



STANDARD MEETING PROCEDURES

Current as at 1 July 2017

The procedures identified in this document are standard meeting procedures adopted by Platinum Strata Management when conducting any strata title or community title scheme meeting.

Whether it be a general meeting (AGM or EGM) or strata committee meeting the same procedure apply.

Platinum Strata Management meetings philosophy is that participants have a right to timeframes for all meetings. Meeting should run no more than 1½ hours with a single 15 minute extension available by the consent of the meeting. Strata title or community title scheme meeting do vary slightly from other standard meeting procedures as a consequence of legislative requirements.

Some of those significant differences are:

- 1) That there can be no binding decisions made in general business at any meeting of an Owners Corporation or Community Association meeting whether it is a general meeting or a strata committee meeting. If a meeting does have General Business included in the agenda notice, it can only be for general discussion.
- 2) That there are prescribed types of voting to be taken for certain types of resolutions.
- 3) There is no need to have a mover and a seconder for a motion that is listed on the agenda.
- 4) A poll vote may be requested by an owner after the original vote on a motion has been taken.
- 5) The chairperson does not have a casting vote.

Any debate or discussion at a meeting on a particular matter must have been included as an agenda item and circulated to all owners in accordance with the legislative requirements. There are minimum time frames for meetings notices and agendas.

The purpose of a meeting is to facilitate decision making and action. The intention of meeting procedures is to apply controls and order to enable all owners or their nominated representative the opportunity for input.

Meetings and agendas of an Owners Corporation or Community Association are owned by the organisation.

The chairperson is the facilitator of those meetings and should not impose their personal view or opinion. The Chairperson does not have a casting vote

To be eligible to vote at a general meeting an owner must be financial at the time the meeting is called. To be eligible to attend a Community Association or Strata Scheme meeting, a person must:

- a) Be named on the Strata or Association roll as a legal owner, or
- b) Nominated by an owner to represent them at the meeting (proxy)

Tenants at Strata Schemes Meetings

The Strata Schemes Management Act 2015 has paved the way for tenants to attend strata schemes general meetings. There is also provision for an elected tenant representative to participate in strata committee meeting if the lot occupancy is more than 50% of tenants.

Rules of debate apply to tenants attending Owners Corporation meetings.

<p>AGENDA ITEMS</p>	<ul style="list-style-type: none"> ➤ The agenda sets out the items to be considered by a meeting and to enable owners or their nominated representative to prepare fully for the meeting. ➤ First item on the agenda should be the confirmation of the previous meeting minutes. <ul style="list-style-type: none"> ▪ Only general meetings (AGM, EGM) confirm general meeting minutes. ▪ Only Strata Committee meetings confirm Strata committee meeting minutes. ➤ Agenda items for a meeting are determined by: <ul style="list-style-type: none"> ▪ Legislation. The SSM Act sets out a number of required motions that must be considered at a general meeting (AGM or EGM) of the Owners Corporation. ▪ The Secretary – The Secretary is responsible for all meeting agendas and determines the content and order of agendas ▪ The Strata Committee – Generally through discussions at strata committee meeting, items are referred for consideration at AGM and EGM"s. ▪ An Owner – An owner has a right to request motions to be placed on the Agenda of next AGM or EGM"s. <p>An owner does not have the right to have any item placed on the agenda of an SCM. This agenda is determined by the Secretary/Strata Manager.</p> <p>To have an item considered at an EGM or AGM an owner must lodge a requisition for a motion in writing to the Secretary. A motion should commence with "That the Owners Corporation resolves that..." It is good practice that the motion wording enable a Yes/No or For/Against response.</p> <p>The Secretary/Strata Committee/Strata Manager does not any veto rights over an owners requestion for a motion. In other words the motion must be included on the agenda.</p>
<p>QUORUM</p>	<p>A quorum for both general meetings and strata committee meetings are established by the SSM Act 2015 and cannot be altered by the Owners Corporation.</p> <p>A quorum for a General Meeting is 25% of financial eligible lots to vote. A two lot scheme requires both lots to perform a quorum.</p> <p>Strata Committees require 50% of the total number of members.</p> <p>Un-financial lots are not counted in a quorum unless the motion requires a unanimous decision as set out by the SSMA Act. (A unanimous decision means of the meeting quorum not every lot in scheme).</p> <p>AGM or EGM</p> <p>If after the lapse of 30 minutes from the commencement time for a general meeting a quorum is not present, those in attendance may be declared by the Chairperson to form a quorum and the meeting may proceed.</p> <p>The Chairperson may also determine to adjourn the meeting because of the lack of a quorum.</p> <p>Platinum Strat Management encourages a Chairperson to adjourn a meeting if a quorum is not present at the initial meeting, particularly if there is any contentious motions or large financial expenditure proposed by the agenda.</p>

