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STRATA TITLE MANAGEMENT

ABN: 43 119 665 762

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NOTICE OF ANNUAL GENERAL MEETING OF THE OWNERS CORPORATION – SP50785

NOTICE OF BUSINESS to be dealt with at the Annual General Meeting of the Owners-Strata Plan No 50785

To be held on **Tuesday 16 April 2019**

In The BBQ Area, 1-3 McDonald Street, Cronulla

Commencing at 7:00PM

PRELIMINARIES

1. Recording of persons present personally or by proxy.
2. Recording of apologies.
3. Announcement of persons entitled to vote.
4. Determination of quorum.
5. Determination of Motions.

CONFIRMATION OF RECORDS

MOTION 1	***Minutes***	***Ordinary Resolution***

THAT the minutes of the previous General Meeting be confirmed as a true and accurate account of the proceedings at that meeting.

Explanatory Note: This motion refers to accepting the minutes of the last general meeting, a copy of which is included in the meeting notice.

FINANCIAL MATTERS

MOTION 2	***Financial Statements***	***Ordinary Resolution***

THAT the statement of key financial information and the audited financial statements of accounts for the period **01/03/2018 to 28/02/2019** be adopted.

Explanatory Note: The financial statements are attached for your review. This motion refers to accepting the financial statements for the financial year just ended in order to fulfil the requirements of Sections 92-94 of the Strata Schemes Management Act 2015. The audit report completed by the auditor has been completed in accordance with the applicable Australian Accounting Standards.

Please see below comments from the Treasurer, David Gourley

Administration Fund (AF)

- ***We had another great result, coming in with a massive $221,407.24 better than budget !***
- *Our actual results yielded a year end fund balance of $345,328.07, against a budget balance of $123,918.83 = continuing to be very healthy !*
- *See Balance Sheet + Statement of Income & Expenditure financials, being part of this agenda – noting : a). that we enacted the existing restaurant exclusive use By-Law 42 on an ongoing basis from January 2018, along with proposing By-Law 128 with reduced licence fees – see specific AGM motion related to this as part of this agenda. The associated unbudgeted billing during the financial year has amounted to $104,489.95 with a majority having being paid, and*

b). significant reduced expenses were :
**Maintenance – Cleaning. A 5% uplift has since been approved with John Stevens effective May '19 and this is now reflected in our 2019/20 budget*
**Utilities (electricity & water) – Electricity consumption reduced over the previous year, whereas a slight increase was expected - $80,000 was budgeted with $73,482.67 paid out.*
Water was the big winner with consumption dramatically reducing to 2014 levels - $60,000 was budgeted and only $42,423.48 paid out.

Capital Works Fund (CWF)

- ***We came in better than budget, but some works weren't done.***
- *Our actual results yielded a year end fund balance of $1,023,962.49, against a budget balance of $577,336.73.*
- *Significant variances being :*
  a). Interest earnt on investments being $22,435.51 against a budget of only $10,000. But then we had more available funds to invest with not all projects commenced. Also related income tax payments were slightly higher than budgeted.
  b). projects totaling $359,602 were not commenced, namely –
  $28,152 to replace balance of A block roofing – OPAH/Zinc roof still not commenced
  $90,450 to repaint foyers + amenities block – proposed colour change now part of this AGM
  $55,000 to replace foyer carpets – as above
  $150,000 for rust removal + paint half of our balconies – as above
  $16,000 to waterproof planter boxes – not required, and
  $20,000 to replace lift buttons – enhanced and work moved to 2019/20
  c). there were no significant variances on projects completed, however the allowance for contingencies + minor unbudgeted works was lower - $55,069 budgeted and only $35,829 in total paid out.
- *Note, our major balustrading project is now complete with the total outlay being $1,188,822 including $103,045 project management.*

MOTION 3	***Auditor***	***Ordinary Resolution***

THAT a recommended auditor be appointed for the financial year **01/03/2019 to 29/02/2020.**

Explanatory Note: This motion is required to be considered by the Owners Corporation at each Annual General Meeting however it is not a legal requirement to appoint an auditor, unless your Strata Plan contains over 100 lots (excluding utility lots and car park lots) or has the total of other income, total annual levies and the total of funds held on deposit that is greater than $250,000.

