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YSP Podcast Transcript: Episode 343. The Top 5 of 2022

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Intro: Welcome to Your Strata Property, the podcast for property owners looking for reliable, accurate, and bite-sized information from an experienced and authoritative source.

Amanda Farmer: Hello and welcome to this week's podcast episode. I am your host, Amanda Farmer, and this is our very first episode for the year 2023. Happy New Year, everybody. How are you all doing? I hope that you have had a lovely festive season. Some of you perhaps may still be in the middle of those festivities. I hope you've had time to rest, recover, spend time with family and friends, and plan for a big year ahead. Maybe some of you have made New Year's resolutions. Maybe you've got a word for the year that you are going to be focused on. Maybe you've done some visioning, and set out your hopes and dreams, whatever it is, however, you start your new year, and I want to wish you a happy one. Great to have you with me this week for this first episode of the year. This episode is a little different to our usual.

I'm actually going to be recapping our top 5 most popular podcast episodes of 2022. These are the episodes that had you tuning in last year. The team here at Your Strata Property headquarters has had a look at the data, the numbers, and the downloads on each episode, and we've put together the top 5 most listened to, most downloaded episodes. This is something that I do often start the year with here on the podcast. This is surprising, to me, at least our seventh year of the Your Strata Property podcast. Can you believe that? Over 300, well over 300 episodes now. Whether you're new to the podcast or you've been listening for a while, you can treat this top 5 as a bit of a shortcut perhaps to those episodes that you may want to give your attention to catch up on. If you've missed them, I gave you the top 5 of 2019 back in episode number 193, the top 5 of 2020, back in episode 245, and we covered the top 5 of 2021 in episode 293.

There'll be links to all of those past episodes in the show notes over on the website. If you are curious about popular podcast episodes from previous years. The past year 2022, we published a total of 49 episodes. That's almost an episode every week. That is the standard we try to keep up here on the podcast if we can, and working out the 5 most popular episodes is not quite an exact science. We do have to have a look at how long the episode has been published, as well as the number of times it has been downloaded and balance those numbers out. But I think we're on pretty solid ground here with this top 5. If my gut is directing me properly, I do think that this top five reflects some of the most important issues that we faced in strata last year, as well as some of the most interesting, perhaps controversial in some parts.

I'm going to countdown for you from five to one. Our 5 most popular podcast episodes of 2022. There's a link to each episode in the show notes. You can find those over at yourstrataproperty.com.au/podcasts. You'll see this podcast episode number 343. Click on through to that one and that's where you'll find the links to these popular past episodes. It's also the way that you can access the transcript of every podcast each week. Our transcripts are always very popular. Great to share with your fellow committee members, and with your neighbours. If you're a strata manager to share with your clients. There is always a link to the transcript in the show notes for each of our episodes. Okay, let's get stuck in our fifth most popular podcast episode for the year 2022 was my chat with Bill Kritharas, Workplace Health and Safety Basics for Residential Owners Corporations. That was episode number 295.

Bill Kritharas is a lawyer who over a number of years has built a practice specialising in workplace health and safety. Bill also helps strata buildings, and owners corporations with building defects claims. And in this chat, Bill explained an owners corporation's work health and safety obligations, including how the WHS law applies differently to residential, commercial and mixed-use buildings. He revealed that he has a bit of a problem with work health and safety reports. He explained what he thinks is going wrong there and he highlighted the important role of the strata manager in guiding your clients about work health and safety matters. So I do find that this is an area of our law that can be quite technical. There's not a lot of knowledge around even among strata lawyers as to how general workplace health and safety principles apply to residential owners corporations in particular.

So it was great to have Bill's expertise at the table. I actually met Bill for the first time in person only a couple of months ago at our Women in Strata End of Year party. It was great to see Bill there. He came on over and had a chat to me. It's often the case that I have not met our podcast guests in person, especially over the last few years when everybody has been laying low. So it's wonderful to meet guests in person. And when Bill came over to have a chat, he said to me, "Amanda, I was surprised at how

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many people reached out to me after our podcast chat. I didn't realise so many people listen to your show." And I said, "Well, thank you, Bill. We have been doing this for a little while now, but I have to admit it does surprise me too sometimes how much our audience has grown." And I do always love to hear from those who are enjoying the podcast, who are sharing it with others who need access to this kind of information.

