

Minutes of Annual General Meeting

Strata Plan Name	47991
Address	ROCKLANDS RD - 41 41 Rocklands Road WOLLSTONECRAFT NSW 2065
Meeting Date	06 December 2021
Time	6:00 PM
Venue	Crows Nest Community centre
Present	I Karatchevtsev (Lot 1) C Evans (Lot 14) C P Mackay (Lot 21) C J Silva (Lot 41) N&S Macbride (Lot 43 & Lot 48) A Moon (Lot 44) H Tweedie (Lot 54) R J Flannery (Lot 59) M A Reid (Lot 71) S Wardrop (Lot 86) T Mackie (Lot 87) Z He (Lot 89) J A Murray (Lot 97) Patino & Lopez (Lot 110) R J Vernon (Lot 129) M F Morris (Lot 132) M Pitney (Lot 133 & 151) I & E Stewart (Lot 159) Parnell & Larin (Lot 160) A & N Nickson (Lot 162)
Zoom	A Lim (Lot 88) S R Fung (Lot 95) & Jim Chong D Pengilley (Lot 138)
By proxy	Lot 20 Proxy to Stuart Sexton Lot 90 Proxy to Andy He Lot 141 Proxy to A Moon

Voting paper

Sexton & Ferris (Lot 20)
S R Fung (Lot 95)

In attendance

James Azar, Bright & Duggan
Kris Pruszynski, Building Manager

Chairperson

James Azar, Bright & Duggan

Quorum achieved

Yes, chairperson declared quorum after 30 minutes

Motions

1. Minutes

Resolved

That the minutes of the last general meeting of the owners corporation held on 24 June 2021 be adopted as a true and accurate record of the proceedings of that meeting.

2. Financial Statements

Resolved

That the attached audited statements of key financial information for the financial year ending on 31 October 2021 for the administrative fund, the capital works fund and any other fund held by the owners corporation, be adopted.

3. Financial Audit

Resolved

That the financial statements be audited for the financial year ending on 31 October 2022.

4. Administrative & Capital Works Funds Estimates

Resolved

That the owners corporation, in accordance with sections 79 and 81, estimates that for the financial year period from 1 November 2021 to 31 October 2022 it will need to credit to its administrative fund and capital works fund the amounts set out in the budget, attached to the notice of this meeting, and determines that the following amounts to be levied as a contribution to raise the amounts estimated to be credited to:

Administrative Fund: \$690,000.00(GST inclusive)

Capital Works Fund: \$600,000.00(GST inclusive)

5. Levy Contributions

Resolved

That the owners corporation, in accordance with section 81(5), determines that the contributions are to be payable in regular periodic instalments, due on and specified as follows:

Administrative Fund:

Date	Amount	Notes
01 Nov 21	\$ 175,000.00	already levied
01 Feb 22	\$ 171,666.66	
01 May 22	\$ 171,666.66	
01 Aug 22	\$ 171,666.68	
01 Nov 22	\$ 175,000.00	continuing basis

Capital Works Fund:

Date	Amount	Notes
01 Nov 21	\$ 150,000.00	already levied
01 Feb 22	\$ 150,000.00	
01 May 22	\$ 150,000.00	
01 Aug 22	\$ 150,000.00	
01 Nov 22	\$ 150,000.00	continuing basis

6. Levy Collection

Resolved

That the owners corporation, in accordance with the provisions of the *Strata Schemes Management Act 2015 (NSW)*, including section 103, resolves, for the purpose of collecting levy contributions, to authorise the managing agent and/or the strata committee to do any one or more of the following:

- a. 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;
- b. 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 corporation;
- c. 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/expenses;
- d. 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;
- e. filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- f. liaise, instruct and prepare all matters with the owners corporation's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

7. Payment Plans

Resolved

That the owners corporation resolves to agree to enter into payment plans generally for the matters involving arrears of unpaid levy contributions or other amounts, including interest, legal and other costs/expenses thereon, and to delegate to the managing agent and/or the strata committee the authority to enter into, arrange and monitor each such payment plan limited to a period of 12 months per plan, with any further or subsequent payment plan to be entered into as agreed by the strata committee or owners corporation by resolution.

8. Insurance - Certificate of Currency

Resolved

That the current insurances of the owners corporation, as detailed in the certificate of currency, attached to the notice of this meeting, expiring on 5 April 2022, be confirmed.