MOTION 4	***Term Deposits***	***Ordinary Resolution***

THAT the duly elected Treasurer be authorised to provide standing instructions to the Strata Managing Agent concerning the investment of trust funds into higher interest bearing accounts.

Explanatory Note: This motion is to provide the Treasurer with the expressed authority of the Owners Corporation to provide the Strata Managing Agent instructions on investing trust funds in term deposit accounts or other approved investment accounts to achieve a higher level of interest on your trust funds.

MOTION 5	***Management of Levy Arrears***	***Ordinary Resolution***

THAT the Owners – Strata Plan No 50785 RESOLVE pursuant to the Strata Schemes Management Act 2015 (including Section 103) for the purpose of collecting levy contributions to authorise the Strata Managing Agent and/or the Strata Committee to do any one or more of the following:

a) to issue arrears notices, reminder notices and/or letters to seek recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs/expenses and arrange and monitor payment plans;

Important Note:
STM's debt recovery process is to send owners the original levy notice at six weeks prior to the due date. STM then sends a first reminder 34 days after the due date, a second reminder 48 days after the due date and a final reminder 64 days after the due date. Our solicitors will be engaged 28 days from the final reminder issue date. This strict process is necessary to ensure that our scheme have suitable cash flows in order to maintain expenditure levels for services.

b) to engage or appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation and/or experts on behalf of The Owners- Strata Plan No 50785;

c) to issue demands, commence, pursue, continue or defend any court, tribunal or any other proceedings against any lot owner, mortgagee in possession and/or former lot owner in

relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;

d) Enter and enforce any judgment obtained in the collection of levy contributions including issuing writ for levy of property (personal and real property), garnishee orders, examination notices/orders/hearings, bankruptcy notices, statutory demands and commencing and maintaining bankruptcy proceedings or winding up proceedings;

e) Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and

f) Liaise, instruct and prepare all matters with the Owners Corporation's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Explanatory Note: This is a standing motion to authorise Strata Title Management to take any and all necessary action to ensure the prompt payment of levies within your scheme.

MOTION 6	***10 Year Capital Works Fund Forecast***	***Ordinary Resolution***

THAT the Owners Corporation review and adopt the Capital Works Fund Forecast as completed by ***SIE*** effective from ***01/03/2017*** for the anticipated major capital expenditure of the strata scheme over a 10 year period in accordance with Section 80 of the Strata Schemes Management Act 2015 (NSW).

Explanatory Note: This motion is to resolve to adopt the recommendations of the Capital Works Fund Forecast to ensure sufficient funds are available in the future for major capital expenditure.

MOTION 7	***Levy Discount***	***Ordinary Resolution***

THAT the owners corporation decide, pursuant to Section 85(4) of the *Strata Schemes Management Act 2015 (NSW)* to provide a 10 percent discount to an owner if their standard quarterly levy is received **BEFORE** the date on which it becomes due and payable.

Explanatory Note: In accordance with Section 85 (4) the owners corporation must decide by Ordinary Resolution if they wish to provide lot owners with a 10% discount on their quarterly levy contributions should the payment be received prior to the due date. (Owners should allow up to 4 days for the payments to be received into the trust account for SP50785).

MOTION 8	***Annual Budget and Contributions***	***Ordinary Resolution***

a) **THAT** in accordance with Section 79 of the Strata Schemes Management Act 2015, that the proposed annual budget* for the financial period **01/03/2019 to 29/02/2020** be adopted.

b) **THAT** in accordance with Section 81 of the Strata Schemes Management Act 2015, the proposed contributions (levies) payable for the financial period **01/03/2019 to 29/02/2020** be as follows:-

ADMINISTRATIVE FUND: $666,667.00 Plus GST
CAPITAL WORKS FUND: $433,333.00** Plus GST

And that the contributions be levied in four equal instalments in accordance with Section 81 of the Strata Schemes Management Act 2015 and payable by each Lot owner according to unit entitlement as shown in the table below.

