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STRATA TITLE MANAGEMENT

NOTICE OF
EXTRAORDINARY GENERAL MEETING

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

Date:	**15 October 2021**
Time:	**03:00 PM**
Venue:	**+61 2 9161 1235 Australia, Sydney (Toll), CONFERENCE ID 293 079 306#, Sydney, NSW, 2000**

Prepared by: Daniel Goodwin
Phone: (02)95404199 Fax:
Postal Address: PO Box 56, Sutherland, 1499
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LETTER FROM THE STRATA MANAGING AGENT

Dear Owners,

We are pleased to invite you to attend the Extraordinary General Meeting of The Owners-Strata Plan 50785 – 1 McDonald Street, CRONULLA, NSW, 2230.

The motions to be determined at the meeting as well as explanatory notes on each motion are detailed in the meeting notice. We urge you to carefully read the motions and associated documentation including the financial statements, proposed budget report and other important annexures prior to the meeting so that you are fully aware of the items to be determined.

Further information relating to voting at the meeting is as follows:

- Please ensure that all sections of the proxy are completed in full.Proxies not completed correctly may be deemed invalid.
- **If your lot is in the name of multiple owners, where it states owners signature of the proxy form, all owners must sign this section, otherwise your proxy is invalid.**
- Should your lot be in the name of a company, please ensure a company nominee form is completed and returned to our office.The company nominee's name must be recorded on the strata roll for them to be able to vote at the meeting.
- Only **FINANCIAL** owners are entitled to vote at a general meeting, unless a unanimous resolution is required, then all owners whether financial or not are permitted to vote on such motions.
- Please contact our office at least 24 hours prior to the meeting in relation to account and budget enquiries.

This meeting is held in accordance with the Strata Schemes Management Act (NSW) 2015 that was in effect from 30 November 2016.

As per the changes made as part of this Act, please note that:

- A person may only hold a proxy for 1 owner in strata schemes of up-to 20 lots or 5% of the total number of lots for strata schemes over 20 lots.
- A number of new statutory motions are required concerning building defects, annual fire safety statements and Strata Managers reporting on commissions & training received.
- Tenants now have the ability to attend the AGM if a tenant representative has been elected
- The ability for Owners Corporations to issue summary or detailed financial statements with the agenda.

For further information on the changes, please visit Fair Trading's website at: http://www.fairtrading.nsw.gov.au

We trust this information proves helpful and look forward to seeing you at the meeting.

Yours Sincerely,
STRATA TITLE MANAGEMENT
Daniel Goodwin
Senior Strata Manager
dgoodwin@stratatitle.com.au
Dated: 7 October 2021

IMPORTANT INFORMATION ABOUT VOTING AT THE EXTRAORDINARY GENERAL MEETING

In these notes:

a. Priority vote means a vote by:
   - An enrolled mortgagee having priority over any other mortgagee or enrolled covenant chargee; or
   - An enrolled covenant chargee having priority over any enrolled mortgagee; or
   - An enrolled covenant where there is no enrolled mortgagee.

b. A proxy means a person appointed as a proxy by an instrument in the prescribed form.

c. A person entitled to vote means (unless otherwise specified) a person entitled to vote on a motion requiring a unanimous resolution.

1. A vote at the meeting by the owner of a lot does not count if a priority vote in respect of the lot is cast in relation to the same matter.

2. An owner of a lot, or a person with a priority vote in respect of a lot, may not vote at the meeting on a motion (other than a motion requiring a unanimous resolution) unless payment has been made before the meeting of all contributions levied on the owner, and any other amounts recoverable from the owner, in relation to the lot that are owing at the date of this notice.

3. If you, as the addressee of this notice:
   a. are not a corporation, then voting and other rights conferred by the Strata Schemes Management Act 2015 may be exercised by you in person or by proxy; or
   b. are a corporation, then voting and other rights conferred by that Schedule may be exercised only by your company nominee in person, or by proxy appointed by the corporation.

4. Your right to vote as an owner, company nominee or person with a priority vote is also depends upon your name being recorded on the strata roll.

IMPORTANT INFORMATION ABOUT A QUORUM FOR THE EXTRAORDINARY GENERAL MEETING

1. A motion submitted at the Annual General Meeting must not be considered, and an election must not be held, unless there is a quorum present to consider and vote on the motion or on the election.

