CHECK BACK

A useful method of making sure everyone has understood is to paraphrase what the last speaker said (here's where taking notes can really come in useful) and check back with them that this is accurate.

"So what you're saying Brenda is that we went for the wrong servicing tariff."

This will help avoid bored or blank expressions, as well as prevent talking at cross purposes.

For more information and other useful tools visit

[http://www.unitcare.com.au/bp\\_strata\\_meeting\\_laws.html](http://www.unitcare.com.au/bp_strata_meeting_laws.html)

Next edition: Mobilise the group

BEST PRACTICE - MEETINGS: APPOINTMENT OF OFFICES PART 4



Meetings: Appointment of Officers

In this edition we take you through the agenda of a strata corporation AGM that deals with the appointment of Officers and Committee.

Legislation: Section 23—Officers of strata corporation..

(1) A strata corporation must have the following officers:

(a) a presiding officer (to preside at meetings of the corporation); and (b) a secretary; and (c) a treasurer.

(1a) Unless all of the units comprised in the strata scheme consist of non-residential premises, the officers of a strata corporation must be unit holders.

(2) Any two or more of the above offices may be held simultaneously by the same person.

(3) Until the first appointments are made to the above offices, they will be held by the original proprietor (or, if the original proprietor is a body corporate, by its nominee or in the absence of a nominee, by its secretary).

(4) Appointments to the above offices must be made by the strata corporation at a general meeting of the corporation.

(5) A strata corporation must not allow any of the above offices to remain vacant for more than six months.

(6) A strata corporation may appoint or engage a person to assist any person appointed under this section as an officer of the corporation.

What does this mean?

Officers: For residential groups, officers must be owners. One owner can occupy two or more positions.

Roles: The Presiding Officer chairs meetings, and the Secretary calls meetings, records minutes and takes care of correspondence. The Treasurer issues levy notices to owners, banks monies, pays bills and informs officers and owners of the state of the finances.

Best Practice

We recommend that groups try hard to fill all positions, and fill them with three different owners.

We recommend that if the group appoints more than one owner from a unit that this be subject to the persons have a combined maximum vote of (1) one.

If the committee is looking to make an expensive or controversial decision we suggest it invite all owners to the meeting.

Hint: As chairperson: Vacate the chair if you are intending to nominate for a position. If possible have a meeting member, who is not standing for election, to be the returning officer

- to call for nominations and counts the votes.

If there is more than one nominee for a position a show of hands or a secret ballot is used to resolve the matter.

For more information and useful tools visit.

[www.unitcare.com.au/bp\\_strata\\_meetings\\_officers.html](http://www.unitcare.com.au/bp_strata_meetings_officers.html)

Next edition:

Appointment of Manager / Appointment of Officers

Proforma Minutes

Officers & Committee:  
This item follows the appointment of manager if on the agenda. An extract from our pro-forma minutes follows...

ELECTION OF OFFICE BEARERS: [Section 23]  
Following discussion about the various duties of officer bearers the following appointments were made:

Presiding Officer: \_\_\_\_\_  
Secretary: \_\_\_\_\_  
Treasurer: \_\_\_\_\_

Moved \_\_\_\_\_ / Seconded \_\_\_\_\_ Motion carried.

MANAGEMENT COMMITTEE: [Section 35]  
It was resolved that the Management Committee shall consist of the appointed officers along with \_\_\_\_\_

Moved \_\_\_\_\_ / Seconded \_\_\_\_\_ Motion carried.

Limitations imposed:  
Please Note: The Management Committee and Officers of the Corporation do not have the power: -

(i) To authorise any dealing with, or any variation of, the common/community property, or to grant exclusive rights in respect of the enjoyment and use of any part thereof of the common/community property.

(ii) To authorise installations or additions (appearance changes) relating to unit properties.

The functions of the Management Committee and Officers of the Corporation are by and large confined to authorising and overseeing the routine maintenance responsibilities of the Corporation, and ensuring that the provisions of the Articles are adhered to by the Corporation, unit owners and unit occupiers.