CPPDSM5039 Meet legal requirements in managing strata communities

Release: 1

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Modification History

Release 1.

New unit of competency.

This version first released with CPP Property Services Training Package Version 5.

Application

This unit of competency specifies the outcomes required to comply with the legal requirements associated with managing strata communities. It includes identifying legal requirements; complying with relevant legislation, codes and regulatory requirements, and administering contracts for providing and/or procuring goods and services.

The unit supports the work of those involved in managing strata communities. It applies to strata managers.

Licensing, legislative, regulatory or certification requirements apply to this unit in some States and Territories. Relevant state and territory regulatory authorities should be consulted to confirm those requirements.

Pre-requisite Unit

Nil

Competency Field

Strata community management

Unit Sector

Property services

Elements and Performance Criteria

Elements describe the essential outcomes.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the range of conditions.
1. Identify legal requirements associated with managing strata	1.1. Reliable sources of information are identified and accessed to ensure that knowledge of *legislation and regulations applying to strata communities* is current, comprehensive and relevant.

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	communities.	1.2.	Professional relationships and networks are established and maintained to facilitate personal awareness of legislation and regulations relevant to managing strata communities.
		1.3.	Applicable legislation and regulations are identified and their relationship to work practices is established.
2.	Comply with legislation, codes and regulatory requirements.	2.1.	Systems are established to ensure compliance with the legislative and regulatory requirements associated with managing strata communities.
		2.2.	***Duties and obligations*** of strata manager, lot owners and owners committees in relation to compliance with legislative and regulatory requirements are identified and communicated to relevant parties.
		2.3.	Legal documents are identified, maintained and securely stored to ensure accessibility.
		2.4.	Compliance with legal and regulatory requirements is monitored.
		2.5.	Situations involving non-compliance with relevant legislative and regulatory requirements are reported and corrective actions are taken in line with organisational, strata community and legislative requirements.
3.	Administer contracts.	3.1.	Duties and obligations of strata manager in relation to administration of contracts are confirmed.
		3.2.	Proposed contract is presented and terms and conditions are reviewed in consultation with strata community.
		3.3.	Risks associated with contract terms and conditions are identified and action to mitigate risks is determined.
		3.4.	Situations requiring specialist advice are identified and assistance is sought as required.
		3.5.	Instruction is taken from strata community on contract requirements.
		3.6.	Terms of contracts for provision of goods and services are negotiated with potential suppliers and contract documentation is updated as required.
		3.7.	Contracts are finalised ensuring that they are signed and exchanged between the relevant parties, and contract

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documentation is safely stored.

3.8. Performance of contractor is monitored and non-compliance is addressed and reported to strata community.

3.9. Plan for contract evaluation and renewal options are established.

Foundation Skills

This section describes the language, literacy, numeracy and employment skills essential to performance in this unit but not explicit in the performance criteria.

Skill	Performance feature
Learning skills to:	• maintain up-to-date information on legal requirements associated with managing strata communities.
Oral communication skills to:	• ask questions to clarify own understanding of legal requirements associated with managing strata communities • use language and concepts appropriate to cultural differences.
Reading skills to:	• read, extract information and interpret legislation and associated regulations applying managing strata communities.
Writing skills to:	• prepare routine text that explains relevant legislation and associated regulations to lot owners, occupiers, owners committees, industry stakeholders and colleagues.
Technology skills to:	• access online sources of information on legal requirements associated with managing strata communities.

Range of Conditions

This section specifies work environments and conditions that may affect performance. Essential operating conditions that may be present (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) are included. Bold italicised wording, if used in the performance criteria, is detailed below.

Legislation and regulations applying to strata community must include:	• anti-discrimination • banking and investment • building code • consumer protection and trade practices • contracts • equal employment opportunity (EEO)

- electronic transactions
- environmental issues
- fencing
- industrial relations
- insurance
- nuisance and trespass
- privacy
- residential tenancy
- sale of property
- swimming pools
- taxation
- water
- work health and safety.

Duties and obligations must include:

- expectations of different parties
- legislative requirements of strata managers
- maintaining records
- maintaining up-to-date knowledge and sources of information on legislation relevant to strata communities
- duty of care obligations
- identifying and reporting potential conflict of interests
- responsibilities with regard to communicating and reporting.

Unit Mapping Information

No equivalent unit.

Links

Companion Volume implementation guides are found in VETNet - https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcf13d9b

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