	<p>If after the expiration of 30 minutes there is not a quorum at an adjourned meeting, the Chairperson may declare a quorum of those present and proceed with the meeting. This may be as few as one person if that single person is the Chairperson.</p> <p>SC Meetings</p> <p>If a quorum is not present after 30 minutes of the commencement time, the meeting is abandoned and a new meeting must be called.</p> <p>If an SC meeting does not meet the 50% quorum requirement it cannot make any resolutions nor be adjourned.</p> <p>A quorum must be present for the duration of a meeting. If a meeting attendance drops below the required quorum after the meetings has been declared open, then the meeting lapses.</p>
<p>CHAIRPERSON</p>	<p>The chairperson is the custodian of the rules of the meeting and should be applying those rules to keep good order and control.</p> <p>The function of the chairperson is to facilitate debate and not to impose their personal view.</p> <p>The Chairperson:</p> <ul style="list-style-type: none"> ➤ Determines that a quorum is present to commence the meeting in accordance with legislative requirements. ➤ Proclaims voting rights according to legislative requirements. ➤ Rules on the validity of proxies – whether a presented proxy: <ul style="list-style-type: none"> ▪ Conforms to the legislative requirements ▪ The form is completed appropriately ▪ The duration of a particular proxy. ➤ Rules on procedural motions. ➤ Monitors a meeting to ensure that a quorum is continually present. ➤ Ensures that there is no long winded presentations; suppresses irrelevant remarks and tedious repetition and interjections. ➤ Rules on meeting procedure and legitimacy of motions and amendments in accordance with the legislative requirements. ➤ Ensures time frames are maintained. ➤ Decides on points of order <p>The Chairperson is the focal point of the meeting and all discussion must be directed through the chair, meaning that only those persons acknowledged by the chairperson may speak.</p> <p>The Chairperson does not have a casting vote in the event of a tied vote on any motion.</p> <p>If the Chairperson wishes to enter the debate to speak for or against the motion, then they should vacate the chair. They do not resume the position until that motion has been voted on and a result declared.</p>
<p>TYPES OF MOTIONS</p>	<p>Motions are either Substantive or Procedural.</p> <p>Substantive motions in strata schemes or Community Associations are those presented on the agenda of a meeting.</p> <p>Procedural motions are motions moved by a legitimate attendee of a general or strata committee meeting during the conduct of that meeting.</p>