2. There is a quorum for considering and voting on such a motion or at such an election only if:
(a) at least one-quarter of the number of persons entitled to vote on the motion or at the election is present, either personally or by duly appointed proxy; or
(b) at least one-quarter of the aggregate unit entitlement of the strata scheme is represented by the persons who are present and entitled to vote on the motion or at the election, either personally or by duly appointed proxy.

3. However, if there is more than one owner in the strata scheme and the quorum calculated in accordance with clause 2 above is less than 2 persons, then the quorum is 2 persons entitled to vote on the motion or on the election.

4. If there is no quorum for business at a general meeting, the Chairperson, after waiting half an hour, will be able to declare that the persons present constitute a quorum. **IMPORTANT NOTE:** It is STM's policy to open the meeting after half an hour, rather than adjourn the meeting for at least 7 days to minimise additional meeting related expenses for the Owners Corporation.

5. If however, a quorum is not present within half an hour after the relevant motion or business arises for consideration at the meeting, then the Chairperson may adjourn the meeting for at least 7 days. A further notice will be given about the adjourned meeting.

6. If a quorum is not present within the next half-hour after the time fixed for the adjourned meeting, the persons present personally or by duly appointed proxy and entitled to vote constitute a quorum for considering that motion or business.

IMPORTANT INFORMATION ABOUT RESOLUTIONS AT THE EXTRAORDINARY GENERAL MEETING

For voting purposes:

1. An ordinary resolution is passed if the majority of the votes cast are in favour of the motion.
2. A special resolution is passed if not more than 25% of votes cast (based on the unit entitlement of the voter) are cast against the motion.
3. A unanimous resolution is passed if no vote is cast against the motion.

NOTICE OF EXTRAORDINARY GENERAL MEETING OF THE OWNERS CORPORATION – 50785

NOTICE OF BUSINESS to be dealt with at the Extraordinary General Meeting of the Owners - Strata Plan No 50785
To be held on Tuesday **15 October, 2021**
+61 2 9161 1235 Australia, Sydney (Toll), CONFERENCE ID 293 079 306#, Sydney, NSW, 2000
Commencing at 03:00 PM

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

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.

☐ YES ☐ NO ☐ ABSTAIN

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

Motion 2.	***Special By-Law 103 - Animals***	***Special Resolution***

THAT the Owners Corporation SPECIALLY RESOLVES pursuant to Section 141 of the Strata Schemes Management Act 2015 THAT the existing Special By-law 103, no longer valid under NSW state legislation, be repealed and entirely replaced with the attached By-law to permit the keeping of pets under certain conditions, and that notification of the new By-law be lodged for registration at the Registrar-General's Office.

☐ YES ☐ NO ☐ ABSTAIN

Explanatory Notes:
Our building has long had a By-law prohibiting the keeping of cats or dogs. The pets issue has been extensively and emotively discussed at previous General Meetings, and the existing By-law retained. However, due to recent NSW state legislation being gazetted, it is now impossible to maintain a blanket prohibition on the keeping of pets. As owners, we now have no choice but to repeal the existing Special By-law 103, and replace it with this one which details the reasonable conditions under which residents may keep pets, and reduce or eliminate the likelihood of adverse impact, particularly on those who did not wish to have animals in the building. To not be operating contrary to NSW law, we have no choice but to approve this By-law by a Special Resolution where no more than 25% of Owners may vote against it. The existing By-law 103 banning pets will be then be replaced by the new By-law.

Please also refer to the enclosed letter from JS Mueller dated 15 September before casting your vote.

Daniel Goodwin
STRATA TITLE MANAGEMENT

Dated: 7 October 2021

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STRATA TITLE MANAGEMENT

MINUTES OF
EXTRAORDINARY GENERAL MEETING

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

Date: 2 August 2021

Time: 10:00 AM

Venue: Online only

Prepared by: Daniel Goodwin
Phone: (02)95404199 Fax:
Postal Address: PO Box 56, Sutherland, 1499
Email: reception@stratatitle.com.au

STM Building Smarter Communities
STRATA TITLE MANAGEMENT

SYDNEY CENTRAL
SYDNEY NORTH
SYDNEY SOUTH
WOLLONGONG
BALLINA
TWEED HEADS

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MINUTES OF EXTRAORDINARY GENERAL MEETING OF THE OWNERS CORPORATION – 50785

MINUTES OF BUSINESS dealt with at the Extraordinary General Meeting of the Owners - Strata Plan No 50785
Held on 2 August 2021
Online Electronic Vote only
Commenced at 10:00 AM

PRESENT:

Lot 9	Kerry John Robert Farrell & Margaret Ann Peoples	Electronic vote
Lot 11	Perry & Gail Jane Theophanous	Electronic vote
Lot 18	Dunstan Ignatius De Souza	Electronic vote
Lot 22	Gregory John Fitzgerald & Elizabeth Irene Fitzgerald	Electronic vote
Lot 29	David Noel Gittus & Denise Gloria Gittus	Electronic vote
Lot 30	David Kenneth Oliver	Electronic vote
Lot 37	Gregory John Garvan	Electronic vote
Lot 38	Beata Szumara & Zdzislaw Sator	Electronic vote
Lot 41	Johnathan Paul Margetts and Luisa Margetts	Electronic vote
Lot 46	John Paul Harper	Electronic vote
Lot 54	Carey Beebe	Electronic vote
Lot 56	Kevin O'Shea	Electronic vote
Lot 58	Geoffrey Esmond Schuberg and Pamela Enid Schuberg	Electronic vote
Lot 63	Matthew John Callachor	Electronic vote
Lot 64	Robert Williams Gower	Electronic vote
Lot 68	Mr R Gower	Electronic vote
Lot 74	Simone Gow	Electronic vote
Lot 80	Robert William Gower	Electronic vote

Lot 82	Bruce Gregory Gale & Jennifer Anne Gale	Electronic vote
Lot 83	David George Gourley & Lynette Ann Gourley	Electronic vote
Lot 91	Dr John Lyle Farlow	Electronic vote
Lot 94	Colin & Jacqueline Pithers	Electronic vote
Lot 99	Joanne Crewes	Electronic vote
Lot 103	Albert Bruce Duncan & Lorraine Cynthia Duncan	Electronic vote
Lot 104	Edward Ian Korbel	Electronic vote

IN ATTENDANCE: Daniel Goodwin - STM

CHAIRPERSON: Daniel Goodwin

*** THERE BEING A QUORUM PRESENT THE CHAIRMAN DECLARED THE MEETING OPEN AT 10.00AM**

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.

VOTES: Yes : 23 No: 0 Abs: 2 Inv: 0

Motion 2.	***Acceptance of Voting by other Means***	***Ordinary Resolution***

RESOLVED that in accordance with Section 14 (1) of the *Strata Schemes Management Regulation 2016* that, for the period commencing immediately prior to the making of this resolution, a vote at a meeting by a person entitled to vote or by a proxy may be cast by one of the following means: voting by means of teleconference, video-conferencing, email or other electronic means while participating in a remote location, and by pre-meeting electronic voting by a means to be determined by the Secretary (including by instructions included in the meeting notice), including, without limitation:

1. On this motion, despite the fact that notice of this motion was given prior to the passing of this resolution.
2. On each subsequent motion on this agenda.

VOTES: Yes : 25 No: 0 Abs: 0 Inv: 0

Motion 3.	***Special By-Law 134 - Lot 74 (Unit C46) Major Work***	***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 134 – Lot 74 (Unit C46) Major Work**, permitting the specified work to be undertaken in Residential Lot 74 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.

UNIT ENTITLEMENTS: Yes : 2254 No: 0 Abs: 252 Inv: 0

Motion 4.	***Special By-Law 26 – Lot 4 Equipment***	***Special Resolution***

SPECIALLY RESOLVED that The Owners – Strata Plan 50785 SPECIALLY RESOLVES pursuant to Section 141 of the Strata Schemes Management Act 2015 to repeal current **Special By-Law 26- Lot 4 Equipment**, and lodge notification of the changes to the by-laws with the Registrar General's Office.

UNIT ENTITLEMENTS: Yes : 2154 No: 0 Abs: 352 Inv: 0

Motion 5.	***Special By-Law 135 – Lot 4 Equipment***	***Special Resolution***

SPECIALLY RESOLVED that pursuant to section 136 of the *Strata Schemes Management Act 2015* that an additional by-law be made, **Special By-Law 135 - Lot 4 Equipment** on the terms which are attached to the notice of this meeting , and that notification of the by-law be lodged for registration at the Registrar General's Office.

UNIT ENTITLEMENTS: Yes : 2351 No: 0 Abs: 155 Inv: 0

Motion 6.	***Special By-Law 136 – Lot 3 Equipment***	***Special Resolution***

SPECIALLY RESOLVED that pursuant to section 136 of the *Strata Schemes Management Act 2015* that an additional by-law be made, **Special By-Law 136 - Lot 3 Equipment** on the terms which are attached to the notice of this meeting, and that notification of the by-law be lodged for registration at the Registrar General's Office.