Proposed Administration Fund Budget

Levy Period			Due Date	TOTAL (INCL GST)
01.03.2019	-	31.05.2019	Previously Issued	$183,333.43
01.06.2019	-	31.08.2019	Previously Issued	$183,333.43
01.09.2019	-	30.11.2019	01.09.2019	$183,333.42
01.12.2019	-	29.02.2020	01.12.2019	$183,333.42
			TOTAL	**$733,333.70**
01.03.2019	-	31.05.2020	01.03.2020	$183,333.43
01.06.2020	-	31.08.2020	01.06.2020	$183,333.43

01.06.2020

Proposed Capital Works Fund Budget

Levy Period			Due Date	TOTAL (INCL GST)
01.03.2019	-	31.05.2019	Previously Issued	$119,166.58
01.06.2019	-	31.08.2019	01.06.2019	$119,166.58
01.09.2019	-	30.11.2019	01.09.2019	$119,166.57
01.12.2019	-	29.02.2020	01.12.2019	$119,166.57
			TOTAL	**$476,666.30**
01.03.2020	-	31.05.2020	01.03.2020	$119,166.58
01.06.2020	-	31.08.2020	01.06.2020	$119,166.58

NOTE: THE ABOVE FIGURES ARE BEFORE THE DISCOUNT (SUBJECT TO MOTION 7 BEING RESOLVED)

Levy periods commencing: *01/03/2019*, *01/06/2019, 01/09/2019 and 01/12/2019*.

c) **THAT** in the event that the Owners Corporation is unable to hold the next Annual General Meeting by 15/01/2020, the Owners Corporation estimates and approves that the yearly and quarterly expenses of the scheme will be the same as those contained in the current budget and accordingly resolves to raise a levy for the quarter *01/03/20 to 31/05/20* quarter and 01/06/20 to 31/08/20 in the same amount and equivalent to the quarterly levy raised and payable for the previous quarter *01/12/20 to 29/02/20*

Note: ***Any questions relating to the budget or financial statements should be directed to our office PRIOR to the meeting.***

Note: *****Your capital works fund budget as proposed has been calculated in accordance with the capital works fund forecast. If the Owners Corporation do not propose to raise the amount accordance with the Capital Works Fund forecast then an explanation is required to be made in the minutes of the meeting.***

Explanatory Note: The Financial Statements are attached for your review and to raise any questions in relation to the accounts please allow a minimum of 24 hours prior to the commencement of the meeting with our office. See below comments from the Treasurer, David Gourley:

Administration Fund (AF)

- ***It is proposed that we again do not change levies here (last AF levy increase being 2016)***
- *We commence the year with a funds balance of $345,328.07 add budgeted income of $614,000.00 less $632,825.00 in budgeted expenditures (so budgeted expenses remain slightly higher than income), and end the year with a projected funds balance of $326,503.07 = remaining very healthy !!!!*
- *We don't need such 'healthy' $'s in this fund, but with an aging building more $'s will be required to continually maintain it to a good standard. So, it is proposed, see separate motion 8, to transfer $175,000 into our CWF. If approved, this will leave an adjusted year end budgeted AF balance of $150,503.07. Of this figure, $104,489.96 relates to 2018/19 restaurant exclusive use billings proposed to be set aside until such time as this matter is fully resolved, along with any further such billings (unbudgeted) in 2019/20. This then leaves an adjusted available balance of just $46,013.11, which will be sufficient and excluding any resolution on the restaurant exclusive use By-Law(s) to hopefully yield at least a further year of stable AF levies. Now should we favorably resolve the restaurant exclusive use By-Law then we should be in a position to reduce AF levies on an ongoing basis from this time next year, along with determining how to use the funds already billed in this matter – my preference for the latter is to also transfer these to our CWF, but too early to decide anything here at this point.*
- *See Balance Sheet + Statement of Income & Expenditure for proposed budget financials, noting that the budget for legal fees is a high $50,000 with this related to possible legal action regards restaurant exclusive use fees + the recently installed Hogs Breath awning .*

Capital Works Fund (CWF)

- ***It is also proposed that we also do not change levies here (last CWF levy increase being 2017)***
- *We commence the year with a funds balance of $1,023,962.49 add budgeted income of $405,000.00 less $1,141,946.00 in budgeted expenditures, and end the year with a projected funds balance of $287,016.49.*
- *Such a projected year end funds balance of $287,016.49 slightly exceeds SiE's 15 year plan of $278,743 (which included yet another 3.1% levy uplift, of which we are again not proposing).*
- *There is a large amount of capital works proposed to be done this year, and all fully funded should the proposed budget be approved, and without any levy increases.*
  Major proposed expenses/works being :
  **$62,000 for main foyer upgrade including project management by the designers*
  **$60,000 estimate for tower lifts refurbishment*
  **$90,450 to repaint foyers + amenities block*
  **$100,000 to replace foyer carpets ($'s in SIE's 15 year plan being understated)*
  **$311,659 for rust removal + paint entire building exterior*
  **$220,000 estimate to replace pavers in pool/spa/bbq areas*
  **$10,000 to resurface spa + anti-slip pool treatment*
  **$28,152 to replace balance of A block roofing*
  **$36,000 to replace fences*
  **$24,300 to replace Alphabet Street, Splash & Seven Lanterns bi-fold doors*
  **$40,000 allowance for water ingress rectification*
  **$10,826 allowance to maintain security access intercom*
  **$21,259 allowance to replace air conditioner units, and*
  **$100,000 allowance for other works + contingencies*

