STM | Building Smarter Communities

STRATA TITLE MANAGEMENT

MINUTES OF
ANNUAL GENERAL MEETING

THE OWNERS – STRATA PLAN 50785
AT 1 MCDONALD STREET, CRONULLA, NSW, 2230

Date:	**21 April 2021**
Time:	**07:00 PM**
Venue:	**Club Cronulla, 41 Croydon Street, CRONULLA, NSW, 2230**

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STM Building Smarter Communities
STRATA TITLE MANAGEMENT

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SYDNEY NORTH
SYDNEY SOUTH
WOLLONGONG
BALLINA
TWEED HEADS

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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 21 April 2021
At
Club Cronulla, 41 Croydon Street, CRONULLA, NSW, 2230
Commenced at 07:00 PM

PRESENT:

Lot 9	Margaret Peoples	Owner present
Lot 15	Cherie Knowles	Owner present
Lot 16	Mr M G McNamara	Electronic vote
Lot 19	Robyn McCabe	Owner present
Lot 22	Gregory Fitzgerald & Elizabeth Fitzgerald	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 34	Stephen Jarvis	Owner present
Lot 37	Gregory John Garvan	Electronic vote
Lot 38	Beata Szumara & Zdzislaw Sator	Electronic vote
Lot 42	Yvonne Van Ryn	Owner present
Lot 45	Diane Carey	Owner present
Lot 50	John Riordan	Owner present
Lot 52	Brian Salisbury	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	Owner present
Lot 63	Matthew John Callachor	Electronic vote
Lot 64	Robert Williams Gower	Electronic vote
Lot 68	Mr R Gower	Electronic vote
Lot 71	Alan John Bailey & Jasmin Astrid Wassermeyer	Electronic vote
Lot 72	Sandra Hansen	Owner present
Lot 76	Pamela Gower	Electronic vote
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 91	Dr John Lyle Farlow	Electronic vote
Lot 99	Joanne Crewes, John Francis Edwin Crewes and Brenda Irene Crewes	Electronic vote
Lot 101	Mark William & Loriene Gae Dennes	Electronic vote
Lot 104	Edward Korbel	Owner present

PRESENT BY PROXY:

Lot 11	Perry & Gail Jane Theophanous to	Geoffrey Schuberg
Lot 51	Colin Frederick Lock & Lindy Joy Lock to	Geoffrey Schuberg
Lot 67	Ellie Joyce Thompson to	Sandra Hansen
Lot 97	Elaine Ruth MacDonald to	Ian MacDonald
Lot 102	Christine Mary Adams to	Sandra Hansen

APOLOGIES:

D Oliver (Lot 30)
M & L Dennes (Lot 101)
P Theophanous (Lot 11)

IN ATTENDANCE

John Stevens (Premier Cleaning)
Daniel Goodwin (Strata Title Management)
C Clifton (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 2020 to 28th of February 2021 be adopted.		

Motion 3.	***Auditor***	***Ordinary Resolution***
RESOLVED that a recommended auditor be appointed for the financial year 1/3/21 to 28/2/22.		

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;

Important Note:

STM is to send owners the original levy notice at six weeks prior to the due date. As a courtesy, STM will attempt to contact by phone within seven days those owners whose levy has not been received by the due date. Such owners will of course, not be eligible for the 10% ontime payment discount. For levies remaining outstanding, a first reminder will be issued 34 calendar days after the due date, a second reminder 48 calendar days after the due date and a final reminder 64 calendar days after the due date. STM's solicitors will be engaged 28 calendar days from the final reminder issue date. Charges for the reminder notices are included in the Agency Agreement, and recoverable from the owner in arrears. Interest is charged on all outstanding debts and retained by the Owners Corporation. This strict process is necessary to ensure that our scheme has suitable cash flow in order to maintain expenditure levels for services.

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***

RESOLVED that the Owners Corporation review and adopt the Capital Works Fund Forecast as completed by Solutions IE effective from 1/3/21 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.	***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 1/3/21 to 28/2/22 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 1/3/21 to 28/2/22 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 2021	31 May 2021	1 Mar 2021	$183,333.40	$18.33
	Current	1 Jun 2021	31 Aug 2021	1 Jun 2021	$183,333.43	$18.33
	Current	1 Sep 2021	30 Nov 2021	1 Sep 2021	$183,333.43	$18.33
	Current	1 Dec 2021	28 Feb 2022	1 Dec 2021	$183,333.44	$18.33
Total		1 Mar 2021	28 Feb 2022		**$733,333.70**	**$73.33**

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Entitlement
To be Issued	Next	1 Mar 2022	31 May 2022	1 Mar 2022	$183,333.42	$18.33
To be Issued	Next	1 Jun 2022	31 Aug 2022	1 Jun 2022	$183,333.42	$18.33
Total		1 Mar 2022	31 Aug 2022		**$366,666.84**	**$36.67**