UNIT ENTITLEMENTS: Yes : 1922 No: 355 Abs: 229 Inv: 0

Motion 7.	***Special By-Law 137 – Electronic Meetings***	***Special Resolution***

SPECIALLY RESOLVED that pursuant to section 136 of the *Strata Schemes Management Act 2015* that an additional by-law be made, **Special By-Law 137 – Electronic Voting at Meetings** – on the terms which are attached to the notice of this meeting, and that notification of the by-law be lodged for registration at the Registrar General's Office.

UNIT ENTITLEMENTS: Yes : 2506 No: 0 Abs: 0 Inv: 0

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED.

_____

Daniel Goodwin
STRATA TITLE MANAGEMENT
Dated: 2 August 2021

Special By-law 103 — Animals

103.1 Intent

Subject to the conditions detailed in this By-law—fairly determined by the Owners to represent those residents who wish to enjoy pet ownership, as well as the right of all to peaceful enjoyment—certain animals are permitted within the boundaries of Côte, or deemed suitable to be kept as pets in Côte.

103.2 Assistance animals

a) After providing us evidence demonstrating that your animal is a registered assistance animal under the *Companion Animals Act 1998*, you may keep an assistance dog within your Lot, and that animal is permitted to accompany you on CP at any time.
b) We also welcome any visitor to Côte accompanied by their registered assistance animal.

103.3 Pets not requiring our approval

a) You may keep the following within your Lot without our approval:
    i) fish housed in a secure aquarium;
    ii) one or two small caged birds (other than a chicken or fowl); or
    iii) a small reptile kept in a terrarium.

103.4 All other animals require our prior approval

a) You must make written application and obtain our approval prior to keeping any other animal, including a cat or dog, within your Lot.
b) Your application must include:
    i) A photograph of your proposed pet;
    ii) Details of its breed, sex, age and fully-grown weight;
    iii) Evidence that your cat or dog is microchipped and listed on the *NSW Pet Registry*;
    iv) A reference by the animal's usual veterinarian concerning its character, temperament, behaviour and suitability for unit living; and
    v) If you are a tenant, written consent by your landlord to the keeping of the animal in the Lot.
c) We may charge a fee to cover any costs we incur in considering your application.
d) We may charge a bond to cover any possible cost we may incur in repairing CP damage caused by your pet, or cleaning any soiling of CP.
e) We will not unreasonably withhold our approval for a pet we consider suitable for the complex.

103.5 Your obligations in keeping an animal

a) You acknowledge that you take full responsibility for its behaviour and any damage it causes to CP.
b) You indemnify us against any loss or damage, or any claim made against us arising from your keeping of an animal, anything done by your animal, or any breach of this By-law;
c) You undertake to keep it in good health, including relevant measures such as being up to date with vaccinations, and regularly receiving flea and worm treatments.
d) It must remain within your Lot, and not be allowed to wander on CP or enter another Lot.
e) It must never be left unattended on your balcony or courtyard.
f) You must not enter the Resort Area with your pet at any time.
g) It must only traverse the CP or be in your garage area when necessary for your ingress or egress with it.
h) When traversing the CP with your pet for any reason, it must be on leash, hand carried, or in a pet box or other suitable container.
i) You must not intentionally soil your pet on any part of CP, and if it inadvertently soils any CP area, you must promptly clean that soiling and inform us.
j) You must not attempt to flush any spent cat or dog litter, or put it down the Tower refuse chute.
k) You must bag any spent cat or dog litter from your Lot and place it in a red bin for disposal.
l) In the case of fish, you must ensure your aquarium is well maintained and not allow water to leak or spill.

103.6 Removal of your animal

a) You agree that you have an obligation to promptly and permanently remove your animal from Côte if we inform you that:
    i) It is not permitted under this By-law;
    ii) You do not have our approval to keep your animal, if our approval is required;
    iii) We revoke our previous approval for you to keep your animal;
    iv) Your animal is declared a nuisance, dangerous or menacing under the terms of the *Companion Animals Act 1998*;
    v) You breach any term of this By-law; or
    vi) Your animal causes a nuisance or hazard, or unreasonably disturbs or interferes with the peaceful enjoyment of others because of noise, odour , health and safety, or any other reason.

103.7 Other animals onsite

a) With the exception of the animals permitted under this By-law, you must not allow any other cat, dog, or other animal or reptile to enter Côte, or be in a Lot or on CP at any time.

