STM | Building Smarter Communities
STRATA TITLE MANAGEMENT

SYDNEY CENTRAL
SYDNEY NORTH
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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 27 April 2022
At **Club Cronulla, 41 Croydon Street, CRONULLA, NSW, 2230**
Commenced at 07:00 PM

PRESENT:

Lot 7	Gregory Rennie & Susan Rennie	Electronic vote
Lot 9	Margaret Peoples	Owner present
Lot 18	Dunstan De Souza	Electronic vote
Lot 29	David Gittus & Denise Gittus	Electronic vote
Lot 30	David Kenneth Oliver	Electronic vote
Lot 31	Craig Opperman	Owner present
Lot 34	Stephen Jarvis	Owner present
Lot 35	Daryl & Kay Young	Owner present
Lot 38	Beata Szumara & Zdzislaw Sator	Electronic vote
Lot 41	Johnathan Margetts and Luisa Margetts	Electronic vote
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	Faye Seddon	Owner present
Lot 64	Robert Gower	Electronic vote
Lot 68	Robert Gower	Electronic vote
Lot 79	Sharen Carruthers	Owner present
Lot 80	Robert Gower	Electronic vote
Lot 82	Bruce Gale & Jennifer Gale	Electronic vote
Lot 83	David Gourley	Owner present
Lot 99	Joanne Crewes	Electronic vote
Lot 101	Mark Dennes	Owner present

Lot 103	Albert Duncan & Lorraine Duncan	Electronic vote
Lot 104	Edward Korbel	Owner present

PRESENT BY PROXY:

Lot 11	Perry & Gail Jane Theophanous to	Geoff Schuberg
Lot 70	William Hoddinott to	Carey Beebe
Lot 97	Elaine Ruth Macdonald to	Ian MacDonald

IN ATTENDANCE: Daniel Goodwin (Strata Title Management)
John Stevens (Premier Contract Cleaning)

CHAIRPERSON: Daniel Goodwin (Strata Title Management by Invitation)

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 2021 to 28th of February 2022 be adopted.		

Motion 3.	***Auditor***	***Ordinary Resolution***
RESOLVED that a recommended auditor be appointed for the financial year 1st of March 2022 to 28th of February 2023.		

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'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 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. Our solicitors will be engaged 28 calendar days from the final reminder issue date. Charges for the reminder notices are included in the Agency Agreement. Interest is charged on all outstanding debts and retained by the Owners Corporation. This strict process is necessary to ensure that our scheme have suitable cash flows 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.

Additional Note: 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.

Motion 6.	***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 1st of March 2022 to 28th of February 2023 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 1st of March 2022 to 28th of February 2023 be as follows:

ADMINISTRATIVE FUND: $733,333.70 GST Inclusive
CAPITAL WORKS FUND: $514,800.00 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 2022	31 May 2022	1 Mar 2022	$183,333.42	$18.33334
Already Issued	Current	1 Jun 2022	31 Aug 2022	1 Jun 2022	$183,333.42	$18.33334
To be Issued	Current	1 Sep 2022	30 Nov 2022	1 Sep 2022	$183,333.42	$18.33334
To be Issued	Current	1 Dec 2022	28 Feb 2023	1 Dec 2022	$183,333.44	$18.33334
Total		1 Mar 2022	28 Feb 2023		**$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 2023	31 May 2023	1 Mar 2023	$183,333.42	$18.33334
To be Issued	Next	1 Jun 2023	31 Aug 2023	1 Jun 2023	$183,333.42	$18.33334
Total		1 Mar 2023	31 Aug 2023		**$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 2022	31 May 2022	1 Mar 2022	$119,166.62	$11.91666
Already Issued	Current	1 Jun 2022	31 Aug 2022	1 Jun 2022	$119,166.62	$11.91666
To be Issued	Current	1 Sep 2022	30 Nov 2022	1 Sep 2022	$138,233.38	$13.82334
To be Issued	Current	1 Dec 2022	28 Feb 2023	1 Dec 2022	$138,233.38	$13.82334
Total		1 Mar 2022	28 Feb 2023		**$514,800.00**	**$51.48000**

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Capital Works Fund	Per Lot Entitlement
To be Issued	Next	1 Mar 2023	31 May 2023	1 Mar 2023	$128,700.00	$12.87000
To be Issued	Next	1 Jun 2023	31 Aug 2023	1 Jun 2023	$128,700.00	$12.87000

Total		1 Mar 2023	31 Aug 2023		**$257,400.00**	**$25.74000**

Levy periods commencing: 01/03/2022, 01/06/2022, 01/09/2022, 01/12/2022

3. **RESOLVED** that in the event that the Owners Corporation is unable to hold the next Annual General Meeting by 15/01/2023, 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 01/03/2023 to 31/05/2023 quarter and 01/06/2023 to 31/08/2023 as per the table above.