Levy Status	Financial Period	Period From	Period To	Due	Capital Works Fund	Per Lot Entitlement
Already Issued	Current	1 Mar 2021	31 May 2021	1 Mar 2021	$119,166.62	$11.92
	Current	1 Jun 2021	31 Aug 2021	1 Jun 2021	$119,166.56	$11.92

	Current	1 Sep 2021	30 Nov 2021	1 Sep 2021	$119,166.56	$11.92
	Current	1 Dec 2021	28 Feb 2022	1 Dec 2021	$119,166.56	$11.92
Total		1 Mar 2021	28 Feb 2022		**$476,666.30**	**$47.67**

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Capital Works Fund	Per Lot Entitlement
To be Issued	Next	1 Mar 2022	31 May 2022	1 Mar 2022	$119,166.58	$11.92
To be Issued	Next	1 Jun 2022	31 Aug 2022	1 Jun 2022	$119,166.58	$11.92
Total		1 Mar 2022	31 Aug 2022		**$238,333.16**	**$23.83**

Levy periods commencing: 1/3/21, 1/6/21, 1/9/21, 1/12/21

3. **RESOLVED that** in the event that the Owners Corporation is unable to hold the next Annual General Meeting by 15/1/22, 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 1/3/22 to 31/5/22 quarter and 1/6/22 to 31/8/22 as per the table above.

It was also agreed that the 10% levy discount for payments made BEFORE the due date continue for another year.

Motion 9.	***Transfer of Funds***	***Ordinary Resolution***
RESOLVED that the Owners Corporation agrees to transfer $250,000 from the Administration Fund to the Capital Works Fund.		

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***
DEFEATED 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; **G Schuberg** **P Theophanous** b. The Chairperson call for any oral nominations of candidates eligible for election to the Strata Committee; **K O'Shea** **C Beebe** **D Gourley** **S Carruthers** **S Hansen** **I MacDonald** c. The Chairperson declare that nominations are closed; d. That the number of members to the Strata Committee be set at 8. All members nominated were duly elected.		

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 at the discretion of the Strata Committee 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***
DEFEATED that the Owners Corporation engage a suitable qualified consultant to carry out a Compliance Report of the common property in accordance with the Work Health and Safety Act 2011.		

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.	***Building Defects***	***Ordinary Resolution***
RESOLVED 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. It was noted that no defects under a statutory warranty were reported.		

Motion 22.	***Tower 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 Tower entry pavers with grey coloured pavers without contrasting borders.		

VOTES	Yes : 3333	No: 210	Abs: 0

Motion 23.	***Fountain Upgrade***	***Special Resolution***

SPECIALLY RESOLVED that pursuant to Section 141 of the Strata Schemes Management Act 2015 THAT works be undertaken to replace the original Fountain sandstone capping with grey coloured pavers along with replacing internal tiles plus rectifying the existing fountain itself.

VOTES	Yes : 3333	No: 210	Abs: 0

Motion 24.	***Special By-law 103 — Animals (Option A)***	***Special Resolution***

DEFEATED that pursuant to Section 141 of the Strata Schemes Management Act 2015 THAT the existing By-law 103 be repealed and entirely replaced with the attached option "A" to permit the keeping of a cat or dog under certain conditions, and that notification of the By-law be lodged for registration at the Registrar-General's Office

VOTES	Yes : 1225	No: 2432	Abs: 78

Motion 25.	***Special By-law 103 — Animals (Option B)***	***Special Resolution***

DEFEATED that pursuant to Section 141 of the Strata Schemes Management Act 2015 THAT the existing By-law 103 be repealed and entirely replaced with the attached option "B" to permit the keeping of a cat under certain conditions, and that notification of the By-law be lodged for registration at the Registrar-General's Office.

VOTES	Yes : 1276	No: 2153	Abs: 306

Motion 26.	**Special By-Law 131 - Lot 34 (Unit C6) Major Works**	***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 131 – Lot 34 (Unit C6) Major Work, permitting the specified work to be undertaken in Residential Lot 34 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.

VOTES	Yes : 3657	No: 0	Abs: 78

Motion 27.	***Special By-law 132 — Lot 52 (Unit C24) Major Works***	***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 132 – Lot 52 (Unit C24) Major Work, permitting the specified work to be undertaken in Residential Lot 52 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.

VOTES	Yes : 3657	No: 0	Abs: 78

Motion 28.	***Special By-law 133 — Lot 58 (Unit C30) Major Works***	***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 133 – Lot 58 (Unit C30) Major Work, permitting the specified work to be undertaken in Residential Lot 58 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.

VOTES	Yes : 3657	No: 0	Abs: 78

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 8:00 PM

A vote of thanks was given to the Strata Committee for their efforts throughout the past year and to Club Cronulla for allowing us to hold the meeting at their venue.