MOTION 9	***Transfer of Funds***	***Ordinary Resolution***

THAT the Owners Corporation agree to transfer $175,000 from the Administration Fund to the Capital Works fund.

Explanatory Notes: See below comments from the Treasurer, David Gourley:

Our AF has again built up where we can comfortably transfer these funds, and as mentioned in motion 7 above plus also refer my comments in our 2018 AGM agenda where I advised that we would need to later consider transferring these funds. If approved by the Owners, then this would reduce our 2019/20 AF balances to lower but acceptable levels plus shift funds into our CWF where the $'s are needed more along with building up our CWF surplus at a faster rate thereby diminishing the future need to increase levies here.

Q. What have we been doing with all the $'s that we have transferred from our AF to our CWF?

A. well, we have been allocating such funds prudently to projects such that we have avoided increasing CWF levies lately and hopefully can continue this further + fully funded the balustrading project where a few years ago we had a dreaded special levy whereby about $450,000 went directly towards this project and the remaining approx. $750,000 for the project coming out of our surplus plus supported by the AF funds transfers + bringing some projects forward along with covering increased costs versus plan estimates + we are also slowly building up our CWF reserves, plus lots more.

MOTION 10	***Removing Limitation***	***Ordinary Resolution***

THAT in accordance with Section 102 of the Strata Schemes Management Act 2015, the Owners Corporation resolves to remove the limitation relating to expenditure in excess of 10% above the budget on any one item or matter.

Explanatory Note: In accordance with Section 102 of the Strata Schemes Management Act 2015, for a large scheme, the Owners Corporation must not, in the period until the next Annual General Meeting, spend on any item or matter an amount greater than that determined amount (budget line items) for expenditure on the item or the matter plus 10%.

This motion removes such limitation on the Owners Corporation, as at any stage the Owners Corporation could potentially be above 10% on any budgeted line item, which then requires the Owners Corporation to call a general meeting. The calling of a general meeting can be expensive and burdensome on the Owners Corporation, and this motion gives the Owners Corporation the ability to remove this requirement.

MOTION 11	***10 Year Capital Works Fund***	***Ordinary Resolution***

THAT the owners corporation resolve to do the following:

(a) Engage a suitably qualified consultant to review, carry out and/or assess the capital upgrade and maintenance requirements of the building for the next ten (10) years or an updated report each five (5) years, and provide the Capital Works Fund Analysis report; and

(b) To submit that report to the Strata Committee to determine what action is required, if any; and

(c) To delegate to the strata manager the function pursuant to the Agency Agreement additional duties schedule to undertake the seeking of quotations and engaging the contractor to prepare the report and any ancillary work approved by the Strata Committee.

Explanatory Note: The owners corporation must prepare a plan of anticipated major expenditure to be met from the capital works fund over the 10-year period commencing on the date of the first annual general meeting. The capital works fund plan must be reviewed at least once every 5 years.

The preparation of this plan is a significant exercise and the legislation allows the owners corporation to engage expert assistance in its preparation. The meeting must discuss the preparation or review of this plan. A copy of the current plan is available from the strata manager and a copy will be available at the meeting.

STRATA COMMITTEE

MOTION 12	***Election of Strata Committee***	***Election/Ordinary Resolution***

THAT in accordance with Regulation 9 of the Strata Schemes Management Regulation 2016, the election of the Strata Committee takes place and that:

a) The Chairperson announce the names of the candidates already nominated in writing for election to the Strata Committee; and

b) The Chairperson call for any oral nominations of candidates eligible for election to the Strata Committee;

c) The Chairperson declare that nominations are closed;

d) That the number of members to the Strata Committee be set.

