

MINUTES

*of the Annual General Meeting of SP 47991, 41 Rocklands Road, Wollstonecraft
held Tuesday, 8 December 2009*

Present in Person: Lots 1, 3, 6, 8, 16, 17, 18, 32, 33, 38, 42, 43, 44, 45, 48, 50, 54, 59, 60, 68, 69, 86, 88, 90, 97, 122, 123, 128, 129, 134, 141, 146, 154, 155, 156, 157 and 161.

Present by Proxy: Lot 2 to T. Moon
Lot 9 to B. Jaworski
Lot 95 to A. Loibl
Lots 42, 133 and 151 to J. Murray
Lots 53, 61, 116 and 160 to R. Joy

Attending: B. Jaworski (Bright & Duggan Pty Ltd)
J. Mazuraki (J J Newlan-Mazuraki Architects Pty Ltd)
G. Berry (Downer Universal)

Chairman: Ray Joy opened proceedings at 6:05pm.

CONFIRMATION OF MINUTES

*Motion 1
Confirmation of
the Minutes* **Resolved** to adopt the minutes of the adjourned annual general meeting held 15 December 2008.

FINANCE

*Motion 2
Financial
Position* **Resolved** to adopt the audited statement of financial position and statement of financial performance for the year ended 31 October 2008.

*Motion 3
Auditor* **Resolved** to appoint an auditor to audit the financial statements to Australian Auditing Standards for presentation to the next annual general meeting.

Motion 4 a) **Resolved** that the contributions to the administrative and sinking funds be

*Levy
Contributions*

set, per annum including GST on a continuing basis, at:

Administrative fund \$ 575,000.00

Sinking fund \$ 324,000.00

- b) ***Resolved*** that both contributions be paid in equal quarterly instalments, effective from 1 February 2010.

*Motion 5
Extra
contribution*

Resolved that an extra contribution of \$600,000 be raised in accordance with sections 76(4) and (5) of the Strata Schemes Management Act 1996 to cover the costs associated with the Digital television, pay television including Foxtel, communications and security infrastructure upgrade and to engage J J Newlan-Mazuraki Architect Pty as project managers for the works.

This levy is to be used in conjunction with the owners corporations funds held from time to time within the sinking fund. The levy is due and payable in six equal instalments of \$100,000 each due on 01/02/10, 01/05/10, 01/08/10, 01/11/10, 01/02/11 and 01/05/11.

Note: The motion was passed with 34 Lots voting in favour and 12 Lots against.

GOVERNANCE

*Motion 6
Executive
Committee*

Resolved that the executive committee consist of 9 members, and that the following be elected to the executive committee;

Chris Wykes, Ray Joy, Arlaina Loibl, David Walker, Bob Vernon, Colin Murray, Sue Boyd, Peter Dickeson, Rosemary Flannery

*Motion 7
Restricted
matters*

Resolved that, in accordance with section 34(g) of Schedule 2, the owners corporation do not further restrict the executive committee powers in respect of dealing with any matters or types of matter.

*Motion 8
Management
Agreement*

- a) ***Resolved*** that the owners corporation renew the agreement with Bright & Duggan Pty Ltd for a period of 1 year as its strata managing agent and delegate functions to it, on the terms and conditions set out in the management agreement tabled at the meeting; further that the common seal of the owners corporation be affixed to the management agreement.
- b) ***Resolved*** that the owners corporation authorise the two (2) members of the executive committee, David Walker & Ray Joy, to execute the management agreement.
- c) ***Resolved*** that the management fee be \$ 23,500.00 per annum including GST commencing 8 December 2009.

ASSET MAINTENANCE

*Motion 9
Insurance
Renewal*

Resolved that current insurances be confirmed and that the strata manager be authorised to affect statutory insurances required to be taken out by the owners corporation under section 83

*Motion 10
Property
Revaluation*

- a) **Resolved** that a revaluation be carried out for insurance purposes prior to the policy being due and payable in April 2010.
- b) **Resolved** that the strata manager adjust the sum insured on the building and common property in accordance with the building valuation.