15 September 2021

JS MUELLER & CO
LAWYERS

The Secretary
The Owners - Strata Plan No. 50785
1 McDonald Street
CRONULLA NSW 2230

By Email: cb@hpschd.nu

Our Ref: AM:KG:38809
Your Ref: Carey Beebe

Dear Carey

RE: ADVICE ON PETS BY-LAW

My Brief

1. I am asked to advise on what changes should be made to the pets by-law for Cote d'Azur in the light of recent changes to the law regarding pet ownership in strata buildings.

2. I am also asked to advise on the position of the owners corporation if owners elect to retain the existing pets by-law and reject changes to that by-law recommended by the strata committee.

Advice on Existing Pets By-Law

3. The existing pets by-law is not enforceable to the extent that it prohibits dogs and cats in Cote d'Azur.

4. This means that owners and occupiers are currently entitled to bring dogs and cats into Cote d'Azur without obtaining the approval of the owners corporation.

5. This will remain the case if owners elect to retain the existing pets by-law and reject changes to that by-law recommended by the strata committee.

Advice on Changes to Pets By-Law

6. The changes to the pets by-law recommended by the strata committee that were considered at the last AGM in April 2021 are fair and reasonable except that:

   (a) the requirement in clause 103.4(a) for owners and occupiers to obtain owners corporation approval prior to keeping a cat or dog should be extended to apply to any animal (other than the animals that are able to be kept within Cote d'Azur without owners corporation approval under clause 103.3). This is to prevent proposed clause 103.6 of the amended by-law having no force or effect on the basis that it unreasonably prohibits the keeping of other animals;

   (a) the circumstances in which the owners corporation will be entitled to revoke a pet approval under clause 103.5 should be adjusted to make clear that the owners corporation will only be entitled to revoke an approval to keep an animal, and require the animal to be removed from Cote d'Azur, if keeping the animal unreasonably interferes with another occupant's use and enjoyment of the occupant's lot or the common property in the circumstances specified in clause 36A of the *Strata Schemes Management Regulation 2016* (to ensure that any decision to revoke a pet approval is valid and enforceable and does not contravene section 137B(1) the *Strata Schemes Management Act 2015*).

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240 PRINCES HIGHWAY
ARNCLIFFE NSW 2205
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SINCE 1979

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7. Further, the amendments to the pets by-law recommended by the strata committee could be improved by:

   (b) requiring owners and occupiers to include in their pet application:

      (i) a photograph of the animal;

      (ii) at least two references concerning the character, temperament and behaviour of the animal provided by another person such as the animal's veterinarian;

      (iii) in the case of an application by a tenant, the written consent of the landlord to the keeping of the animal in the lot;

   (c) requiring an owner or occupier who applies for approval to keep an animal to pay:

      (i) an application fee in a reasonable amount to cover any costs the owners corporation will incur considering the pet application;

      (ii) a bond in a reasonable amount to cover any costs the owners corporation incurs repairing damage caused by, or cleaning areas soiled by, the animal;

   (d) requiring owners and occupiers to ensure that dogs and cats are carried or tethered to a leash when on common property;

   (e) requiring owners and occupiers who keep animals to ensure that the animals do not cause a nuisance or hazard to or unreasonably disturb or interfere with the use or enjoyment of the owner or occupier of another lot or any person on common property;

   (f) requiring owners and occupiers to ensure that their animals do not cause any damage to Cote d'Azur;

   (g) requiring owners and occupiers who keep fish in aquariums in their lots to not spill water or allow water to leak from those aquariums and to ensure that those aquariums are properly maintained;

   (h) requiring owners and occupiers who keep animals to indemnify the owners corporation against any loss or damage it suffers or any claims that are made against the owners corporation arising out of the keeping of the animal in Cote d'Azur, anything done by the animal in Cote d'Azur or any breach of the by-law;

   (i) making clear in clause 103.5(a)(ii) that the owners corporation is only entitled to require an owner or occupier to remove an animal that is kept without owners corporation approval *where that approval is required*.