Explanatory Note: The election of the Strata Committee process is clearly set out in Regulation 9 of the Strata Schemes Management Regulation 2016. If the number of candidates:

a) is the same as, or fewer than, the number of members of the Strata Committee decided, on-those candidates are to be declared by the chairperson to be, and are taken to have been, elected as the Strata committee, or

b) is greater than the number so decided on, a ballot is to be held.

The Strata Schemes Management Act 2015 (NSW) states that the Owners Corporation must have a Strata Committee and your Strata Committee must be comprised of no more than 9 members, unless you are a large scheme in which case you must have between 3 and 9 members.

MOTION 13	***Restricted Matters***	***Ordinary Resolution***

THAT no additional restrictions be placed on Strata Committee other than those currently imposed by Section 36 (3b) of the Act.

Explanatory Note: This motion is a statutory motion. An owners corporation must consider at each Annual General Meeting whether the Strata Committee should be restricted from making particular decisions other than those already restricted by law (such as determining levies and passing by-laws). If a restriction is imposed, then the particular decisions must be made by the owner's corporation at a general meeting.

BUILDING INSURANCE

MOTION 14	***Confirmation of Insurances***	***Ordinary Resolution***

THAT the Owners Corporation's insurance policies currently in place be confirmed.

Explanatory Note: In accordance with Section 160-164 of the Strata Schemes Management Act 2015, the Owners Corporation is required to take out insurances for all the required insurance policies, through an approved insurer.

Insurances are already in place as detailed in the enclosed schedule of insurances and these need to be confirmed.

There are a number of exclusions in the insurance policies including for example, flood cover. You may wish to check these exclusions for yourself at your insurer's website. ***Your scheme is insured with Chubb Insurance Co Of Aust Ltd.***

MOTION 15	***Renewal of Insurance Policy***	***Ordinary Resolution***

THAT the Strata Managing Agent be instructed to renew next years' insurance policy through a recommended insurance broker, subject to recommendations for renewal being presented to the Strata Committee in accordance with the legislation.

Explanatory Note: This motion is to decide to engage the services of an insurance broker to go out to the market and obtain at least 3 insurance quotations prior to renewal. Once received, the quotations will be referred to the Strata Committee to resolve a decision on which insurer to renew with.

In accordance with Section 166 of the Strata Schemes Management Act 2015, if at least 3 quotations are not able to be obtained, a written explanation will be provided to the Strata Committee.

We currently use Body Corporate Brokers (BCB) whose Financial Services Guide is attached to this Notice.

MOTION 16	***Valuation for Insurance Purposes***	***Ordinary Resolution***

THAT an updated valuation for insurance purposes be obtained prior to the expiration of the current policy period and that the Strata Managing Agent be authorised to alter the sum insured in line with the valuation figure.

Note: Last Valuation obtained: 28/12/2017 valued in the amount of $85,651,000.00

Explanatory Note: This motion is to decide to engage the services of a registered valuer to provide a valuation of the property for replacement and restitution purposes. Industry experts recommend that a valuation be obtained at least every year to ensure your building is adequately covered as per the requirements of the Strata Schemes Management Act 2015.

MOTION 17	***Additional Insurances***	***Ordinary Resolution***

THAT an insurance policy continues to be executed for office bearer's liability and/or misappropriation of money or property of the Owners Corporation.

Explanatory Note: In accordance with Section 165 (2) of the Strata Schemes Management Act 2015, the Owners Corporation must consider taking out additional insurances referred to Office Bearer's Liability Insurance and Fidelity Guarantee/Crime Insurance to cover instances such as:

b) Damage to property, death or bodily injury for which a person holding the office of Chairperson, Secretary or Treasurer of the Owners Corporation or of a member of the Strata Committee of the Owners Corporation could become liable in damages because of an act or omission, committed or omitted in good faith, in performing the functions of that office,

c) Misappropriation of money or other property of the owners corporation.

COMPLIANCE/RISK MANAGEMENT

MOTION 18	***Commissions and Training Services***	***Ordinary Resolution***

THAT the report (below) be received from the Strata Managing Agent on commissions and training services received in the past 12 months and estimate of commissions and training services to be received in the next 12 months.

