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STRATA TITLE MANAGEMENT

MINUTES OF
ANNUAL GENERAL MEETING

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

Date:	**12 April 2023**
Time:	**07:00 PM**
Venue:	**Club Cronulla, 41 Croydon Street, Cronulla, NSW, 2230**

Prepared by: Stephen Neil
Phone: (02) 9540 4199
Postal Address: PO Box 56, Sutherland, 1499
Email: reception@stratatitle.com.au

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STRATA TITLE MANAGEMENT

SYDNEY CENTRAL
SYDNEY NORTH
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WOLLONGONG
BALLINA
TWEED HEADS

ABN 43 119 665 762
PO Box 56
Sutherland NSW 1499
t. +61 2 9266 2600
www.stratatitle.com.au

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 12 April 2023
At
Club Cronulla, 41 Croydon Street, Cronulla, NSW, 2230
Commenced at 07:00 PM

PRESENT: M Peoples (9), D De Souza (18), G & E Fitzgerald (22), C Opperman (31), G Townley (33), S Jarvis (34), D Young (35), J Phillpott & C Routsios (36), K Dassakis (39), J & L Margetts (41), I Celarc (49), J Riordan (50), A & P Liu (53), C Beebe (54), K O'Shea (56), G Schuberg (58), F Seddon (60), M Callachor (63), E Thompson (67), J Cheney (69), S Hansen (72), M Pearson (73), S Carruthers (79), N Bayliss (86), P & K Scullion (93), S Sandeberg (95), I MacDonald (97), S Neil (99), M & L Dennes (101), A Duncan (103), E Korbel (104).

PRESENT BY PROXY: D & D Gittus (29 – proxy to S Jarvis), D Oliver (30 – proxy to C Opperman), G Garvan (37 – proxy to C Beebe), P Gower (76 – proxy to C Beebe), R Gower (80 – proxy to C Beebe), D & L Gourley (83 – proxy to C Beebe), E MacDonald (97 – proxy to I MacDonald), J Crewes (99 – proxy to S Neil).

APOLOGY: W Zenari (Building Manager, Zenari's Maintenance Service)

IN ATTENDANCE: S Neil and G Clarke (Strata Title Management).

CHAIRPERSON: S Neil (by invitation).

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

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 2022 to 28th of February 2023 be adopted.		

Motion 3.	***Auditor***	***Ordinary Resolution***
RESOLVED that a recommended auditor be appointed for the financial year 1st of March 2023 to 28th of February 2024.		

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 pursuant to the Strata Schemes Management Act 2015 (including Section 103) for the purpose of collecting levy contributions 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.

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

RESOLVED that the Owners – Strata Plan 50785 RESOLVE to 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.	***Annual Budget and Contributions***	***Ordinary Resolution***

1. **AMENDED & 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 2023 to 28th of February 2024 be adopted.

2. **AMENDED & 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 2023 to 28th of February 2024 be as follows:-

AMENDED ADMINISTRATIVE FUND: $678,889.00 GST Inclusive
CAPITAL WORKS FUND:** $523,566.00 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 2023	31 May 2023	1 Mar 2023	$183,333.41	$18.33334

To be Issued	Current	1 Jun 2023	31 Aug 2023	1 Jun 2023	$165,185.20	$16.51852
To be Issued	Current	1 Sep 2023	30 Nov 2023	1 Sep 2023	$165,185.20	$16.51852
To be Issued	Current	1 Dec 2023	29 Feb 2024	1 Dec 2023	$165,185.19	$16.51852
Total		1 Mar 2023	29 Feb 2024		**$678,889.00**	**$67.88890**

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Entitlement
To be Issued	Next	1 Mar 2024	31 May 2024	1 Mar 2024	$169,722.25	$16.97223
To be Issued	Next	1 Jun 2024	31 Aug 2024	1 Jun 2024	$169,722.25	$16.97223
Total		1 Mar 2024	31 Aug 2024		**$339,444.50**	**$33.94445**

Levy Status	Financial Period	Period From	Period To	Due	Capital Works Fund	Per Lot Entitlement
Already Issued	Current	1 Mar 2023	31 May 2023	1 Mar 2023	$128,700.00	$12.87000
To be Issued	Current	1 Jun 2023	31 Aug 2023	1 Jun 2023	$131,622.00	$13.16220
To be Issued	Current	1 Sep 2023	30 Nov 2023	1 Sep 2023	$131,622.00	$13.16220
To be Issued	Current	1 Dec 2023	29 Feb 2024	1 Dec 2023	$131,622.00	$13.16220
Total		1 Mar 2023	29 Feb 2024		**$523,566.00**	**$52.35660**

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Capital Works Fund	Per Lot Entitlement
To be Issued	Next	1 Mar 2024	31 May 2024	1 Mar 2024	$130,891.50	$13.08915
To be Issued	Next	1 Jun 2024	31 Aug 2024	1 Jun 2024	$130,891.50	$13.08915
Total		1 Mar 2024	31 Aug 2024		**$261,783.00**	**$26.17830**

Levy periods commencing: 1/3/23, 1/6/23, 1/9/23, 1/12/23

3. **AMENDED & RESOLVED** that in the event that the Owners Corporation is unable to hold the next Annual General Meeting by 15/1/24, 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 1/3/24 to 31/5/24 quarter and 1/6/24 to 31/8/23 as per the table above.

