



B/WISE
WITH
B/STRATA

Owners Forum

**Safety, Sustainability &
Strategic Planning**

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Safety, Sustainability & Strategic Planning



- **Be Welcomed**
 - *Networking and Light Refreshments 5:30pm to 6:00pm*
 - *Presentation 6:00pm to 7:00pm*
 - *Fire Exits | Toilets*
 - *B Strata App – Team assistance until 7:30pm*
 - *B Strata – Scott Bellerby – I’m not a lawyer, if in doubt, seek legal advice!!*
- **Be Considerate of others**
 - *mobiles on silent mode*
- **Be Present** – *enjoy and make the most of it.*



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Safety, Sustainability & Strategic Planning

- **Safety**

- Workplace and Duty of Care
- Safety Reports

- **Sustainability**

- Embedded Networks (Naked Truth Series to be released 2nd September)
- Electric Vehicle Chargers

- **Strategic Planning**

- One Year Maintenance Plans
- By-laws and consolidation of by-laws



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- Workplace Safety

- WHS Act 2020 (31st March 2022)
 - Person Conducting a Business or Undertaking (PCBU)
- Workplace – *“work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work”*
- Worker – *an individual who works under a contract for service and may include labourers engaged under a contract, sub-contract, or on a casual basis, and are not employees of the strata manager or the strata company* (Workers Compensation and Injury Management (WCIM) Act 1981)
- Exemption in WHS Act for a Residential Building
 - No definition of Residential Building
 - Exemption does not apply if the strata company engages an employee
- Section 29 in the WHS Act – *other persons must take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons*

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- **Duty of Care**

- Acts that define a duty of care are the WHS Act (s. 19), the Civil Liability (CL) Act 2002 (s. 5B) (7) and Occupiers' Liability (OL) Act 1985 (s. 9)
- A PCBU that engages a worker or influences or directs the activities of a worker in carrying out their activities on site, so far as is reasonably practicable, must ensure:
 - The provision and maintenance of a work environment without risks to health and safety;
 - The provision of adequate facilities for the welfare at work of workers (**extends to workplace bullying and mental health**); and
 - That the health of works and the conditions at the workplace are monitored for the purposes of preventing illness or injury.
- If a landlord, and by default the property manager, engage a worker to undertake work within the owner's lot, then section 9 of the OL, 'Duty of care of landlord', imposes similar obligations

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- Exemption from Liabilities

- Section 141 'Protection from liability' in the Strata Titles Act 1985 - a person acting in good faith
- But, if you are acting in 'good faith', then by legal definition you should have due regard to the rights and interests of the other party

- Reasonably practicable in ensuring health and safety (WHS) –

- Means - that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters



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- How does this affect me?



Photo 9 - rectify 3m2 of pavers to path north of Unit 8



Photo 18 - rectify pavers in entry drive near Unit 17



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- How does this affect me?



Investigate Movement in Retaining Walls



Assess Rectification of Damp to Walls



Replace Rotten Pergolas



Replace Rotten Handrails to Balconies



Photo 22 - rectify pool gate lock corrosion

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- How does this affect me?

The screen walls to the East washing line enclosure (by Unit 13) are extensively cracked, with the structure subsiding. Differential settlement is obvious between the structure and No13, with costs included for demolition and replacement with Colorbond fencing (as a cheaper alternative to rebuilding in brickwork).



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- How does this affect me?

Each Level Corridor –
Apartment
switchboards



The switchboards are the domestic backboard type (suspected ACM) with meters, main switches with outgoing supplies to the apartments. The outgoing supplies infrastructure vary from ceramic fuse holders to individually upgraded RCD protected circuits. Many of the switches and breakers appear to be the original ceramic ones. It is suspected that the mains cabling could be original.

Each Level Corridor –
Building Main
Switchboard/Rising
Electrical Main



As per previous comments the board and infrastructure are very old and though functional have been assessed as Very Poor based on age, serviceability and safety. Additionally the switchboard housing door seals is in poor condition

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- Safety Reports (AGM Motions provided by Reserve Fund Plans)

- Safety Report

Identify appropriate hazards and risks, include proper risk assessments, make practical and cost-effective recommendations and other requisite information to comply with the Work Health and Safety Act 2020, being s.18, 19, 20 and 29, the Work Health and Safety (General) Regulation 2021, being Part 3.1 as well as to satisfy s. 5B of the Civil Liability Act 2002 regarding the Strata Company's duty of care in order to protect the resident, visitors and contractors visiting the scheme and to minimise the risk of being prosecuted under the WHS Act 2020 or being sued for negligence

- Asbestos Report and an Asbestos Register

Obtained an asbestos report to comply with the Work Health and Safety (General) Regulations 2021, being Regulations 422 to 430, as well as to satisfy s. 5B of the Civil Liability Act 2002 regarding the Strata Company's duty of care in order to protect the residents, visitors and contractors visiting the scheme and to minimise the risk of being prosecuted under the WHS Act 2020 or being sued in negligence.