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Daniel Goodwin
STRATA TITLE MANAGEMENT
Dated: 22 April 2021

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MINUTES OF STRATA COMMITTEE MEETING OF THE OWNERS CORPORATION

MINUTES OF the Strata Committee Meeting of the
Owners - Strata Plan No 50785
Held in Club Cronulla, 41 Croydon Street, CRONULLA, NSW, 2230
On 21 April 2021 commenced at the conclusion of the Annual General Meeting

Present:	Lot 54	Mr Carey Beebe	Committee member present
	Lot 56	Mr Kevin O'Shea	Committee member present
	Lot 58	Geoffrey Schuberg	Committee member present
	Lot 72	Sandra Hansen	Committee member present
	Lot 79	Sharen Carruthers	Committee member present
	Lot 83	David Gourley	Committee member present
	Lot 97	Ian MacDonald	Committee member present

Apologies: Nil

In Attendance: Daniel Goodwin & Carolyn Clifton (STM), John Stevens (Premier Cleaning)

Chairman: Daniel Goodwin

There being a quorum present the chairman declared the meeting open at 8:00pm.

Motion 1.	***Minutes***	***Ordinary Resolution Without use of Proxies***
RESOLVED that the minutes of the previous Strata Committee meeting be confirmed as a true and accurate account of the proceedings at that meeting.		

Motion 2.	Office Bearers	Ordinary Resolution Without use of Proxies

RESOLVED that the Strata Committee elect a Secretary, Treasurer and Chairperson.

The following office bearers were elected:

Secretary - Carey Beebe
Treasurer - David Gourley
Chairperson - Kevin O'Shea

Motion 3.	Appointing Contact point and substitute Contact Point	Ordinary Resolution Without use of Proxies

RESOLVED that the Strata Committee appoints a main representative and a substitute representative of the Strata Committee to liaise with the strata manager and be the strata scheme's main contact point.

Main Representative - Carey Beebe
Substitute Representative - Kevin O'Shea

Motion 4.	Notice To Comply - Lot 1 (R2)	Ordinary Resolution

RESOLVED that the Strata Committee is satisfied that the occupant of Lot 1 (R2 The Pines) has contravened Special By-law 127.4 (Exhaust System) registered with Strata Plan 50785 by failing to ensure the exhaust system complies with requirements stipulated in that By-law, including the prevention of emission of offensive odours and smoke by suitable filtration; the timely removal of discarded equipment from the rooftop; and the provision of certification for the exhaust system within seven days; AND

The Strata Committee instructs STM to issue a Notice to Comply with a By-law pursuant to Section 146 of the Strata Schemes Management Act 2015 to the owner and occupant of Lot 1 seeking compliance with the Strata Scheme's Special By-law 127 Requirements for Commercial Lots.

Motion 5.	Notice To Comply - Lot 3 (S2)	Ordinary Resolution

RESOLVED that the Strata Committee is satisfied that the occupant of Lot 3 (S2 Giro) has contravened Special By-law 127.8 (Use of CP) registered with Strata Plan 50785 by commandeering an air conditioning unit permitted to benefit Lot 4 (S2 Splash) and installed on CP under Special By-law 26 — Lot 4 equipment and rerouting it without any authorization to benefit Lot 3, then again without authorization upgrading the unit, greatly increasing heat and distress on B2 for workers and residents; AND

The Strata Committee instructs STM to issue a Notice to Comply with a By-law pursuant to Section 146 of the Strata Schemes Management Act 2015 to the owner and occupant of Lot 3 seeking compliance with the Strata Scheme's Special By-law 127 Requirements for Commercial Lots, and specific removal of the air conditioning unit.

Motion 6.	Notice To Comply - Lot 29 (Unit C1)	Ordinary Resolution
RESOLVED that the Strata Committee is satisfied that the occupant of Lot 29 (Unit C1) has contravened Special By-law 109 — Vehicles & Garages registered with Strata Plan 50785 by repeatedly permitting vehicles associated with the lot to park in visitors parking or the car wash bay; AND The Strata Committee instructs STM to issue a Notice to Comply with a By-law pursuant to Section 146 of the Strata Schemes Management Act 2015 to the occupant of Lot 16 seeking compliance with the Strata Scheme's Special By-law 109.		

Motion 7.	Appointment of Managing Agent - Strata Title Management	Ordinary Resolution
RESOLVED that STM be given six months to improve their level of service to the satisfaction of the Strata Committee, failing which tenders will be called for replacement management.		

Motion 8.	Repairs and Maintenance	Ordinary Resolution Without use of Proxies
RESOLVED that the Strata Committee review any items of repair and maintenance needing attention and provide instructions, as below: **Water Penetration Issues** - It was agreed that JN Responsive be engaged to create a scope of work for issues effecting C70, C 76 and C77.		

Motion 9.	Correspondence	Ordinary Resolution
RESOLVED that the Strata Committee review any correspondence needing attention and provide instructions. There was no written correspondence tabled.		

The meeting was declared closed at 8.20pm.

STRATA TITLE MANAGEMENT
Dated: 22 April 2021