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

RESOLVED that the Owners – Strata Plan 50785 in accordance with section 85(4) of the Strata Schemes Management Act 2015 (NSW), that the owners may pay 10% less of a contribution for the administration and capital works fund levied under motion 8 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 9.	***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 10.	***Strata Hub***	***Ordinary Resolution***
RESOLVED that the Owners – Strata Plan 50785 Resolve to do the following: • Delegate the strata manager the function to upload all information/documents required to comply with the Strata Schemes Management Regulations 2021 (regulation 43A) relating to the Office of Fair Trading 'Strata Hub' and • Provide the contact details of those Committee Members appointed to Office Bearers positions for the ensuing year.		

Motion 11.	***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: 1. The Chairperson announce the names of the candidates already nominated in writing for election to the Strata Committee; and **G Garvan (37)** 2. The Chairperson call for any oral nominations of candidates eligible for elections to the Strata Committee; **D Young (35)** **L Margetts (41)** **C Beebe (54)** **K O'Shea (56)** **S Carruthers (79)** **P Scullion (93)** **I MacDonald (97)** **L Dennes (101)** (c) The Chairperson declare that nominations are closed; (d) That the number of members to the Strata Committee be set. **NINE (9)**		

Motion 12.	***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 13.	***Confirmation of Insurance***	***Ordinary Resolution***
RESOLVED that the Owners Corporation's insurance policies currently in place be confirmed.		

Motion 14.	***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 15.	***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 16.	***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 17.	***Work, Health and Safety Report***	***Ordinary Resolution***

DEFEATED that the Owners Corporation engage a suitably qualified consultant to carry out a Compliance Report of the common property in accordance with the Work Health and Safety Act 2011.

Last Report Undertaken: 26/10/21

Motion 18.	***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) **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 17/12/2023

The Owners Corporation requested the current Annual Fire Safety Certificate be displayed in a prominent location in the building. It was further requested that the B Block apartment internal smoke alarms be further investigated as at present, only the thermal detectors automatically call FRNSW.

Motion 19.	***Appointment of Managing Agent - Strata Title Management***	***Ordinary Resolution***

DEFERRED 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 20.	***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.

The Owners Corporation requested the works currently under Statutory Warranty period be reviewed by the Building Manager to determine if any warranty claims may be entered into.

Motion 21.	***Retention of Herman Edenton***	***Ordinary Resolution***
RESOLVED that subject to the approval of Zenari's Maintenance Service Pty Ltd as to the work standard of Herman Edenton as weekday onsite cleaner being commensurate with professional cleaning of a high-quality building complex such as Côte d'Azur, the Owners acknowledge the value of Zenari's Maintenance Service Pty Ltd retaining Herman for an additional two hours as day at a cost to us of $20K pa above that of Zenari's own staff.		

Motion 22.	***Amendment of Special By-Law 112 - Residential Resort Area***	***Ordinary Resolution***

DEFEATED that the Owners Corporation SPECIALLY RESOLVES pursuant to Section 141 of the Strata Schemes Management Act 2015 THAT the existing By-law 112 be amended as per the annexure and that notification of the updated By-law be lodged for registration at the Registrar-General's Office.

AND THAT the By-law definitions will be updated to include:

Eligible Adult Family Member means any nonresident person eighteen years of age or older that a Resident can demonstrate as being related to that Resident in any of the following ways:
• Husband/Wife
• Domestic Partner/De Facto
• Son/Daughter
• Father/Mother
• Brother/Sister
• Grandchild
• Son/Daughter-in-law; Brother/Sister-in-law; Father/Mother-in-law
• Nephew/Niece
• First cousin

The Owners Corporation determined to review the Amendment to Special By-Law 112 – Residential Resort Area with any proposed amendments by Owners are to be submitted to the Strata Committee by no later than Monday 15/05/2023 for review. The By-Law will then be amended and tabled at the next General Meeting for Adoption.

TOTAL UE VOTES FOR: 0
TOTAL UE VOTES AGAINST:
TOTAL UE VOTES ABSTAINED: 37
TOTAL VOTES COUNTED: 0
MOTION DEFEATED

Motion 23.	***Water Ingress Rectification***	***Ordinary Resolution***
RESOLVED that acknowledging the continuing water ingress problems in multiple units, the Owners Corporation has engaged Landlay Consulting Group Pty Ltd to oversee major rectification works which are presently unbudgeted for, and an EGM must be called to approve a special levy when the likely costs are known.		

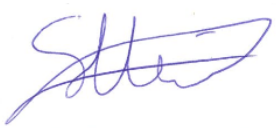
GENERAL BUSINESS:

1. The Owners Corporation requested the Building Manager communicate to all Owners, Property Managers and Tenants:

    - Roles and Responsibilities of both Herman and Walter
    - Scheduled attendance at the property
    - Reporting and Communication of issues and requests and their progress on completion

2. The Owners Corporation requested improved communication from the Strata Committee on building matters.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 09:21 PM



Stephen Neil
STRATA TITLE MANAGEMENT
Dated: 12 April 2023