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- Other Safety Reports

- Electrical Certificate of Compliance WA

- The Electricity (Licensing) Regulations 1991 (Regulations) require electrical contractors to certify certain types of electrical installing work carried out in WA. Depending on the type of work one or more of the following may be required:

- *preliminary notice*
- *notice of completion*
- *electrical safety certificate*

- RCD Testing

- Electricity Regulations 1947 (the Regulations) requires all residential premises to be sold, rented or hired to have at least two RCDs protecting the final sub-circuits to socket outlets and lighting
- Should be tested every 12 months, in accordance with AS/NZS 3760

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- Other Safety Reports
 - Thermal Imaging Scans
 - This is not a compliance or mandatory inspection under any current standards, but is requested now by a lot of insurance companies that want to reduce exposure to the client and themselves in interruption to business activities
 - Fire Evacuation Plans
 - A PCBU must ensure that there is an emergency plan in place to protect anyone on the premises in the event of an emergency
 - https://www.commerce.wa.gov.au/sites/default/files/atoms/files/fire_safety_in_existing_apartment_buildings.pdf
 - Cladding Audit
 - <https://www.commerce.wa.gov.au/building-and-energy/state-wide-cladding-audit>
 - Electricity Capacity Review
 - Estimate whole of site remaining electricity capacity

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- Sustainability
 - Residential Buildings
 - Responsible for around 24% of overall electricity use and 12% of total carbon emissions in Australia
<https://www.energy.gov.au/government-priorities/buildings/residential-buildings>
 - Challenges
 - Capacity of transformer – most existing schemes have maximised their electricity draw
 - Roof structure
 - Metering and inverter location – cabling needs to be run from solar, to inverter, to the lots meter
 - Solar location and how much roof space – s. 63 & 64 of STA
 - Battery Storage Location and future for second-hand market
 - Potential Savings
 - Embedded Network - average annual savings estimate within a 100 lot strata scheme equates to approximately \$480 per lot per annum, or 25 to 30%
 - There is also a contestable market for gas and telecommunications

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ENERGY INFRASTRUCTURE OWNERSHIP - SCENARIOS

Network Model	Ownership Model	Purchasing Model	On-sell model	Cost Comparison
Multi Master Network	01. Western Power Meter Ownership	The residents / occupants (consumer) individually purchase their electricity from the regulated licensed electricity retailer (Synergy).	The licensed retailer sells electricity to the resident.	WA State Government Gazetted A1 residential or similar tariff. (total costs of an average residence equate to approximately \$0.33 per kWh)
Embedded Network	02. Complete Scheme Ownership	The scheme can purchase the cheapest energy under a supply contract for the entire site. • where eligible (50,000 kWh per annum) for retail contestability, they have access to a competitive energy market – for both electricity and gas.	The scheme has the power of choice to • pass on the savings directly to the consumer or • align with the Gazetted Residential A1 or similar tariff and generate an income to help offset the levies.	Up to 25% to 30% cheaper than the Gazetted tariff.
	03. Part Scheme / Part Third Party Ownership	The consumers individually purchase their electricity from the licensed electricity retailer and pay fees for the use of the infrastructure.	The licensed retailer sells electricity to the consumer, and in some instances offers a rebate to the strata scheme or owner.	Supply charge to the consumer is usually less than the Gazetted tariff, but more than the Complete Private infrastructure ownership model.



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1

DO YOUR RESEARCH ON YOUR SCHEME'S CURRENT ENERGY PURCHASING ARRANGEMENTS AND FOLLOW DUE PROCESS TO IDENTIFY THE OPTIONS AVAILABLE TO YOUR SCHEME:

Energy-Tec has a formal process designed specifically for scheme owners of multi master sites to identify the cost benefits of converting to an embedded network.