I know strata managers out there. You are very good at directing your junior managers, new staff, and admin staff to the podcast to learn some of the basics and also sharing the podcast with your clients, which I really appreciate. So yes, if you have been a guest on the podcast, you may have had Bill's experience of some inbox overload from listeners who are keen to find out more about your area of expertise. So that was our fifth most popular podcast episode for 2022. My chat with Bill Kritharas on WHS Basics for Residential Owners Corporations, episode number 295. Our fourth most popular podcast episode last year was one of my chats with Reena Van Aalst. Episode number 303, Can an owner dictate the method for common property repair?

That was the title of the episode. We talked about more than that in episode number 303. If you're new to the show, you may not yet have come across Reena Van Aalst, a strata manager of many years of experience. She is often my co-host. Here on the show, we get together every few weeks or so to share our wins and our challenges in strata. That way you get the perspective of a strata lawyer, that's me and a strata manager, Reena Van Aalst. In this fourth most popular episode of 2022, Reena was asking me whether a lot owner has any say in the method by which an owners corporation chooses to repair its common property. And it seems like that was a fairly common question conundrum for listeners because this episode got quite a lot of downloads in that chat. Reena and I also discussed a lot owner's DA development application for the change of uses of their commercial lot, and I covered off the importance of understanding the mandatory legal requirements in New South Wales for the issue of a notice to comply with a by-law.

So lots of juice in that episode as there often is in the chats between me and Reena. And this topic of whether an owner can dictate can direct the owners corporation as to how the common property should be repaired. It is something that I see come up often in my legal practice when I'm working with clients. My focus these days is on advocacy for owners, lot owners in particular, and I do have clients often frustrated by the way in which their owners corporation has decided to fix a balcony or a leaking roof or another area of the common property that's affecting their lot directly. And this question of whether the owner has any control over the method of work, the scope of work, who does it, how much it costs, is often front and centre in those cases. So if you're not sure, I'm not going to... I'm teasing you a bit, I'm not going to give you the answer to the question.

If you're not sure whether an owner can dictate the method for common property or repair, head on over and have a listen to my thoughts. The guidance that I gave Reena in episode number 303. Our third most popular, most downloaded episode of 2022 was my chat with Michael Teys. This episode is titled, "If you can't repair it, don't own it." and that is a direct quote from Michael said by him in that chat. This is actually an edited version of a chat that I had live with Michael over on the Your Strata Property Facebook page just about every Friday, I'm over there for a live chat, sometimes with a guest, sometimes just me, and sometimes our guests are so full of vital information. The discussion we have engages so many people, triggers a lot of conversation, and more questions that I decide to bring the live chat over to the podcast usually an edited down version.

And that's what we did in episode number 331. My chat with Michael Teys. This was a grown-up conversation. Again, Michael's words, a grown-up conversation about extraordinary new laws destined to commence in New South Wales, which are aimed at finally holding owners corporations to account for their failure to comply with repair and maintenance duties. Now, these proposed new laws are something that we will continue to keep an eye on here on the podcast this year, as far as I'm aware they haven't been made yet. If you want to find out more about what's proposed, have a listen to podcast episode 331. Michael and I discussed low strata levies as a sign of poor governance. We talked about why strata property owners need to take a good hard look at themselves as corporate citizens with unavoidable legal duties. Michael explained why he is tired of hearing that committee members are simple volunteers, and he said, "We need to cut the weasel speak from the strata industry and start some plain talking.

Now you might be able to gather just from those few points why this has been such a popular chat. It really struck a chord with so many owners, committee members. My inbox was full of messages from committee members saying, "Michael is singing from my

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hymn book. This is what I have been trying to tell my fellow owners for many years." Strata managers writing to me saying, "I wish Michael could come to one of our meetings and say these things to my clients." I'm not surprised that this has been one of our most popular podcast episodes of 2022. The second most popular podcast episode of 2022 was episode number 313, where I interviewed, not one, not two, but three guests, Peter Johnsson, Grahame Vile, and Caroline McConnachie joined me to explain how to navigate the minefield that is strata remedial works. We talked about why remedial works are so painful for apartment owners. The different fee structures that are used by remedial contractors and consultants, how owners corporations can keep costs under control, and how strata managers can best serve their clients during a remedial works project.

