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STRATA TITLE MANAGEMENT

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MINUTES OF ANNUAL GENERAL MEETING OF THE OWNERS CORPORATION – 50785

MINUTES OF BUSINESS dealt with at the Annual General Meeting of the Owners - Strata Plan No 50785
Held on Wednesday 23 September 2020
At Club Cronulla, 41 Croydon Street, CRONULLA, NSW, 2230
Commenced at 07:00 PM

PRESENT:

Lot 7	Gregory John Rennie & Susan Nina Rennie	Electronic vote
Lot 9	Kerry John Robert Farrell & Margaret Ann Peoples	Electronic vote
Lot 11	Perry Theophanous	Owner present
Lot 16	Mr M G McNamara	Electronic vote
Lot 17	Mr R McCubbin & Mrs Teresa McCubbin	Electronic vote
Lot 19	Robyn McCabe	Electronic vote
Lot 21	Anagnos Pty Ltd	Electronic vote
Lot 22	Gregory John Fitzgerald & Elizabeth Irene Fitzgerald	Electronic vote
Lot 24	Robert Joseph Waterford	Owner present
Lot 29	David Noel Gittus & Denise Gloria Gittus	Electronic vote
Lot 30	David Kenneth Oliver	Electronic vote
Lot 31	Craig Opperman	Owner present
Lot 37	Gregory Garvan	Owner present
Lot 38	Beata Szumara & Zdzislaw Sator	Electronic vote
Lot 41	Michelle Bright	Electronic vote
Lot 46	John Paul Harper	Electronic vote

Lot 49	Ian Celarc	Owner present
Lot 51	Colin Lock	Owner present
Lot 54	Carey Beebe	Owner present
Lot 56	Kevin O'Shea	Owner present
Lot 58	Geoffrey Schuberg	Owner present
Lot 60	Mrs Faye Seddon	Electronic vote
Lot 64	Robert Williams Gower	Electronic vote
Lot 67	Ellie Thompson	Owner present
Lot 68	Mr R Gower	Electronic vote
Lot 72	Sandra Hansen	Owner present
Lot 79	Sharen Carruthers	Owner present
Lot 80	Robert William Gower	Electronic vote
Lot 82	Bruce Gregory Gale & Jennifer Anne Gale	Electronic vote
Lot 83	David Gourley	Owner present
Lot 86	Neville Bayliss	Owner present
Lot 99	Joanne Crewes, John Francis Edwin Crewes and Brenda Irene Crewes	Electronic vote
Lot 101	Mark Dennes	Owner present
Lot 104	Edward Korbel	Owner present

PRESENT BY PROXY:

Lot 42	Y Van Ryn to	David Gourley
Lot 50	J & K Riordan to	Chairperson
Lot 70	W Hoddinott to	Carey Beebe
Lot 97	E Macdonald to	Ian Macdonald

APOLOGIES:
David Oliver

IN ATTENDANCE
Daniel Goodwin – Strata Title Management

CHAIRPERSON:
Daniel Goodwin

THERE BEING A QUORUM PRESENT THE CHAIRMAN DECLARED THE MEETING OPEN AT 7.00PM

Motion 1.	***Minutes***	***Ordinary Resolution***
RESOLVED THAT the minutes of the previous General Meeting be confirmed as a true and accurate account of the proceedings at that meeting.		

Motion 2.	***Financials***	***Ordinary Resolution***
RESOLVED THAT the statement of key financial information and the audited financial statements of accounts for the period 1st of March 2019 to 29th of February 2020 be adopted.		

Motion 3.	***Auditor***	***Ordinary Resolution***
RESOLVED THAT a recommended auditor be appointed for the financial year 1/3/20 to 28/2/21.		

Motion 4.	***Term Deposits***	***Ordinary Resolution***
RESOLVED 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.		

Motion 5.	***Management of Levy Arrears***	***Ordinary Resolution***

RESOLVED 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:

1. 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;
2. 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;
3. 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;
4. 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;
5. Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
6. Liaise, instruct and prepare all matters with the Owners Corporation’s debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Motion 6.	***Payment Plans***	***Ordinary Resolution***

RESOLVED THAT the Owners – Strata Plan 50785 agree to enter into payment plans generally for matters involving arrears of unpaid contributions/levies or other amounts including interest, legal and other costs/expenses thereon and to delegate to the strata manager and/or the strata committee the ability to enter into, arrange and monitor each such payment plan limited to a period of 12 months per payment plan with any further or subsequent payment plan to be entered into as agreed by the strata committee or owners corporation by resolution.

Motion 7.	***Adopt 10 Year Capital Works Fund Forecast***	***Ordinary Resolution***

DEFEATED THAT the Owners Corporation review and adopt the Capital Works Fund Forecast as completed by Solutions In Engineering effective from 7/2/17 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).