8. I trust that my advice will prove useful. Thank you for your loyalty and continued instructions.

Yours faithfully

JS MUELLER & CO

Adrian Mueller | Partner

E: adrianmueller@muellers.com.au

STM Building Smarter Communities
STRATA TITLE MANAGEMENT

PROXY APPOINTMENT FORM | STRATA SCHEMES MANAGEMENT ACT 2015

Date ……I/We

the Owners of Lot in Strata Plan No. **50785**

appoint ……of ……
(or the Chairman, as my/our proxy for the purposes of meetings of the owners corporation (including adjourned meetings)

Period or number of meetings for which the appointment of proxy has effect:
* No. of Meetings [ ]/* Period……. [Months]/ * 12 Months or 2 consecutive Annual General Meetings
***Tick and complete which one applies**
(Note: The appointment cannot have effect for more than 12 months or 2 consecutive Annual General Meetings, whichever is greater. If no section is made by the person giving the proxy, the proxy is effective only for one meeting.)

***1.** This form authorises the proxy to vote on my/our behalf on all matters

OR

***2.** This form authorises the proxy to vote on my/our behalf on the following matters only
***Delete paragraph 1 or 2, whichever does not apply**

(PLEASE CIRCLE AS AN INDICATION OF HOW YOU WANT TO VOTE ON THE MOTIONS):

Motion 1	For/Against
Motion 2	For/Against

***3.** If a vote is taken on whether …… (the Strata Managing Agent) should be appointed or remain in office or whether another managing agent is to be appointed, I/We want the proxy to vote as follows:- ……
***Delete paragraph 3 if proxy is not authorised to vote on this matter. For examples, read note 1 below.**

*4 I understand that, if the proxy already holds more than the permitted number of proxies, the proxy will not be permitted to vote on my/our behalf on any matters.

Signature of Owner/s ……, ……
(Signatures of all owners recorded on the Strata Roll required to be validated)

Notes:
1 This form is ineffective unless it contains the date on which it was made and it is given to the secretary of the owners corporation at least 24 hours before the first meeting in relation to which it is to operate (in the case of a large strata scheme) or at or before the first meeting in relation to which it is to operate (in any other case).
2 This form will be revoked by a later proxy appointment form delivered to the secretary of the owners corporation in the manner described in the preceding paragraph.
3 This form is current from the day on which it is signed until the end of the period (if any) specified on the form or the first anniversary of that day or at the end of the second annual general meeting held after that day (whichever occurs first).
4 If a person holds more than the total number of proxies permissible, the person cannot vote using any additional proxies. The total number of proxies that may be held by a person (other than proxies held by the person as the co-owner of a lot) voting on a resolution are as follows:
(a) if the strata scheme has 20 lots or less, one,
(b) if the strata scheme has more than 20 lots, a number that is equal to not more than 5% of the total number of lots.
5 A provision of a contract for the sale of a lot in a strata scheme, or of any ancillary or related contract or arrangement, is void and unenforceable to the extent that it:
(a) requires the purchaser of a lot, or any other person, to cast a vote at a meeting of the owners corporation at the direction of another person, or
(b) requires the purchaser to give a proxy at the direction of another person for the purpose of voting at a meeting of the owners corporation (that is a person cannot rely on any such proxy to cast a vote as a proxy).
6 A duly appointed proxy:
(a) may vote on a show of hands (or by any other means approved by a general resolution at a meeting of the owners corporation), subject to any limitation in this form, or may demand a poll, and
(b) may vote in the person's own right if entitled to vote otherwise than as a proxy, and
(c) if appointed as a proxy for more than one person, may vote separately as a proxy in each case.
7 A proxy is not authorised to vote on a matter:
(a) if the person who appointed the proxy is present at the relevant meeting and personally votes on the matter, or
(b) so as to confer a pecuniary or other material benefit on the proxy, if the proxy is a strata managing agent, building manager or on-site residential property manager, or
(c) if the right to vote on any such matter is limited by this form.

COMPANY NOMINEE FORM

To the Secretary
The Owners – Strata Plan 50785

C/- Strata Title Management
PO Box 56
Sutherland 1499

Email: reception@stratatitle.com.au

I/we (Company Trading Name & ACN)
being a company duly incorporated in the State of New South Wales having its registered office at..... (registered office address) hereby nominates, constitutes and appoints ..... (Nominee Name) as its appointed nominee as owner / mortgagee / covenant chargee* for lot no.(s) ..... for the purposes of exercising the rights, powers, authorities and functions of the company under the Strata Schemes Management Act 2015 (as amended).

The address for service of notices to the above nominee is:

.....
(Address)

Dated this ..... day of ....
(Day) (Month) (Year)

The Common Seal of

.....
(Company Trading Name)

Was hereto affixed by authority of the Board
of Directors in the presence of:

....
Signature of Secretary/Director Signature of Secretary/Director

....
Name of Secretary/Director Name of Secretary/Director

.....
Signature of Nominee