Explanatory Note: The strata managing agent under Section 60 of the Strata Schemes Management Act 2015 is required to disclose all commissions or training services provided to the strata managing agent for the strata scheme. As at the date of the notice of this meeting the strata managing agent has received the following:

Commissions Report:
$7,480.00 in insurance commissions has been received by the managing agent in accordance with the strata management agency agreement during the past 12 months. STM are of the conservative view the estimated insurance commission to be received in the next 12 months will remain largely the same as in the current 12 months, on the basis the current strata insurance underwriting market remains highly competitive and therefore any increase in insurance premiums and therefore, resultant commission change, is unlikely.

Training Report:
The equivalent of $0.15 per lot in training services in the past 12 months, and an amount of $0.15 in training services is expected to be received in the next 12 months.

MOTION 19	***Work, Health and Safety Report***	***Ordinary Resolution***

THAT the Owners Corporation engage *Solutions in Engineering* to carry out a Compliance Report of the common property in accordance with the *Work Health and Safety Act 2011.*

Note: Last Report obtained: 07/07/2016 by SIE

Explanatory Note: The Work Health and Safety Act 2011 has dramatically affected the manner in which an Owners Corporation or an owner must consider their duties under the law, especially in regard to the health and safety of any workers engaged on their common property. The Act places duties upon a 'person conducting a business or undertaking' (PCBU) which are owed to a 'worker'. Per the definition of a PCBU in the Act, a PCBU could be an Owners Corporation; the occupier of the lot; a caretaking service contractor or letting agent or a Strata Manager.

Likewise, a 'worker' under the Act could be an employee; a contractor or subcontractor; an employee of the contractor or subcontractor or any person who receives direction from a PCBU while on the property (for example, a volunteer or work experience student).

As persons conducting a business or undertaking, you have obligations to ensure the risk of injury or illness is minimised for persons coming into or leaving the property, visitors and workers alike.
Due to the broad implications of the Work Health and Safety Act 2011, it is vital that an Owners Corporation or an owner undertakes measures to ensure their property or properties comply with the new requirements. Failure to comply with your obligations could mean a fine of up to $600,000 and/or 5 years imprisonment for individuals or a fine up to $3,000,000 for an Owners Corporation.

A Code of Practice entitled "How to Manage Work Health and Safety Risks" has been designed by Solutions In Engineering to address potential hazards in work environments, the Code recognises that assessing the health and safety risks in a workplace or property is an ongoing responsibility, and risk management plans may need to be reviewed weekly or monthly.

Due to the nature of the risks that may be encountered by workers engaged on the common property in a strata environment, it is reasonable that the regularity in which risk management plans should be reviewed may be stretched up to a year in order that an Owners Corporation is shown to meet its obligations.

MOTION 20	***Annual Fire Safety Statement***	***Ordinary Resolution***

a) **THAT** the current Annual Fire Safety Statement be considered and to confirm the appointment of a Competent Fire Safety Practitioner required for the completion and submission of the next Annual Fire Safety Statement;

b) **THAT** the Owners Corporation delegates authority to the Strata Managing Agent to sign and affix the common seal of an Owners Corporation on the Annual Fire Safety Statement for the purpose of lodgement to council and NSW Fire and Rescue; and be authorised to complete any necessary repairs on behalf of the Owners Corporation in order to satisfy the requirements of council in accordance with the Environmental Planning and Assessment Regulation 2000.

Explanatory Note: In accordance with Schedule 1, Part 2, Clause 6 (c) of the Strata Schemes Management Act 2015, the Owners Corporation must now consider, at each Annual General Meeting, the annual fire safety statement (if one is required for the building) under the Environmental Planning and Assessment Act 1979 and arrangements for obtaining the next annual fire safety statement.

BUILDING DEFECTS

MOTION 21	***Building Defects***	***Ordinary Resolution***

THAT the Owners Corporation considers any building defects at the strata scheme currently under a statutory warranty period under the Home Building Act 1989 and the proposed rectification of those defects.

Explanatory Note: Until the end of warranty periods for applicable statutory warranties under the Home Building Act 1989 for buildings of the strata scheme, the Owners Corporation must now consider an item in relation to building defects and rectification.

BUILDING REJUVENATION

MOTION 22	**Tower entry foyer redecoration**	***Special Resolution***

a) **THAT** it be SPECIALLY RESOLVED that the Tower entry foyer be redecorated with color change of walls, removal of carpet and complete floor area tiled, and change of furniture, artwork and light fittings.

b) **THAT** it be SPECIALLY RESOLVED that the Tower Ground Floor lift lobby be redecorated with color change of walls, color change of replacement carpet, removal of edge tiling, and change of furniture and light fittings.