Motion 8.	***Levy Discount***	***Ordinary Resolution***

RESOLVED 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.

Motion 9.	***Annual Budget and Contributions***	***Ordinary Resolution***

1. **RESOLVED THAT** in accordance with Section 79 of the Strata Schemes Management Act 2015, that the proposed annual budget* for the financial period 1/3/20 to 28/2/21 be adopted.

2. **RESOLVED THAT** in accordance with Section 81 of the Strata Schemes Management Act 2015, the proposed contributions (levies) payable for the financial period 1/3/20 to 28/2/21 be as follows:-

ADMINISTRATIVE FUND: $733,333.70 GST Inclusive
CAPITAL WORKS FUND:** $476,666.30 GST Inclusive

And that the contributions be levied in four 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.

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Entitlement
Already Issued	Current	1 Mar 2020	31 May 2020	1 Mar 2020	$183,333.42	$18.33334
Already Issued	Current	1 Jun 2020	31 Aug 2020	1 Jun 2020	$183,333.42	$18.33334
Already Issued	Current	1 Sep 2020	30 Nov 2020	1 Sep 2020	$183,333.42	$18.33334
	Current	1 Dec 2020	28 Feb 2021	1 Dec 2020	$183,333.44	$18.33334

Total		1 Mar 2020	28 Feb 2021		**$733,333.70**	**$73.33337**

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Entitlement
To be Issued	Next	1 Mar 2021	31 May 2021	1 Mar 2021	$183,333.43	$18.33334
To be Issued	Next	1 Jun 2021	31 Aug 2021	1 Jun 2021	$183,333.43	$18.33334
Total		1 Mar 2021	31 Aug 2021		**$366,666.84**	**$36.66668**

Levy Status	Financial Period	Period From	Period To	Due	Capital Works Fund	Per Lot Entitlement
Already Issued	Current	1 Mar 2020	31 May 2020	1 Mar 2020	$119,166.58	$11.91666
Already Issued	Current	1 Jun 2020	31 Aug 2020	1 Jun 2020	$119,166.58	$11.91666
Already Issued	Current	1 Sep 2020	30 Nov 2020	1 Sep 2020	$119,166.58	$11.91666
	Current	1 Dec 2020	28 Feb 2021	1 Dec 2020	$119,166.56	$11.91666
Total		1 Mar 2020	28 Feb 2021		**$476,666.30**	**$47.66663**

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Capital Works Fund	Per Lot Entitlement
To be Issued	Next	1 Mar 2021	31 May 2021	1 Mar 2021	$119,166.58	$11.91666
To be Issued	Next	1 Jun 2021	31 Aug 2021	1 Jun 2021	$119,166.58	$11.91666
Total		1 Mar 2021	31 Aug 2021		**$238,333.16**	**$23.83332**

Levy periods commencing: 1/3/20, 1/6/20, 1/9/20, 1/12/20

NOTE: THE ABOVE FIGURES ARE BEFORE THE DISCOUNT

3. **RESOLVED THAT** in the event that the Owners Corporation is unable to hold the next Annual General Meeting by 15/1/21, 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 1/3/21 to 31/5/21 quarter and 1/6/21 to 1/9/21 as per the table above.

Motion 10.	***Removing Limitation***	***Ordinary Resolution***

RESOLVED 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.

Motion 11.	***10 Year Capital Works Fund Forecast***	***Ordinary Resolution***

RESOLVED 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.

Motion 12.	***Election of Strata Committee***	***Ordinary Resolution***

RESOLVED 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;

K O'Shea (Lot 56)
G Schuberg (Lot 58)

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

P Theophanous (Lot 11)
C Beebe (Lot 54)
S Hansen (Lot 72)
S Carruthers (Lot 79)
D Gourley (Lot 83)
I MacDonald (Lot 97)

(c) The Chairperson declare that nominations are closed;
(d) That the number of members to the Strata Committee be set at 8.

All nominees above were elected to the Strata Committee.

Motion 13.	***Restricted Matters***	***Ordinary Resolution***
RESOLVED THAT no additional restrictions be placed on Strata Committee other than those currently imposed by Section 36 (3b) of the Act.		

Motion 14.	***Confirmation of Insurance***	***Ordinary Resolution***
RESOLVED THAT the Owners Corporation's insurance policies currently in place be confirmed.		

Motion 15.	***Renewal of Insurance Policy***	***Ordinary Resolution***
RESOLVED 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.		

Motion 16.	***Valuation for Insurance Purposes***	***Ordinary Resolution***
RESOLVED 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.		

Motion 17.	***Additional Insurances***	***Ordinary Resolution***
RESOLVED THAT an insurance policy continues to be executed for office bearer's liability and/or misappropriation of money or property of the Owners Corporation.		

