

ACT PRESIDENT'S REPORT



The SCA's annual report provides a welcome opportunity for me to reflect on the activities of the SCA(ACT) Board from November 2020, to date.

On the anniversary of my first year as President, I am reminded of the agenda which was set in conjunction with Nina Cannell, Vice President ACT, one year ago. The agenda was primarily focused on seeing the interests of the industry continue to be represented during the ACT Government's significant legislative reform agenda. We targeted what was then the complete inaction of the ACT Government with respect to the flammable cladding issue impacting the Territory and we resolved to support the boarder SCA professionalization agenda.

Suffice to say, the agenda expanded. The year which has been took the ACT Board into issues and challenges that were well outside our original and targeted agenda for the ACT in 2021. As with all jurisdictions in Australia, we have faced a number of additional challenges which we've sought to tackle on behalf of members; we've advanced several important advocacy opportunities; we've solidified our voice in the legislative reform space, and we've been proactively seeking to guide members and the industry more broadly with respect to the ever changing Covid landscape and the impacts this is having locally (not just for members, but for residents, occupiers, advisors, investors, builders, the list goes on).

2021 has been a significant year. I am indebted, constantly, to Nina Cannell (Vice President) and Chris Miller (the immediate past president). Their work for the SCA and in support of the industry more broadly is often unseen and their support for the work we do is unwavering. I also appreciate my fellow board members and must mention Rhonda Yates (treasurer, local identity, strata knowledge bank and trusted and long serving board member in the ACT), Steve Wiebe for his diversity of strata experience, Nicole Robb for your youthful and determined focus on industry advancement and Claire Farmer for her perspective and our conversations regarding the insurance industry insights she holds.

It is now well known (and better understood) that the largest legislative reform of the ACT's strata legislation (since 2001) and only really the second ever reform (since strata legislation in the ACT commenced in 1971) was commenced by the ACT Government in 2019 and is continuing at present. The stage one reforms became operative in 2020 and the local profession has embraced the challenges presented admirably. We've continued to work with the Government as issues with the reforms have arisen and appreciate the positive and collaborative approach that the bureaucracy/department staff have taken with respect to the reform agenda. Stage Two is now underway, albeit delayed by Covid lockdown in the ACT. I am looking forward to an opportunity to reinvigorate the advocacy on behalf of the SCA in relation to these important reforms. It must be said that it will take time for the benefit of some of these changes to be palpable in the ACT. The rigidity faced in terms of unit entitlements has been modernized and brings us into a "modern" era, along with changes to resolution thresholds.

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There is yet still work to do in relation to the S119 Certs and the ongoing uncertainty with respect to the definition and timing of “updates” and the associated fees. There is a raft of new obligations on EC members; new requirements for audits, consolidated rules and special privileges (including the prudent approach to have special privilege rules drafted by strata lawyers which was not previously required).

We have been able to secure a second seat on the strata reform consultative committee for the SCA, which reflects the Government’s recognition of the strata industry as being truly key to the decisions to be made with respect to further reforms. Similarly to Stage One, this further stage of reform will be both extensive and important to our local industry.

During the year, I invited all members to meet with me and discuss the SCA, its objectives and any matters of concern to them in the operation of their business. The take up was excellent and gave me an opportunity to better understand the issues the local industry faces and to consider the value that SCA can add to its members. The feedback was overwhelmingly positive, reflecting the extent to which members value their membership to the SCA. A few themes of concern emerged including staffing and resourcing in the ACT in a landscape where we compete against the Commonwealth Government for candidates; pricing pressures on services, and a desire to be abreast of what is ahead for the local industry.