Explanatory Note: An extensive rejuvenation of common property is proposed to update the original foyer scheme which some owners find dated. This is not a simple repaint, or replacement of existing floor coverings with similar, so will require passing of this motion by Special Resolution: No more than 25% of owners may vote against for this motion to be carried.

MOTION 23	**Tower Lift Car interior rejuvenation**	***Special Resolution***

THAT it be SPECIALLY RESOLVED that the interior of both Tower Lift Cars be renewed and their floors tiled.

Explanatory Note: An extensive rejuvenation of common property is proposed to update the original Tower lift car interiors. This work will require passing of this motion by Special Resolution: No more than 25% of owners may vote against for this motion to be carried.

MOTION 24	**Residential Hallways Redecoration**	***Special Resolution***

a) **THAT** it be SPECIALLY RESOLVED that the hallways of Tower levels 1 to 6 be redecorated with color change of walls, color change of replacement carpet, change of light fittings, and replacement of unit door numbers.

b) **THAT** it be SPECIALLY RESOLVED that the hallways of Tower levels 7 to 10 be redecorated with color change of walls, color change of replacement carpet, fitting of wall edge tiles, change of light fittings, and replacement of unit door numbers.

c) **THAT** it be SPECIALLY RESOLVED that the Lowrise hallways be redecorated with color change of walls, color change of stair railings, color change of replacement carpet, and replacement of unit door numbers.

EXPLANATORY NOTE: An extensive rejuvenation of common property is proposed to update the original residential hallways. This work will require passing of this motion by Special Resolution: No more than 25% of owners may vote against for this motion to be carried.

MOTION 25	**Complex Exterior Color Change**	***Special Resolution***

THAT it be SPECIALLY RESOLVED that the exterior of all our buildings be repainted in an updated color scheme.

EXPLANATORY NOTE: Rectification work of balcony rust spots throughout the complex needs to be undertaken. The balcony ceilings will need to be completely repainted as part of this work. Contractors have suggested bringing forward the repainting of the Tower, Lowrise and Commercial exteriors to coincide with this rectification work, and have quoted favorably to undertake all these works concurrently. A color change of the building will require passing of this motion by Special Resolution: No more than 25% of owners may vote against for this motion to be carried.

MOTION 26	**Residential Resort Area rejuvenation**	***Special Resolution***

a) **THAT** it be SPECIALLY RESOLVED that the existing original terracotta tiling of the pool and BBQ areas, including the steps to the pool area gate, be replaced, along with associated waterproofing works. Retiling will include replacement of the pool coping tiles and blue waterline tiles.

b) **THAT** it be SPECIALLY RESOLVED that the existing BBQ setup be renovated with new tiling and new BBQs.

EXPLANATORY NOTE: An extensive rejuvenation of common property is proposed to update the Resort Area. This motion seeks agreement from the owners for the lengthy works to proceed over this winter, and because a change of tiles from the original is proposed, we will require an EGM in the near future to ratify the recommendation of the tiler to allow for eventual replacement of all exterior and interior CP tiling (with the exception of balconies). This motion will require passing by Special Resolution: No more than 25% of owners may vote against for this motion to be carried.

MOTION 27	**Garage entry**	***Special Resolution***

THAT it be SPECIALLY RESOLVED that consideration be given for weather protection cover over the garage entry key reader.

EXPLANATORY NOTE: This motion was proposed by the owner of Lot 53, who noted that with heavy rain, it is impossible to swipe the entry reader for garage entry without the rain soaking the clothes on the arm outside the window, as well as pouring into the car and wetting the driver

MOTION 28	**Special By-Law 125 –Lots 31, 35, 43 & 72 Works**	***Special Resolution***

THAT the Owners Corporation SPECIALLY RESOLVES pursuant to section 141 of the *Strata Schemes Management Act 2015* THAT an additional by-law be made, **Special By-Law 125 – Work permitted to be undertaken in Residential Lots 31, 35, 43 & 72** on the terms attached to the notice of this meeting, and that notification of the by-law be lodged for registration at the Registrar- General's Office.

