



New South Wales

Strata Schemes Legislation Amendment (Miscellaneous) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to—

- (a) amend the *Strata Schemes Management Act 2015* and the *Strata Schemes Development Act 2015* to implement some of the recommendations made in the report on the statutory review of the Acts tabled in Parliament on 29 November 2021, and
- (b) make corresponding amendments to the *Community Land Management Act 2021* and the *Conveyancing Act 1919*, and
- (c) make other miscellaneous amendments to those Acts.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Strata Schemes Management Act 2015 No 50

Schedule 1[1] and [2] insert and remove definitions consequent on other amendments.

Schedule 1[5] exempts strata schemes comprising 2 lots from certain requirements of the *Strata Schemes Management Act 2015*, in particular the requirements to hold general meetings of the owners corporation and constitute a strata committee. Decisions that would otherwise be made by the owners corporation in general meeting or by the strata committee must instead be made by a

written resolution of the owners corporation. **Schedule 1[3], [20], [38], [84] and [92]** make consequential amendments.

Schedule 1[7]–[9], [11], [16], [21], [23], [50], [52], [54], [69], [81], [86], [88] and [104] insert maximum penalty amounts for various provisions. **Schedule 1[17], [22], [51], [53], [82] and [85]** make consequential amendments.

Schedule 1[27] and [28] clarify processes for extending the term of appointment of strata managing agents.

Schedule 1[30]–[32] clarify the matters relating to commissions and training services that must be disclosed by strata managing agents.

Schedule 1[33], [55], [56], [70], [72], [73], [83], [87], [89], [90], [93], [95]–[97], [102], [105], [106] and [108] increase the maximum penalty amounts for various offences.

Schedule 1[34]–[36] modify the term of appointment of building managers. **Schedule 1[37]** inserts a new ground on which a building manager’s appointment may be terminated or varied.

Schedule 1[39] provides that a payment plan may cover interest payments on overdue contributions and future contributions. **Schedule 1[40]–[42] and [44]** make consequential amendments.

Schedule 1[43] requires an owners corporation to give reminder notices to owners for unpaid contributions and interest. **Schedule 1[45] and [47]** provide for additional requirements before an owners corporation may take action to recover unpaid contributions and interest from an owner. **Schedule 1[48]** clarifies the order that payments by an owner in arrears must be applied. **Schedule 1[46]** makes a consequential amendment.

Schedule 1[49] provides that the Tribunal may make the same orders as a court about levying contributions for costs awarded in proceedings between owners and owners corporations.

Schedule 1[57] places limits on the bonds or fees that an owners corporation may require an owner or occupier to pay. **Schedule 1[101]** makes a consequential amendment.

Schedule 1[59]–[62], [65], [67] and [68] make various amendments relating to work that may be carried out on the common property of a strata scheme, in particular clarifications about minor work and cosmetic work carried out by an owner. **Schedule 1[58], [63], [64], [66], [74], [75] and [99]** make consequential amendments.

Schedule 1[71] requires owners corporations to maintain and inspect window safety devices.

Schedule 1[77] provides that an exclusive supply agreement is void to the extent it requires an owners corporation to pay an exit fee or termination fee or purchase certain infrastructure at the end of the agreement.

Schedule 1[80] provides for a standalone approval process for the installation of an electric vehicle charging station on an owner’s lot. **Schedule 1[78] and [79]** make consequential amendments.

Schedule 1[94] requires records relating to alternatives to affixing the seal of an owners corporation to be available for inspection.

Schedule 1[98] provides for the publication of information about undertakings entered into by owners corporations and compliance notices given to owners corporations.

Schedule 1[103] confirms the powers of the Tribunal to award damages for certain breaches of statutory duties. **Schedule 1[100]** makes a consequential amendment.

Schedule 1[107] sets out an approval process for training providers.

Schedule 1[109] requires real estate agents or lessors to give notice of a tenant vacating a lot.

Schedule 1[112] provides for the establishment of a fund called the Strata Hub Fund in the Special Deposits Account.

Schedule 1[114] omits schedules providing for the meeting procedures of owners corporations and strata committees. **Schedule 1[15] and [24]** provide for these matters to be dealt with by regulation instead. **Schedule 1[4], [6], [12]–[14], [25], [26], [29], [91], [110], [111] and [113]** make other related or consequential amendments.

Schedule 1[115] inserts provisions of a savings and transitional nature.

Schedule 1[10], [18] and [19] make minor corrections and clarifications. **Schedule 1[76]** amends a heading.

Schedule 2 Amendment of Community Land Management Act 2021 No 7

Schedule 2[3]–[5], [7], [11], [14], [15], [44], [46], [48], [52], [57], [59] and [69] insert maximum penalty amounts for various provisions. **Schedule 2[12], [45], [47] and [56]** make consequential amendments.

Schedule 2[19] and [20] clarify processes for extending the term of appointment of managing agents.

Schedule 2[22], [23] and [25] clarify the matters relating to commissions that must be disclosed by managing agents.

Schedule 2[26], [49], [50], [53], [55], [58], [61]–[64], [67], [70], [71] and [73] increase the maximum penalty amounts for various offences.

Schedule 2[27]–[29] modify the term of appointment of facilities managers. **Schedule 2[30]** inserts a new ground on which a facilities manager's appointment may be terminated or varied.

Schedule 2[32] provides that a payment plan may cover interest payments on overdue contributions and future contributions. **Schedule 2[33], [34] and [38]** make consequential amendments.

Schedule 2[36] requires an association to give reminder notices to members for unpaid contributions and interest. **Schedule 2[39] and [41]** provide for additional requirements before an association may take action to recover unpaid contributions and interest. **Schedule 2[42]** clarifies the order that payments by an owner in arrears must be applied. **Schedule 2[40]** makes a consequential amendment.