Motion 7.	***Levy Discount***	***Ordinary Resolution***

RESOLVED that in accordance with section 85(4) of the Strata Schemes Management Act 2015 (NSW), the owners may pay 10% less of a contribution for the administration and capital works fund levied under motion 6 if the person pays the contribution before the date on which it becomes due and payable after allowing suitable time for Strata Management to process such payment.

Motion 8.	***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 9.	***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; and

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

Geoff Schuberg (Lot 11)
Daryl Young (Lot 35)
Luisa Margetts (Lot 41)
Carey Beebe (Lot 54)
Kevin O'Shea Lot 56)
Sharen Carruthers (Lot 79)
David Gourley (Lot 83)
Ian Macdonald (Lot 97)
Loriene Dennes (Lot 101)

(c) The Chairperson declare that nominations are closed;

(d) That the number of members to the Strata Committee be set as **9**.

All nominated were elected.

Motion 10.	***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 11.	***Confirmation of Insurance***	***Ordinary Resolution***

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

Motion 12.	***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 13.	***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 at the discretion of the Strata Committee.

Motion 14.	***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 15.	***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.

Commissions Report: $8,250.00 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 view that the estimated insurance commission to be received in the next 12 months will increase or decrease, in line with premium fluctuations. The current strata insurance underwriting market remains highly competitive however, an increase in insurance premiums and therefore, resultant commission change, may be likely.

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 16.	***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.

The current AFSS is to be renewed by 17/12/2022

Motion 17.	***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.

Note: It was noted that there were no building defects under statutory warranty.

Motion 18.	***Change of definition of "Resident"***	***Special Resolution***

SPECIALLY RESOLVED pursuant to Section 141 of the Strata Schemes Management Act 2015 THAT the definition of "Resident" in the Consolidated By-laws be replaced from the existing "Resident means any person who normally lives at Côte d'Azur" to "Resident means whether or not it is their primary address, any person who appears to live at Côte d'Azur full-time or part-time or any person whose name appears as lessee on a Côte d'Azur residential lease", and that notification of this contained within the Consolidated By-laws document be lodged for registration at the Registrar-General's Office.

TOTAL UE VOTES FOR: 2767
TOTAL UE VOTES AGAINST: 0
TOTAL UE VOTES ABSTAINED: 65
TOTAL VOTES COUNTED: 2767
100% in favour
MOTION CARRIED BY SPECIAL RESOLUTION

Motion 19.	***Alteration of Special By-Law 103 - Animals***	***Special Resolution***

SPECIALLY RESOLVED that pursuant to Section 141 of the Strata Schemes Management Act 2015 THAT "(This requirement is waived for animals visiting Côte for less than three days)" be appended to clause 4(b)(iv) in Special By-law 103 — Animals, and that notification of this updated By-law within the Consolidated By-laws document be lodged for registration at the Registrar-General's Office.

TOTAL UE VOTES FOR: 2746
TOTAL UE VOTES AGAINST: 86
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 2832
97% in favour
MOTION CARRIED BY SPECIAL RESOLUTION

Motion 20.	***By-Law for Major Renovations and Building Works (Lot 36)***	***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 138 – Lot 36 (Unit C8) Major Work, permitting the specified work to be undertaken in Residential Lot 36 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: 2832
TOTAL UE VOTES AGAINST: 0
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 2832
100% in favour
MOTION CARRIED BY SPECIAL RESOLUTION

Motion 21.	***By-Law for Major Renovations and Building Works (Lot 101)***	***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 139 – Lot 101 (Unit C73) Major Work, permitting the specified work to be undertaken in Residential Lot 101 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: 2832
TOTAL UE VOTES AGAINST: 0
TOTAL UE VOTES ABSTAINED: 0
TOTAL VOTES COUNTED: 2832
100% in favour
MOTION CARRIED BY SPECIAL RESOLUTION

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 07:47 PM

A vote of thanks was given to Daryl Young and Club Cronulla for allowing us to hold the meeting at their venue.

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Daniel Goodwin
STRATA TITLE MANAGEMENT
Dated: 3 May 2022