*Motion 11
OH&S
Lift Safety*

Resolved that, regarding lift registration due 15 March 2010, pursuant to section 113 of the OH&S Regulation 2001 the strata manager be authorised and instructed to prepare, sign and lodge the Work cover Statement, stating under delegated authority that, based on the lift contractor's maintenance statement, the lift is maintained and safe to operate.

SPECIAL BY-LAWS

*Motion 12
Special By-law 9
– Parking*

The owners corporation **specially resolved** pursuant to section 47 of the Strata Schemes Management Act 1996 to make an additional by-law in the following terms:

Special By-Law 9 –Parking

- i) Special By-law 4 Parking is repealed
- ii) An owner or occupier of a lot shall not park or stand a motor or other vehicle upon the Visitor Parking Areas at any time (except with the prior written consent of the Owners Corporation)
- iii) An owner or occupier of a lot shall not park or stand a motor or other vehicle upon common property at any time (except with prior written consent of the Owners Corporation)
- iv) An owner or occupier of a lot shall not permit invitees to park or stand a motor or other vehicle upon the Visitor Parking Area for a period exceeding 48 hours (except with the prior written consent of the Owners Corporation)
- v) An owner or occupier of a lot shall not permit invitees to park or stand a motor or other vehicle upon the Visitor Parking Area for more than four occasions in any seven day period (except with the prior written consent of the Owners Corporation)
- vi) An owner or occupier of a lot shall not permit an invitee to park or stand a motor or other vehicle upon common property at any time (except with prior written consent of the Owners Corporation)
- vii) The Owners Corporation shall have the power and authority to suspend and/or restrict owner and occupier rights to utilise vehicular access to the common property driveways and Visitor Parking Areas: the power and authority may be utilised as a consequence of a breach of this Special by-law 9, or for any other reason where such suspension and/or restriction would assist effective common property management.

A. Definitions

Continued

- i) In this by-law, the following terms are defined to mean:

“Visitor Parking Areas” means all the common property visitor parking spaces in Strata Scheme 47991.

- ii) Where any terms in this by-law are defined in the Strata Schemes Management Act 1996 they will have the same meaning as those words are attributed under that Act.

*Motion 13
Special By-law
10
Keeping of
Animals*

The owners corporation *specially resolved* pursuant to section 47 of the Strata Schemes Management Act 1996 to make an additional by-law in the following terms:

Special By-Law 10

Keeping of Animals

- i. By-law 16 is repealed
- ii. Subject to Section 49 (4), an owner or occupier of a lot must not, without the prior written approval of the Owners Corporation, keep any animal (except fish kept in a secure aquarium on the lot) on the lot or the common property.
- iii. The Owners Corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property provided that the animal in question does not disturb the other owners or occupiers of any Lots.
- iv. The pet owner will keep the animal within their Lot.
- v. The animal/s are not permitted to be on Common Property at any time other than to enter or exit Pacific Park from their owners lot and the animals must be on an appropriate restraint (lead or similar).
- vi. Any injury to person/s caused by the animal while it is moving through Common Property is the sole responsibility of the owner and not the Owners Corporation.
- vii. The owner must take all actions necessary to prevent the animal soiling their lot and the Common Property (including gardens and courtyards) and must immediately clean any of these areas soiled by the animal.
- viii. Animal excreta must not be dumped in the rubbish disposal chutes within the building.
- ix. Animal excreta must be double wrapped in plastic bags, sealed and placed in the large dumper bins in the main garbage area.
- x. “Kitty litter” must not be flushed down the sewage system.
- xi. The owner of the animal will be required to sign a written approval of the Owners Corporation upon the application through the Owners Corporation’s managing agents agreeing to the terms of this by-law.
- xii. The Owners Corporation has a power to revoke any approval to house an animal should the owner breach any of the terms of this by-law.

There being no further business the meeting closed at 7.50pm.