

Top tips for Body Corporates in declared areas

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15, October 2014

Introduction

- Body corporate's general functions
- Insurance
- Security
- Communications
- Emergency evacuations
- Deliveries and building works
- Summary and Questions

Body corporate's general functions

- Section 94 of the Body Corporate and Community Management Act 1997
- The body corporate for a community titles scheme must—
 - administer the common property and body corporate assets for the benefit of the owners of the lots included in the scheme; and
 - enforce the community management statement (including enforcing any by-laws for the scheme in the way provided under the Act); and
 - carry out the other functions given to the body corporate under this Act and the community management statement.

Insurance

- Sections 178 and 179 of the Body Corporate and Community Management (Standard Module) Regulation 2008.
- "Damage" is defined under section 176 of the Standard Module to include "damage from impact, malicious act, and riot".
- Body Corporates should ensure they are covered for any incidents that may incur including damage to their building and property that may not be covered due to terrorism exclusion clauses.

Security

- Body Corporates may want to review whether a security strategy is necessary for the duration of the Summit.
- Body Corporate should notify the residents of any restrictions under the Act to the building and consider whether any additional security such as whether cameras or security guards are necessary.
- It is important to note that the Body Corporate or on-site manager does not have the power to restrict lawful occupants and their invitees from entering the building.
- If a person unlawfully attempts to enter the building, this will be treated as trespass and the body corporate will need to go through the police to resolve the issue.

Communications

- Body Corporates may want to review whether a communication strategy is necessary for the duration of the Summit.
- For example:
 - appointing a liaison person if there is no on-site manager for the building; and
 - the procedures if an emergency decision needs to be made by the body corporate, for example an agreement to vote by flying minute and determining prior to the Summit which owners are available to be contacted.

Emergency evacuations

- Body Corporates may want to review whether an emergency evacuation strategy is necessary for the duration of the Summit.
- Body Corporates may consider whether they should use their fire evacuation plan as an emergency evacuation plan during the Summit.
- Due to the road closures and restrictions, Body Corporates should also consider whether their martialling point is still accessible or whether alternative arrangements need to be made.

Deliveries

- The police have advised residents will still be able to receive deliveries as usual, however if buildings are located close to a restricted area then some coordination may be required.
- The Body Corporate may want to advise the occupants of this matter.

Building works

- The police have recommended that building works be avoided during the Summit.
- Any urgent or unscheduled work that needs to take place within the declared area will be permitted, however there may be delays and traffic diversions in place.
- The Body Corporate may want to advise the occupants of this matter.

Summary

- Body Corporate's to be prepared
- Keep occupants informed of any arrangements prior to, during, and after the Summit

Questions

Office Locations

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