	<p>A procedural motion can only address matters of conduct of the meeting.</p>
<p>VOTING</p>	<p>Voting at strata scheme meetings is by show of hands.</p> <p>The SSMA 2015 make provision for secret ballots if determined by an ordinary resolution of a general meeting of the OC.</p> <p>Voting will be conducted by count of hands unless a “poll” is requested.</p> <p>A poll is a vote conducted by Unit of Entitlement value.</p> <p>A poll vote may be requested after a standard vote has been taken, but, prior to the next agenda item to be considered. No reason has to be provided for requesting a poll vote and may be requested by any owner or their proxy.</p> <p>All Special Resolutions & Unanimous Resolutions must be a vote by Unit Entitlement.</p> <p>Only fully financial owners (or proxy) are eligible to vote unless the motion is required to be unanimous resolution by legislation.</p> <p><u>Casting Votes</u></p> <p>There is no provision for the chairperson to have a casting vote in the event of a tied vote at any AGM, EGM or SCM. A tied vote results in the motion being defeated.</p> <p><u>Abstaining from Voting</u></p> <p>If a person does not vote then they are abstaining and are not considered in the count.</p> <p><u>Strata Committee Voting</u></p> <p>Unit Entitlement is no applied to any voting of a strata committee meeting. There is no provision for a poll vote. All members are equal i.e. one person one vote.</p> <p>If a strata committee member is appointed as a substitute for another but absent strata committee member, then they carry their own vote and a vote for every substitute they carry.</p>
<p>RULES OF DEBATE</p>	<ul style="list-style-type: none"> ➤ No item may be determined if it is not included on the agenda or notice of motions. ➤ An owner should only speak once on each agenda item. ➤ As motion on the agenda is considered to already have a mover and seconder. It is therefore unnecessary to ask that the “motion be moved and seconded.” ➤ The order of debate should be that the first speaker will be speaking in favour of the motion. ➤ If an owner has requested that an item be included on the agenda then they will be provided the opportunity to speak first to that item. ➤ If the strata committee has included the item on the agenda then a strata committee member will speak in support of the motion (commonly the Secretary) ➤ If it is a legislative required motion (e.g. insurances) then the Secretary should speak to the motion first. ➤ The second speaker will be speaking against the motion or moving an amendment. ➤ Ongoing debate will be on the basis of alternatively speaking in favour of the original motion, then against the original motion or, moving or supporting an amendment or moving an alternative or additional amendment.

	<ul style="list-style-type: none"> ➤ Debate is concluded by the chairperson announcing that a vote will be taken.
AMENDMENTS	<ul style="list-style-type: none"> ➤ Amendments are procedural motions and require a mover and seconder. ➤ Amendments may be moved to add information, clarify the intent or extend a motion. ➤ An owner may move only one amendment per agenda item. ➤ An amendment cannot change the intent of the original motion. ➤ An amendment requires a seconder to be debated by the meeting. The seconder has an opportunity to speak in favour of the amendment if they so desire. ➤ During debate of an amendment the original motion is set aside. ➤ If an amendment is passed then it is included as part of the original motion and put to the meeting for a vote. ➤ If an amendment is lost then the original motion is put to the meeting for a vote. ➤ When discussion has been exhausted then the motions and or original motion are put to the meeting for voting or alternatively, that the procedural motion "that the motion be put" is supported in the majority. ➤ Amendments are voted on before the original motion is put to the vote.
PROCEDURAL	<p>Procedural motions address the conduct of the meeting as it is happening. They are moved from the floor from time to time and are not included as part of the written agenda.</p>
MOTIONS	<p>For a procedural motion to be considered it is the role of the Chairperson to determine whether they are progressed or not.</p> <p>If the Chairperson acknowledges a procedural motion then it takes immediate precedence over the substantive motion under debate.</p> <p>If a procedural motion fails, the debate resumes on the substantive motion. Restrictions on those who have already spoken on the substantive motion are lifted for the purpose of a procedural motion.</p> <p>If procedural motion is successful then the substantive debate interrupted lapse and the procedural motion is implemented.</p>
POINT OF ORDER	<p>A point of order is used to bring a meeting's attention to a factual error or procedural issue.</p> <p>It is moved from the floor of a meeting and is not voted on but ruled on by the chairperson.</p> <p>A point of order should only be made if the speaker is not addressing the issues of the motion under debate or is behaving contrary to the general custom of debate.</p> <p>A point of order should not be used to interrupt the speaker.</p>
DISSENT OF CHAIR RULING	<p>A chairperson's ruling may be challenged by a member of the meeting.</p> <p>The mover of the dissent is required to outlines their reason for the dissent.</p>

