

STRATA PLAN 47991
41 Rocklands Rd, Wollstonecraft NSW 2065

MINUTES OF
ANNUAL GENERAL MEETING
held 4th December 2006

M I N U T E S

- PRESENT in person:** Lots 8, 16, 18, 19, 32, 42, 44, 45, 54, 59, 86, 88, 97, 100, 107, 125, 128, 129, 132, 134, 146, 154, 155 & 156
- PRESENT by proxy:** Lots 2, 14, 33, 53, 61, 85, 95, 117, 141 to T Moon
Lots 133 & 151 to J Murray
Lots 159 & 160 to R Joy
- ATTENDING:** Phillip Torpy (Bright & Duggan Pty Ltd).
- CHAIRMAN:** Tony Moon chaired the meeting and opened proceedings at 6.00 pm. Phillip Torpy took the chair for items.
- MOTION 1:** *Minutes* **Resolved** to adopt the minutes of the annual general meeting held 5th December 2005.
- MOTION 2:** *Financials* **Resolved** to adopt the statement of financial performance and statement of financial position for the year ended 31st October 2005.
- MOTION 3:** *Auditor* **Resolved** to appoint an auditor to audit the accounts and financial statement to Australian Auditor Standards for presentation to the next annual general meeting.
- MOTION 4:** *Contributions* a) **Resolved** that contributions to the administrative and sinking funds increase to:
- Administrative fund \$496, 936
Sinking fund \$265,000
- per annum including GST on a continuing basis.
- b) **Resolved** that both contributions be paid in equal quarterly instalments, effective from 1st February 2007.
- MOTION 5:** *Executive Committee* **Resolved** that the executive committee consist of 9 members, and that the following be elected to the executive committee:
- | | | | | |
|---------|---------|------------|------------|-------|
| A Moon | C Wykes | R Flannery | B McCosker | R Joy |
| A Loibl | I Smith | C Murray | R Vernon | |

- MOTION 6:** *Resolved* to confirm the insurances.
Insurance
- MOTION 7:** *Resolved* that the strata manager seek an alternative quotation and accept the least expensive insurance policy.
Insurance renewal
- MOTION 8:** a) *Resolved* to carry out a revaluation for insurance purposes.
Revaluation
b) *Resolved* that the strata manager alter the sum insured on the building and common property in accordance with any building valuation that the owners corporation may from time to time receive.
- MOTION 9:** *Resolved* that the executive committee powers not be further restricted at this time.
Restricted matters
- MOTION 10:** *Resolved* that the limitation on expenditure be removed generally;
Spending limitation
- MOTION 11:** a) *Resolved* to replace the existing and current agreement with Bright & Duggan Pty Ltd with the strata management agreement tabled at the meeting, and delegate functions to Bright & Duggan Pty Ltd on the terms and conditions as set out in that agreement;
Management agreement
b) *And* that the strata management fee continue at the same rate of \$19,000 per annum including GST commencing 6th December 2006.
c) *And* that the owners corporation nominate and authorise Tony Moon and Ray Joy to execute, and affix the common seal to, the strata management agreement.
- MOTION 12:** *Resolved* that the strata manager sign the Work Cover Statement for registration purposes, stating under delegated authority that, based on the lift contractor's maintenance statement, the lift is maintained and safe to operate.
Lift safety
- MOTION 13:** *Resolved* to prepare a ten-year sinking fund plan in the next 12 months.
Sinking fund forecast
- MOTION 14:** *Resolved* to conduct a common property Occupational Health & Safety audit in the next 12 months.
OH&S audit
- MOTION 15:** *Specially resolved* to make an additional by-law in the following terms:
Pergola roofing by-law
- Special By-Law [No] - Pergola roofing**
1. Wooden Pergolas installed within certain lots are common property.
 2. Prior to fitting roofing material to a Pergola (“the Roofing Works”), an owner must first obtain written Owners Corporation approval to the roofing specifications, construction and maintenance (“the Owners Corporation Approval”). The owner will be responsible for:
 - a) obtaining all permits and consents necessary to undertake the Roofing Works;

**MOTION 15
Continued**

- b) ensuring all Roofing Works are undertaken in accordance with the Owners Corporation Approval;
 - c) paying all Roofing Works costs including reimbursing any costs incurred by the Owners Corporation in relation to the Roofing Works; and
 - d) the costs of maintaining and replacing the Roofing Works.
3. Where Pergola roofing works have been undertaken without or not in accordance with Owners Corporation Approval, the Owners Corporation may request that the owner remove or rectify the unapproved Pergola roofing works; if the owner fails to abide by such Owners Corporation request the Owners Corporation may remove or rectify the unapproved Pergola roofing works and charge the costs of doing so to the owner.

Motion passed unanimously

**MOTION 16:
Parking By-law**

Specially resolved to make an additional by-law in the following terms:

Special By-Law [No]**Parking**

1. Special by-law 1 is repealed.
2. Special by-law 2 is repealed.
3. No motor or other vehicle shall park or stand upon common property except with prior written Owners Corporation consent.
4. 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 breach of clause 3 of this by-law, or for any other reason where such suspension and/or restriction would assist effective common property management.

Motion passed unanimously

**MOTION 17:
Common property
maintenance cost
by-law**

Specially resolved to make an additional by-law in the following terms:

Special By-Law [No] - Common Property Maintenance Cost

The Owners Corporation is responsible for properly maintaining the common property and keeping it in a state of good and serviceable repair.

Where the cost of moving and/or storing any items placed on the common property by the lot owner or occupier leads to increased costs in undertaking the maintenance of the common property, the Owners Corporation may charge these additional costs to the lot owner.

Motion passed unanimously

MOTION 18:
*Lot 18 pergola
by-law*

Specially resolved to make an additional by-law in the following terms:

Special By-Law [No] - Lot 18 renovations

On the conditions set out in this by-law, the owner for the time being of lot 18 shall have a special privilege in respect of the common property to relocate the lounge and to replace the timber-framed pergola (“the renovations”), and the right of exclusive use and enjoyment of the renovations and associated common property additions and alterations.

Conditions

- 1) Before undertaking the renovations, the owner must obtain from the Owners Corporation its written approval to the renovations including but not limited to specifications, materials, dimensions, location, and work method and quality.
- 2) Before and after undertaking the renovations, the owner must provide the Owners Corporation with all documentation as the Owners Corporation may require including but not limited to certificates, Council consents, indemnifications and insurances.
- 3) The owner may not commence or vary the works except in accordance with the written approval of the Owners Corporation and the Council.
- 4) Subject to the terms of this by-law, any amendment of the by-laws from time to time and any resolution of the Owners Corporation under Section 62(3) of the Strata Schemes Management Act 1996, the Owners Corporation shall continue to be responsible for properly maintaining the common property and keeping it in a state of good and serviceable repair.
- 5) The owner must maintain the renovations and associated common property additions and alterations in a state of good and serviceable repair, and must renew or replace them whenever necessary.
- 6) The owner must promptly repair any damage caused or contributed to by the renovations, including damage to the property of the Owners Corporation and the property of the owner or occupier of another lot in the strata scheme, and the owner must indemnify the Owners Corporation against any liability or cost that would not have been incurred but for the renovations

Motion passed unanimously

MOTION 19:
*Pergola roofing by-
law*

Motion withdrawn as it replicated motion 15.

The meeting closed at 7.45pm.