Again, I'm not surprised that this was a popular episode. Those of us living... Oh look, I was going to say older buildings, any buildings really, even our newer buildings are going through remedial works, that's for sure. We're going to experience a remedial works project at some point, and even just in the short time since this chat costs have increased exponentially for works at our strata buildings, especially if those works involve waterproofing. I know firsthand, I'm very sympathetic because I have direct experience of this right now in my own building. We are getting quotes for some pretty significant waterproofing work. Those quotes are staggering, and I'm pretty sure we would not have been as blown away by the prices that are coming in if we were seeking quotes a few years ago. So any method by which you can keep costs under control, better understand the process, speed it up, smooth it out, whatever you can do to make your remedial works project easier in your strata building, I know you'll be wanting to do that for your community.

So have a listen to episode number 313, navigating the strata remedial works minefield my chat with Peter Johnsson, Grahame Vile and Caroline McConnachie. All very experienced, accomplished experts in this area. And now for our most popular podcast episode of 2022, the number one most downloaded episode out of all of those published last year, will this be a surprise to you? It wasn't much of a surprise to me. Episode number 294 Mandatory Annual Reporting for New South Wales Strata Schemes. This is where I covered off the new regulation that was made in New South Wales. It was made at the end of 2021. I started talking about it at the beginning of 2022. The new regulation now enforce makes it mandatory for all New South Wales strata schemes to submit an annual report to Fair Trading. And episode 294 was the one where I walked through for you the provisions of the new law, what it is you need to report, where there might be some confusion, some traps for inexperienced players, and how you might want to start thinking about the steps that need to be taken to ensure compliance with the new law.

The law commenced in July 2022, and by the 31st of December 2022, just a few days ago, all New South Wales strata schemes were required to have submitted their 2022 annual report. So I hope this isn't the first time you are hearing about this new legal obligation. It was certainly the source of lots of discussion, lots of questions last year, and that's why we are seeing such big numbers on the downloads for that episode. In particular, I've gone over and had a look at Fair Trading's website to check in on any updates that you might need to be aware of, and I will include a link to that page in the show notes so you can go and have a look if you need to. But I have noticed that June 2023 is listed as the date from which penalties may apply if strata schemes have not completed their 2022 reporting.

So if you are listening thinking, "Oops, might have missed this one." Or you're a strata manager who's been under the pump and you haven't been able to process all of your buildings, it's looking like you've got until June 2023 before any penalties apply. Now, as the secretary on my own strata committee towards the end of last year, I received an email from Fair Trading letting me know that my strata manager had uploaded our building's details, our annual report to the Strata Hub. That's the place, the online place where all of this information is going in New South Wales and Fair Trading was asking me to log in and check that information, check that my details had been listed correctly as the secretary of the strata scheme. So I had to set up my own login and password for the Strata Hub. And I have to say it was all pretty straightforward. I did post over on our Facebook page towards the end of last year about that experience, and I heard from a number of you saying that you two thought the process was straightforward.

Some of you have asked your strata manager to do your annual reporting. Some of you are doing it yourselves, which is great. But I do think after perhaps a slower than anticipated start, a few road bumps, a few hiccups along the way, we seem to have got the system smoothed out. So those were our top 5 podcast episodes as published as listened to in the year 2022. If you need a recap, if you haven't listened to those ones yet, if you're new to the podcast and you're not sure where to start, head on over and have a

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listen to one, two or all five. You will be well served by those. Perhaps some are listening for you while you're enjoying what may be the last week or so of your holidays before you head back into the hustle and bustle. I look forward to seeing you out there in one form or another online in person, maybe, perhaps chatting to some of you on the podcast this year, 2023. For now, I'll wish you a great week in strata, and I will catch you next time.

Outro: Thank you for listening to Your Strata Property, the podcast which consistently delivers to property owners reliable and accurate information about their strata property. You can access all the information below this episode via the show notes at www.yourstrataproperty.com.au. You can also ask questions in the comments section, which Amanda will answer in her upcoming episodes. How can Amanda help you today?