

## LEGISLATIVE COUNCIL

## OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019

(Amendments and New Clause to be proposed in Committee by Dr RATNAM)

1. Clause 9, lines 10 to 23, omit all words and expressions on these lines and insert—  
     'An owners corporation may commence any legal proceeding if authorised to do so by ordinary resolution.'.

2. Insert the following New Clause to follow clause 28—

**'28A New section 52A inserted**

After section 52 of the **Owners Corporations Act 2006** insert—

**"52A Alteration to common property in relation to sustainability items only requires ordinary resolution**

- (1) Despite section 52 and any other provision of this Act, an owners corporation may by ordinary resolution approve the purchase and installation of sustainability items on the common property and the levying of fees on lot owners for that purpose.
- (2) Subject to subsection (3), the fees must be based on lot liability.
- (3) Fees for the purchase and installation of sustainability items carried out wholly or substantially for the benefit of some or one, but not all, of the lots affected by the owners corporation must be levied on the basis that the lot owner of the lot that benefits more pays more.
- (4) In this section—

***sustainability item*** means any thing that eliminates or reduces a reliance on non-sustainable energy sources and includes—

- (a) a solar hot water system; and
- (b) solar energy panels; and
- (c) a roof with colours having a particular solar absorption value and
- (d) a battery energy storage system.'.

3. Clause 35, line 30, after "appointment" insert "of a third party manager".
4. Clause 35, lines 31 and 32, omit "and benefits the applicant for registration".
5. Clause 58, page 49, line 23, omit 'value.'" and insert "value; and".
6. Clause 58, page 49, after line 23 insert—  
     '(d) a battery energy storage system.'.