Explanatory Note: This By-law has been consented to by the Owners of Lots 31, 35, 43 & 72 to cover proposed Major Work on each of their Lots, and details the terms and conditions under which those Major Work is approved.

MOTION 29	**Special By-law 126 - Requirements for Commercial Lots**	***Special Resolution***

a) THAT the Owners Corporation SPECIALLY RESOLVES pursuant to section 141 of the *Strata Schemes Management Act 2015* THAT an additional by-law be made, **Special By-law 126 — Requirements for Commercial Lots** on the terms attached to the notice of this meeting, and that notification of the By-law be lodged for registration at the Registrar-General's Office.

b) Subject to the above motion being passed, the Owners Corporation SPECIALLY RESOLVES pursuant to section 141 of the *Strata Schemes Management Act 2015* to repeal **Special By-law 42 — By-laws applicable to Commercial Lots** on the terms attached to the notice of this meeting, and that notification of the repeal be lodged for registration at the Registrar-General's Office.

*Explanatory Note: This By-law can only be presented to the meeting with the signed consent of all seven Commercial Lot Owners, which was forthcoming for neither the November 2017 EGM nor the 2018 AGM. Given that the Commerical Lot Owners have had more than ample opportunity to enjoy the rights and privileges of the new By-law with its reduced licence fees, the Strata Committee resolved if the signed consent of all Commercial Lot Owners is not forthcoming prior to this meeting, this will be the final time this By-law will be presented, and the existing terms and conditions of the legacy **Special By-law 42 — By-laws applicable to Commercial Lots** will remain and will be enforced.*

MOTION 30	**Repeal of Special By-law 21 — Exclusive Use of Common Property (Lot 21)**	***Special Resolution***

THAT it be SPECIALLY RESOLVED that pursuant to section 141 of the *Strata Schemes Management Act 2015* to repeal **Special By-law 21 — Exclusive Use of Common Property (Lot 21)** on the terms attached to the notice of this meeting, and that notification of the repeal be lodged for registration at the Registrar-General's Office.

Explanatory Note: This By-law is completely superfluous and should be repealed because it confers no extra benefits or rights on either Lot 21 or the Owners Corporation beyond those contained in ***Special By-law 1 — Restaurant exclusive use areas*** *which was registered on the title on September 11 1995. This motion should only be considered with the signed consent of Lot 21, which was forthcoming for neither the November 2017 EGM nor the 2018 AGM. It is presented for the third time to this meeting and the Strata Committee recommends that the motion be passed as worded and the repeal registered, leaving the Lot 21 owner able to lodge an objection within the statutory period if he so desires.*

MOTION 31	**Amendment of Special By-law 27 — Lot 21 Glazing works**	***Special Resolution***

THAT it be SPECIALLY RESOLVED that pursuant to section 141 of the *Strata Schemes Management Act 2015* an amendment be made to **Special By-law 27 — Lot 21 Glazing works** (Registered incorrectly as Special By-law 2 September 30 2003: AA96463P) – by:

a) deleting the definitions of "Elevator" and "Elevator tower" from A(i); and

b) deleting clauses C(iii) and(iv) and renumbering subsequent clauses, thereby returning responsibility for maintenance of the lift and lift tower to the OC, and that notification of the amendment be lodged for registration at the Registrar-General's Office.

Explanatory Note: ***Special By-law 27 — Lot 21 Glazing works*** *granted special rights over CP to the owner of Commercial Lot 21 to install, maintain and use the CP occupied by glazing works, to install and maintain an exhaust system adjacent to the Lot, and (among other things) to maintain and repair the elevator and elevator tower on CP which solely services his Lot. It was registered with the incorrect number 2 on September 30 2003: AA96463P. Following action by the Lot 21 owner, the then CTTT ordered that this By-law be amended to remove the responsibility for maintenance of the lift and lift tower from the Lot owner and put it onto the Owners Corporation. The Owners Corporation has been fulfilling its obligation since that order. This motion can only be considered with the signed consent of Lot 21, which was forthcoming for neither the November 2017 EGM nor the 2018 AGM. It is presented for the third time to this meeting and the Strata Committee recommends that the motion be passed as worded and the amended By-law registered, leaving the Lot 21 owner able to lodge an objection within the statutory period if he so desires.*

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Daniel Goodwin
STRATA TITLE MANAGEMENT

Dated: 28 March 2019