Motion 18.	***Commissions and Training Services***	***Ordinary Resolution***
RESOLVED 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.		

Motion 19.	***Work, Health and Safety Report***	***Ordinary Resolution***
RESOLVED 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. Last Report Undertaken: 7/7/16		

Motion 20.	***Annual Fire Safety Statement***	***Ordinary Resolution***

a) **RESOLVED 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) **RESOLVED 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.

Motion 21.	***Appointment of Managing Agent - Strata Title Management***	***Ordinary Resolution***

RESOLVED THAT in accordance with Section 49 of the Strata Schemes Management Act 2015 ("Act") that:
(a) Strata Title Management Group Pty Ltd trading as Strata Title Management ("Agent") be appointed as strata managing agent of Strata Scheme No 50785;
(b) The Owners Corporation delegate to the Agent all of its functions (other than those listed in section 52 (2) of the Act) and all of the functions of its Chairperson, Secretary, Treasurer and Strata Committee;
(c) The Owners Corporation execute the written agreement, ("Agreement") circulated with this agenda, to give effect to this appointment and delegation and that the Secretary and one other Strata Committee Member be authorised to sign the agreement on behalf of the Owners Corporation under common seal in accordance with Section 273 of the Strata Schemes Management Act 2015;
(d) The delegation is subject to the conditions and limitations set out in the Agreement; and
(e) That upon execution on the Agreement, the Owners Corporation and the Agent mutually agrees that this Agreement supersedes and cancels all previous delegations and Agency Agreements between the Owners Corporation and the Agent.

Motion 22.	***Building Defects***	***Ordinary Resolution***

RESOLVED THAT the Owners Corporation noted that there were no building defects under a statutory warranty period.

Motion 23.	***Internal Courtyard Repaving***	***Special Resolution***

SPECIALLY RESOLVED THAT pursuant to section 141 of the Strata Schemes Management Act 2015, that works be undertaken to replace the existing original internal courtyard pavers with grey coloured pavers without contrasting borders.

TOTAL UE VOTES FOR: 3361
TOTAL UE VOTES AGAINST: 177
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 3538
MOTION CARRIED BY SPECIAL RESOLUTION

Motion 24.	*Gerrale Street entry repaving*	*Special Resolution*

SPECIALLY RESOLVED THAT pursuant to section 141 of the Strata Schemes Management Act 2015, that works be undertaken to replace the existing original Gerrale Street entry pavers with the same grey coloured pavers without contrasting borders.

TOTAL UE VOTES FOR: 3361
TOTAL UE VOTES AGAINST: 177
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 3538
MOTION CARRIED BY SPECIAL RESOLUTION

Motion 25.	*Lowrise interior retiling*	*Special Resolution*

SPECIALLY RESOLVED THAT pursuant to section 141 of the Strata Schemes Management Act 2015, that the existing original lowrise interior terracotta tiling be replaced with grey tiles as per displayed sample.

TOTAL UE VOTES FOR: 3473
TOTAL UE VOTES AGAINST: 65
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 3538
MOTION CARRIED BY SPECIAL RESOLUTION

Motion 26.	*Lot 24 (Unit B17) Major Renovations*	*Special Resolution*

SPECIALLY RESOLVED THAT pursuant to section 141 of the Strata Schemes Management Act 2015, that an additional by-law be made, Special By-Law 130 – Lot 24 (Unit B17) Major Work, permitting the specified work to be undertaken in Residential Lot 24 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.

TOTAL UE VOTES FOR: 3538
TOTAL UE VOTES AGAINST: 0
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 3538
MOTION CARRIED BY SPECIAL RESOLUTION

Motion 27.	*Amendment of Special By-Law 127 - Requirements for Commercial Lots*	*Special Resolution*

SPECIALLY RESOLVED pursuant to section 141 of the Strata Schemes Management Act 2015 to AMEND Special By-Law 127 – Requirements for Commercial Lots, by the addition of the following clause permitting the waiver of the quarterly licence fees under certain circumstances and that notification of the by-law be lodged for registration at the Registrar-General's Office:

127.6(i) We may decide in our absolute discretion to waive the licence fee for any quarter or defer its payment without interest. In doing so, we may consider any relevant matter including unforeseeable events like catastrophic natural disaster or epidemic.

TOTAL UE VOTES FOR: 3538
TOTAL UE VOTES AGAINST: 0
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 3538
MOTION CARRIED BY SPECIAL RESOLUTION

A vote of thanks was given to Darryl Young and Club Cronulla for allowing us the use of the meeting room.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 07:57 PM

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Daniel Goodwin
STRATA TITLE MANAGEMENT
Dated: 29 September 2020