Energy-Tec offer 4 x key Steps:



ENC (& Solar) Feasibility:
Ascertain the cost benefit



PPP:
Preliminary Plan & Timeline



Bylaws:
Legal guide for Bylaws



D&I:
Project Design & Implementation

2

CONVERT TO AN EMBEDDED NETWORK BEFORE COMMITTING TO DEPLOYING SOLAR.

The benefits of large scale solar only become evident once a site is configured as an embedded network.

3

ENSURE YOU CAN CLEARLY RECONCILE ENERGY WITHIN THE COMPLEX.

4

UPGRADE THE RESIDENTIAL METER INFRASTRUCTURE IF OUTDATED AND ANTIQUATED FROM A LIFE CYCLE PERSPECTIVE.

5

IF SOURCING FUNDING SOLUTIONS;

look for fee for services models to ensure full ownership is retained by the scheme, so benefits can flow into the scheme after the funding term ends.

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- Sustainability

- Electrical Vehicles (EV's)

- Australian Government is likely to follow the EU, UK and other established economies and implement targets
- Ban on sale of petrol cars in developed countries by 2035
- Volvo, Ford, Daimler Mercedes-Benz, Rolls Royce, Jaguar Land Rover, General Motors, India's Tata Motors, China's BYD Co and Volkswagen will only sell electric vehicles from 2030

- EV Chargers

- Lot ownership means:

- Lot application under s. 63 to run a utility, scheme has limited ability to regulate
- Cabling throughout the scheme
- Application under either s. 64 or s. 87 to instal the charger

- Scheme ownership means:

- Up front cost for scheme
- Control over cabling, metering (numerous options) and location of chargers
- By-laws



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- EV Chargers

- Key Considerations include:

- Power monitoring to determine capacity
- Electrical infrastructure requirements – separate distribution board/s rated above maximum capacity; the longer the run, the more expensive; cable trays installed
- Load management to prevent overload – most buildings do not have capacity; the system monitors the available (excess) capacity at the grid connection and then spreads any available power across the active charging stations; eliminating the need to upgrade a transformer or electrical services in the building
- Usage reporting / Metering – Standalone (common power or credit card) or intergrade into Utility Smart Metering
- Finance
- By-laws

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- Strategic Planning

- Insurance Premiums

- Current increases between 15% to 90% - Major losses due to natural disasters have seen insurers forced to increase insurance premiums and tighten underwriting guidelines on properties that have experienced high loss ratios and frequent claims, as well as those with defects or maintenance issues
- Inflation and building costs are escalating and schemes may be under insured
- Insurers want to see well managed buildings and are asking for evidence of maintenance activities:
 - 10 Year Plans; Safety Reports; Other Engineers Plans; Valuation Reports; Security & CCTV
- Self-Insurance – do not make a claim for small maintenance items
- By-laws

- 10 Year Plans

- Best practice is to review annually - likely change to Regulations
- Create a one-year plan:
 - Attend to safety issues as a priority > After safety, start at the top (roof / waterproofing issues) > Cost savings > Budget

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- Strategic Planning

- Electrical Infrastructure

- 10 Year Plans should include:
 - Electricity Capacity Review – Likely Regulations change
- Consider conversation to Embedded Network
 - Income producing asset
 - Sustainability initiative
 - Improved asset value
 - Better scheme regulation for solar, battery and EV Charging
 - By-laws

- EV Charging

- May require an engineered plan for cabling, metering and mains switchboard upgrade

- Solar

- Fix roof first
- Not on tiled roof

- Battery

- Future second-hand market driven by EV's
- Consider location and ability to change out batteries



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- Strategic Planning

- By-laws

- Consolidation or repeal and introduce a new set of up-dated by-laws?
- By-laws to consider:
 - Financial Year
 - Debt Recover and Recover of Legal Costs
 - Embedded Network and Metering
 - Sustainable Infrastructure
 - Solar
 - EV's and Charging
 - Insurance Excess
 - Fire Safety and On-billing for Call-outs
 - Water Metering and Sustainability Initiatives
 - Sundry Items – Exclusive Use
 - Duties of Owners
 - Electronic Surveillance
 - Use of Residential Lots



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Safety, Sustainability & Strategic Planning

- Strategic Planning
 - Best Practice Guides
 - Complying with By-laws
 - Breach Notice
 - Common Property Alterations
 - Infrastructure Contract
 - Section 87
 - Inspection of Books and Records
 - Communication Guideline and Protocols

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THANK YOU