9. Insurance - Valuation

Defeated

That the owners corporation resolves to carry out a building valuation for insurance purposes, noting the previous valuation from A G Thomas Valuers was prepared on 10 March 2021, and the managing agent authorised to adjust the sum insured in accordance with a new valuation.

10. Insurance - Renewal

Resolved

That the owners corporation resolves to make arrangements in respect of insurances:

- a. in accordance with section 165, delegate to the strata committee to consider whether to vary or extend any insurances;
- b. in accordance with section 166, not less than 3 quotations for insurance renewal be obtained, unless written reasoning is presented to the owners corporation as to why less than 3 quotations were provided; and
- c. delegate to the managing agent any functions pursuant to the strata management agency agreement (additional services schedule where applicable) to undertake any of the above.

11. Statement of Commissions

Resolved

That the owners corporation acknowledges the statement provided below by the managing agent for commissions received in the last 12 months, and an estimate of commissions and training services likely to be received in the next 12 months.

Commissions

\$ 6,566.03 in commissions received from Flexi Insurance in the last 12 months.

\$ 6,600.00 in commissions is expected to be received from Flexi Insurance in the next 12 months.

12. Capital Works Fund Plan - Review

Resolved

That the owners corporation, in accordance with section 80(7), delegates to the strata committee to review the existing 10-year capital works fund plan, prepared by QS Solutions dated 21 September 2020, and implement it as part of the approved budget for the financial year ending on 31 October 2021.

13. Annual Fire Safety Statement - Sign Off

Resolved

That the owners corporation resolves to instruct the managing agent, acting in the capacity as agent for the owners corporation, to sign the annual fire safety statement based on the certification provided by a competent fire safety practitioner engaged by the owners corporation.

14. Plant Item Registration

Resolved that

That, as the owner of plant item(s), the owners corporation resolves to delegate to the managing agent the signing of any renewal registration or application form on behalf of the owners corporation and lodge with *SafeWork NSW* the Safe to Operate statement, based on certification provided by one of the below:

a. Independent Consultant

A suitably qualified and independent consultant to provide a statement as to whether the plant item is adequately maintained;

b. Maintenance Contractor

The engaged maintenance contractor to provide a statement confirming that the plant item has been inspected by a competent person and adequately maintained.

15. Restricted Matters

Resolved

That the owners corporation, in accordance with section 36, determines that no additional matter or type of matter is to be determined only by way of a general meeting of the owners corporation.

16. Limitation on Spending by Large Strata Scheme

Resolved

That the owners corporation, in accordance with section 102(3), resolves to generally remove the limitation on spending imposed by section 102(2).

17. Election of the Strata Committee

Resolved

That the owners corporation resolves to elect nine (9) strata committee as follows:

Trent Mackie Lot 87 nominated by Trent Mackie Lot 87

James Chong Lot 95 nominated by Scarlet Fung Lot 95

Stephen Wardrop Lot 86 nominated by Stephen Wardrop Lot 86

Andy He Lot 89 nominated by Andy He Lot 89

Maria Pitney Lot 133 nominated by Judith Murray Lot 97

Robert Vernon Lot 129 nominated by Michael Morris Lot 132

Anthony Moon Lot 44 nominated by Clive Mackay Lot 21

Clive Mackay Lot 21 nominated by Anthony Moon Lot 44

Michele Reid Lot 71 nominated A Nickson Lot 162

18. Amending Special Bylaw 14 - Lot 21

Resolved

That The Owners – Strata Plan No. 47991 **SPECIALLY RESOLVES** in accordance with Section 141(1) of the *Strata Schemes Management Act 2015 (NSW)* to amend or make additional by-law in the following terms and to complete, affix the seal to and lodge in the office of the Registrar-General notification of the same in the manner contemplated by Section 141(2)(a) of the *Strata Schemes Management Act 2015 (NSW)*:

19. Special By-Law 24 Building Works Lot 43

Resolved

The Owners – Strata Plan No 47991 **SPECIALLY RESOLVE** pursuant to sections 108, 141 and 143 of the *Strata Schemes Management Act 2015* to:

1. make a common property rights by-law, Special By-Law No. 24– Building Works (Lot 43), a copy which is **attached** to the agenda of this meeting; and
2. authorise the Building Works (a term defined in the subject by-law) with the owner of lot 43 responsible for the maintenance and repair of those Building Works, and if passed resolve to register a consolidation.