	<p>The chairperson explains their reason for the ruling. There is no debate but a vote of either for or against is taken. This is not a vote of confidence or no confidence in the chairperson.</p>
<p>A MOVE THE QUESTION BE PUT [GAG]</p>	<p>An eligible voter can move “that the question be put” or “the motion be put” at any time in the debate as long as someone is not currently speaking. This is a procedural motion.</p> <p>The Chairperson must first acknowledge the mover otherwise it cannot be considered by the meeting. If successful this will then close the debate on that motion.</p>
<p>TYPES OF RESOLUTIONS</p>	<p>There are four (4) different types of resolutions available to voting in strata and community schemes. These are defined in the legislation and cannot be changed by any person, meeting or scheme.</p> <p><u>Ordinary Resolution</u></p> <p>The only type of vote taken at an SCM. A simple majority required. I.e. 51% or more of the vote of a quorum present. If the vote is 50% or less then the motion is lost.</p> <p><u>Ordinary Resolution in General Meeting</u></p> <p>An ordinary vote taken at a general meeting (AGM, EGM). A simple majority required. I.e. 51% or more of the vote of a quorum present. If the vote is 50% or less then the motion is lost.</p> <p><u>Special Resolution</u></p> <p>A Special Resolution is a vote by Unit Entitlement and requires that there be more than 50% in favour and no more than 25% voting against the motion.</p> <p><u>Unanimous Resolution</u></p> <p>A Unanimous Resolution is a vote by Unit Entitlement and requires that there be more than 50% in favour and no vote cast against.</p>
<p>TIME RESTRICTIONS</p>	<p><u>Meetings</u></p> <p>Owners need to be able to plan and organise their time. Meetings need to have a start and finish time for this reason and to prevent unnecessary time wasting.</p> <p>AGM’s with a con-current strata committee meeting are programmed for a maximum of two (2) hours. This is sufficient time to enable participants to express their point of view once on each agenda item.</p> <p><u>Each Motion</u></p> <p>At the discretion of the chairperson, an equal time limit may be imposed to all eligible participants on each separate motion.</p> <p>As a general rule this will be two (2) or three (3) minutes per speaker.</p> <p><u>Meeting Extensions</u></p> <p>One 15 minute extension of time will be permitted. This will require a procedural motion and voted on by the meeting.</p>
<p>GENERAL BUSINESS</p>	<p>The Strata Schemes Management Act does not allow for any enforceable resolutions or decision to be made in general business at any meeting of an OC. (The purpose being that owners are entitled to know what decisions a meeting may make.</p> <p>This prevents the unfair strategy of a subject or motion being withheld and a meeting being ambushed with that topic or motion under the guise of general business.</p>

	<p>If the item wanting to be considered is not an agenda item it cannot be debated or voted upon.</p> <p>If there are items that owners wished discussed that are not on the agenda, this may be done as a general discussion after the official meeting has closed.</p> <p>This may provide information to owners and direction to the Secretary/Strata Manager on motions for future meetings.</p> <p>If an item of General Business is included on the agenda, no motions from the floor can be considered or voted upon.</p>	
<p>PROXIES AND SUBSTITUTES</p>	<p>There is a very clear distinction between a Proxy and a Substitute.</p> <p><u>Proxy</u></p> <p>A Proxy applies only to general meetings and maybe any person over the age of 18 years.</p> <p>They do not have to have any involvement or connection to the scheme. They must be appointed in writing by a lot owner to represent that owner at either an AGM or an EGM before the commencement of the meeting.</p> <p>A company nominee cannot appoint a proxy. Only the company can appoint a proxy and the proxy form must be signed by the company legal office bearers.</p> <p>For a proxy to be valid the proxy must be appointed by name unless appointing the „chairperson“ and the proxy form must be signed by the lot owner.</p> <p><u>Substitute</u></p> <p>A Substitute applies only to SCM"s and can only be another owner or company nominee already registered with the scheme.</p> <p>If the substitute is another SC member, that person has their own vote plus one extra vote for every substitute they hold.</p> <p>The appointment of a substitute must be in writing from the absenting strata committee member and must appoint a person by name, not a position (e.g. Chairperson, Secretary).</p> <p>Each SC meeting needs to approve the appointment of a substitute at each meeting. If the above criteria are met then the SC cannot refuse to accept the substitute appointment.</p>	
	<p>AGM - Annual General Meeting</p> <p>OC - Owners Corporation</p> <p>SCM – Executive Committee Meeting</p> <p>SSMA - Strata Schemes Management Act</p> <p>UE - Unit Entitlement</p>	<p>EGM - Extraordinary General Meeting</p> <p>SC - Strata Committee</p> <p>SM - Strata Manager</p> <p>NCAT- NSW Consumer and Administrative Tribunal</p>