[#TimeToTalk](#)

The advocacy agenda locally has been focused both on the flammable cladding issue as well as the response which should be taken with respect to Covid. Minister Vassarotti and MLA Elizabeth Lee have each been responsive with respect to the SCA’s concerns regarding flammable cladding. The Government has taken a slow and somewhat basic approach to the flammable cladding issue, by which I mean it has implemented a program to provide some limited (capped) funding for OCs to test cladding. It has foreshadowed some further funding (by way of a loan scheme) but has not yet implemented this scheme. We have been somewhat surprised in the ACT to see the Government take no responsibility for the planning and approval system implemented by it, which saw the relevant fire safety compliance certificates necessary for a building to be occupied be issued by the Government itself. We continue to watch this space in terms of further development regarding flammable cladding. We are in the process of planning a local Town Hall meeting in early 2022, in conjunction with the Owners Corporation Network, to both educate industry as well as residents, occupiers and investors about these matters.

[#PutTheFireOut](#)

I was privileged to introduce Dr Nicole Johnston, author of the SCA’s funded report “A data-driven holistic understanding of strata insurance in Australia and New Zealand” to present to local industry on the ACT specific findings arising in our industry. It was a well attended event and consistent with our local agenda to keep our members. [#InTheKnow](#)

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Readers may be aware of the Construct NSW Research report on serious defects in completed strata buildings across NSW. While our jurisdiction is much smaller, our defects locally are no less serious and nor is there any basis for a reduction relevant to the risk faced by occupants with respect to unremedied defects simply by reason of the size of the jurisdiction. The NSW report is commendable and informed by a large response from strata managers in NSW. I would love to see a similar review in the ACT. In terms of increasing public confidence in building, transparency and measurement are key. I note and adopt the observation that strata owners and strata managers may benefit from education on how to effectively resolve serious building defects and manage their buildings. Such education is not easy to give, these issues are typically case by case, because dates, events and certain facts are critical. That said, there should be no impediment to educating owners and managers to [#TakeAdviceAndTakeItEarly](#) when a defect issue raises its head.

I've been shocked this year, during the ACT's hard lockdown, which has undoubtedly had significant impacts on all residents in the Territory, to see the level of vitriol directed at strata managers, who are simply doing their job during Covid. Misguided concerns purportedly regarding strata managers allegedly breaching the Privacy Act, alleged discrimination as to use guidelines re common property, and actions being taken by private citizens to interfere with basic and reasonable Covid measures such as the use of QR Codes has reminded me, again, that the ACT is a particularly difficult jurisdiction when it comes to our owners and occupants.

It is challenging to educate an audience who consider they know better than industry participants. The SCA(ACT) is alive to these challenges and we strive to keep our members informed and abreast of matters impacting them on a day to day basis. This year we have issued some notes to assist members to interpret ACT Health Regulations and we will keep involved with these issues and supporting members as much as we are able to. We've written to the ACT Health Minister seeking a meeting to obtain some clarity with respect to the operation of the Covid regulations in the context of multi-unit living. We will continue to press for this important conversation with Government. [#WeGotYou](#).

To close on a positive note, I am hopeful that I have continued in the shoes of Chris Miller, who prioritised (among other things) an improvement to the quality and attendance of our SCA events in the ACT. We remain focused on both education (via the A100, ACT Mock Trial Advocacy training for managers and upcoming seminars on legislative reform to name a couple) as well as events to celebrate the achievements of our members. Education and celebration are both fundamentally important parts of a long and successful career in the strata industry. I very much look forward to the upcoming CHU Annual Awards ceremony and to continuing the tradition of stand out industry functions, in the ACT. [#EducateAndCelebrate](#)

SHELLEY MULHERIN

PRESIDENT
SCA (ACT)

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Claire Farmer
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Nicole Robb
Committee Member



Steve Wiebe
Committee Member

2020/21 AT SCA (ACT)



28 TOTAL
MEMBERSHIPS



11
STRATA
MANAGEMENT
MEMBERS



7 OWNER
MEMBERS



10
SERVICES
MEMBERS



43,109 LOTS
UNDER
MANAGEMENT



144,823

TOTAL REVENUE
FOR 2020/21