20. Special by-law 25 Alternations to individual garage lots

Resolved

The Owners – Strata Plan No 47991 **SPECIALLY RESOLVE** pursuant to sections 108, 141 and 143 of the *Strata Schemes Management Act 2015* to:

1. make a common property rights by-law, Special By-Law No. 25– Alternations to individual garage lots, a copy which is **attached** to the agenda of this meeting; and
2. authorise the Building Works (a term defined in the subject by-law) with the owner who signs consent form and is responsible for the maintenance and repair of those Building Works, and if passed resolve to register a consolidation.

22. Renewal of the Strata Management Agency Agreement

Resolved

That the owners corporation resolves

- a. to renew the strata management agency agreement with Bright & Duggan Pty Ltd as its managing agent, for a period of 24 months, and delegates functions to it on the terms and conditions as set out in the agreement attached to the notice of this meeting; and
- b. to nominate and authorise 2 owners or members of the strata committee to execute and affix the common seal to the agreement; and
- c. that the strata management fee be \$31,000.00per annum (GST inclusive), commencing on 6 December 2021.

23. Other common property changes

Resolved

The Owners discuss the following in relation to common property matters-

- Carpet replacement all blocks has been budgeted and the building manager will be looking at replacing the carpet towards end of January or early February 2022.
- There was a discussion in relation to CCTV Upgrades and the committee during the year will review this with any upgrades to be included in the 2023 budget.

There being no further business the meeting closed at 7.45pm

Date of Minutes: 21 December 2021

Bright & Duggan Pty Ltd

Managing Agents for Strata Plan 47991

Minutes of Strata Committee Meeting

Strata Plan	47991
Name	ROCKLANDS RD - 41
Address	41 Rocklands Road WOLLSTONECRAFT NSW 2065
Meeting Date	06 December 2021
Time	6:00 PM
Venue	Crows Nest Community centre
Address	

Present	TM Lot 87 JC Lot 95 SW Lot 86 AH Lot 89 MP Lot 133 RV Lot 129 AM Lot 44 CM Lot 21 MR Lot 71
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In attendance	James Azar, Bright & Duggan Kris Pruszynski, Building Manager
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Motions

1. Minutes

Resolved

That the minutes of the last strata committee meeting held on 09 November 2021 be adopted as a true and accurate record of the proceedings of that meeting.

2. Election of Officers

Resolved

That the strata committee, in accordance with regulation 11, resolves to elect Stephen Waldrop Lot 86 as the chairperson, Anthony Moon Lot 44 as the secretary and Trent Mackie Lot 87 as the treasurer of the committee.

3. Term of Appointment

Resolved

That the strata committee, in accordance with section 50(6)(a), acknowledges the term of the strata management agency agreement with Bright & Duggan Pty Ltd ends on 6 December 2023.

4. Common Property Safety Audit

Defeated

That the strata committee resolves to do the following:

- a. engage a suitably qualified consultant or contractor to carry out an inspection and submit a corrective actions report, in compliance with the Work Health & Safety Act 2011 (NSW);
- b. delegate to the building manager and/or strata committee to determine and resolve the corrective actions (if any) and engage suitably qualified contractor to complete any works; and
- c. delegate to the managing agent any functions pursuant to the strata management agency agreement (additional services schedule where applicable) to undertake any of the above.

5. Appoint Contact and Substitute Contact

Resolved

That the strata committee resolves to appoint Anthony Moon Lot 44 a member of the strata committee to liaise with the strata manager and be the strata manager's primary point of contact. Further, that Trent Mackie Lot 87 an alternate member of the strata committee be nominated to liaise with the strata manager as a substitute contact in the event of the absence of the primary contact.

6. Other Business

Resolved

That the strata committee discussed the following matters -:

- The committee agreed the original owner who deposited the \$5000 bond for the by-law renovations should be followed up by the Strata Manager and repaid to the original owner. The SM will update the committee at the next committee meeting.
- The Committee agreed Lot 43 should pay a bond of 5% (\$25,000) of the total cost of the renovations works in Special Bylaw 24 to the Owners Corporation and the Strata Manager will inform Lot 43. Lot 43 must also organize a dilapidation report of the surrounding units before they commence works. A copy of the Development Application (DA) must be provided to the committee by Lot 43.

7. Next Meeting

Resolved

That the strata committee determined the date of the next meeting being 8 February 2022.

Date of Minutes: 21 December 2021

Bright & Duggan Pty Ltd

Managing Agents for Strata Plan 47991