Schedule 2[43] provides that the Tribunal may make the same orders as a court about levying contributions for costs awarded in proceedings between members and associations.

Schedule 2[51] places limits on the bonds or fees that an association may require an owner or occupier to pay.

Schedule 2[54] provides that an exclusive supply agreement is void to the extent it requires an association to pay an exit fee or termination fee or purchase certain infrastructure at the end of the agreement.

Schedule 2[65] requires records relating to alternatives to affixing the seal of an association to be available for inspection.

Schedule 2[66] provides for the publication of information about undertakings entered into by associations and compliance notices given to associations.

Schedule 2[68] confirms the powers of the Tribunal to award damages for certain breaches of statutory duties.

Schedule 2[72] sets out an approval process for training providers.

Schedule 2[74] requires real estate agents or lessors to give notice of a tenant vacating a lot.

Schedule 2[77] omits schedules providing for the meeting procedures of associations and association committees. **Schedule 2[10] and [16]** provide for these matters to be dealt with by

regulation instead. **Schedule 2[1], [2], [6], [8], [9], [13], [17], [18], [21], [75] and [76]** make other related or consequential amendments.

Schedule 2[78] inserts provisions of a savings and transitional nature.

Schedule 2[79] inserts a definition and **Schedule 2[80]** removes a definition as a consequence of other amendments.

Schedule 2[24], [31], [35], [37] and [60] make minor corrections and clarifications.

Schedule 3 Amendment of Strata Schemes Development Act 2015 No 51

Schedule 3[1] inserts definitions consequent on other amendments.

Schedule 3[2] clarifies the application of Schedule 4 to strata management statements.

Schedule 3[4] clarifies the powers of the Supreme Court to order the amendment of a strata management statement. **Schedule 3[7]** makes a consequential amendment.

Schedule 3[6] provides that a strata management statement binds occupiers of the building to which the statement applies.

Schedule 3[8] inserts proposed Part 6, Division 1A into the *Strata Schemes Development Act 2015*. The proposed division—

- (a) limits the term of appointment of an agent appointed to exercise certain functions of a building management committee to 5 years, and
- (b) requires each member of a building management committee to ensure the following is kept—
 - (i) certain records relating to the committee, the building and its site,
 - (ii) a register of certain contracts entered into for the committee relating to the building, its site or a function of the committee, and
- (c) clarifies who is entitled to inspect the records and register of contracts, and
- (d) provides for the deemed novation, in certain circumstances, of the contracts included on the register of contracts on the sale of a part of the building that is not a part strata parcel, and
- (e) requires the allocation of the costs of shared expenses relating to parts of a building to be reassessed if a review finds that the allocation is no longer fair and, together with **Schedule 3[3] and [5]**, provides for the strata management statement to be amended to give effect to a recommendation to change the allocation of costs.

Schedule 3[11] and [12] expand the matters that must be provided for in a strata management statement. **Schedule 3[16] and [17]** make consequential amendments.

Schedule 3[13] makes it a requirement that the representative of an owners corporation on a building management committee is a member of the strata committee of the owners corporation. **Schedule 3[14]** provides that the representative must only vote on matters considered by the committee in accordance with the directions of the owners corporation or strata committee.

Schedule 3[18] provides that a strata management statement is taken to include, unless the statement provides otherwise, certain procedures dealing with the absence of a quorum at a meeting of the building management committee.

Schedule 3[19] inserts provisions of a savings and transitional nature.

Schedule 3[9], [10] and [15] make minor amendments.

Schedule 4 Amendment of Conveyancing Act 1919 No 6

Schedule 4[1] and [3] insert definitions consequent on other amendments.

Schedule 4[7] and [8] clarify the application of Schedule 8A to building management statements.

Schedule 4[10] clarifies the powers of the Supreme Court to order the amendment of a building management statement. **Schedule 4[13]** makes a consequential amendment.

Schedule 4[12] provides that a building management statement binds occupiers of the building to which the statement applies.

Schedule 4[14] inserts proposed Part 23, Division 3B, Subdivision 3 into the *Conveyancing Act 1919*. The proposed division—

- (a) limits the term of appointment of an agent appointed to exercise certain functions of a building management committee to 5 years, and
- (b) requires each member of a building management committee to ensure the following is kept—
 - (i) certain records relating to the committee, the building and its site,
 - (ii) a register of certain contracts entered into for the committee relating to the building, its site or a function of the committee, and
- (c) clarifies who is entitled to inspect the records and register of contracts, and
- (d) provides for the deemed novation, in certain circumstances, of the contracts included on the register of contracts on the sale of a part of the building, and
- (e) requires the allocation of the costs of shared expenses relating to parts of a building to be reassessed if a review finds that the allocation is no longer fair and, together with **Schedule 4[9] and [11]**, provides for the building management statement to be amended to give effect to a recommendation to change the allocation of costs.

Schedule 4[2] and [4]–[6] make consequential amendments.

Schedule 4[17] and [18] expand the matters that must be provided for in a building management statement. **Schedule 4[21] and [22]** make consequential amendments.

Schedule 4[23] provides that a building management statement is taken to include, unless the statement provides otherwise, certain procedures dealing with the absence of a quorum at a meeting of the building management committee.

Schedule 4[24] inserts provisions of a savings and transitional nature.

Schedule 4[15], [16], [19] and [20] make minor amendments.

Schedule 5 Amendment of Strata Schemes Legislation Amendment Act 2025 No 14

Schedule 5 amends the *Strata Schemes Legislation Amendment Act 2025* to enable training requirements for the members of a strata committee or association committee to be approved by the Secretary from time to time.