

Minutes of Annual General Meeting

Strata Plan	47991
Name	Pacific Park
Address	41 Rocklands Road Wollstonecraft NSW 2065
Meeting Date	26 November 2018
Time	6:00pm
Venue	Fuller Hall, Crows Nest Community Centre
Address	13 Ernest Street Crows Nest

Present

P & M Watson (Lot 8)
D M Russell (Lot 18)
C P MacKay (Lot 21)
G& S Russell (Lot 24)
Alan Moon (Lot 36)
C D'Silva (Lot 41)
M Tully (Lot 42)
A & K Moon (Lot 44)
H Tweedie (Lot 54)
RJ Flannery (Lot 59)
D Pavlovic (Lot 60)
M A Reid (Lot 71)
C Dargan (Lot 83)
T I Mackie (Lot 87)
A L Lim (Lot 88)
S Miller (Lot 92)
J A Murray (Lot 97)
A H Acharekar (Lot 112)
W M MCKEE (Lot 122)
A F Ree (Lot 126)
R J Vernon (Lot 129)
M F Morris (Lot 132)
D Pengilley (Lot 138)
K & S Iwasaki (Lot 141)
D Cook (Lot 157)
I Stewart (Lot 159)
Parnell & Larin (Lot 160)

Present	Nickson A & N (Lot 162)
Proxies	Lot 1 proxy to D M Russell Lot 18 Lot 6 proxy to A Moon Lot 44 Lot 16 proxy to Stephen Howes Lot 20 proxy to Stuart Sexton Lot 53 proxy to A Moon Lot 44 Lot 95 proxy to A Moon Lot 44 Lot 133 proxy to J Murray Lot 97 Lot 151 proxy to J Murray Lot 97
In attendance	James Azar, Bright & Duggan Kris Pruszynski (Building Supervisor) Josef (Building supervisor assistant)
Chairperson	James Azar, Bright & Duggan
Quorum achieved	Quorum achieved

Minutes (**RESOLVED**)

1. **Resolved that** the minutes of the last general meeting of the owners corporation held on 4 December 2017 be adopted as a true and accurate account of the proceedings of that meeting.

Financial statements (**RESOLVED**)

2. **Resolved that** the attached statements of key financial information for the financial year ending 31 October 2018 for the administrative fund, the capital works fund and any other fund prepared by the owners corporation, together with the relevant auditor's report (if required) be adopted.

Auditor (**RESOLVED**)

3. **Resolved that** an auditor be appointed for the financial year ending 31 October 2019.

Capital works fund plan

4. **Resolved that** the owners corporation delegate to the strata committee to review the existing 10-year capital works fund plan prepared by Leary & Partners dated 27 October 2015, and implement it in accordance with section 80(7) as part of budgeting for the financial year ending 31 October 2018.
5. **Defeated that** the owners corporation revise or replace the 10-year capital works fund plan for commencement from 1 November 2018, and that they;

- a) obtain quotations from suitable qualified consultants to prepare a 5-year review of the capital works fund plan.
- b) delegate to the strata committee to consider the quotations obtained, and engage a consultant.
- c) appoint a liaison to meet with the consultant at the premises.
- d) instruct the strata committee to incorporate the capital works fund plan in the preparation budget to be considered at the next Annual General Meeting.
- e) delegate to the strata managing agent any functions pursuant to the strata management agency agreement additional duties schedule to undertake any of the above.

Administrative & Capital Works Fund Estimates (**RESOLVED**)

6. **Resolved that** in accordance with Section 79 (2) and 81 of the Act the owners corporation estimates for the financial year from 1 November 2018 to 31 October 2019, that it will need to credit to its administrative fund and capital works funds for amounts set out in the budget, and that the owners corporation determines that the following amounts are to be levied to raise the estimated contributions:

Administrative fund: **\$690,000.00**

Capital Works fund: **\$259,805.00**

Levy contributions (**RESOLVED**)

7. **Resolved that** the contributions are to be payable in regular periodic instalments, specified as follows:

Administrative fund: Four (4) instalments due on

Date	Amount	Notes
1 November 2018	\$ 137,500.00	Already collected
1 February 2019	\$ 172,500.00	
1 May 2019	\$ 172,500.00	
1 August 2019	\$ 172,500.00	
1 November 2019	\$ 172,500.00	Continuing basis

Capital works fund: Four (4) instalments due on

Date	Amount	Notes
1 November 2018	\$ 99,951.25	Already collected
1 February 2019	\$ 64,951.25	
1 May 2019	\$ 64,951.25	
1 August 2019	\$ 64,951.25	
1 November 2019	\$ 64,951.25	Continuing basis

Levy collection (**RESOLVED UNANIMOUSLY**)

8. **Resolved that** the owners corporation pursuant to the Act (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:
- 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/expense 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;
 - 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 corporations' debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Payment plans (**RESOLVED UNANIMOUSLY**)

9. **Resolved that** the owners corporation 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 managing agent 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.

Insurance (**RESOLVED UNANIMOUSLY**)

10. **Resolved that** the owners corporation confirm the current insurances as per the certificate of currency expiring 5/04/2019 and attached to the notice of this meeting.

Resolved that the owners corporation make arrangements in respect of insurances as follows:

- a) a building valuation is not required but the Building Sum insured should be increased by CPI;
- b) the building sum insured is adjusted in accordance with CPI;
- c) that the owners corporation consider whether to vary or extend any insurances pursuant to Section 165 of the Act;
- d) pursuant to Section 166 of the Act that 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;
- e) the owners corporation delegate to the strata managing agent any functions pursuant to the strata management agency agreement additional duties schedule where applicable to undertake any of the above.

Statement of commissions and training services (**RESOLVED UNANIMOUSLY**)

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

In the preceding financial year of the scheme, the strata managing agent has received the following:

Commissions

\$3,491.00 in commissions received in the last 12 months.

\$4,000.00 in commissions is expected to be received in the next 12 months.

Annual fire safety statement (**RESOLVED UNANIMOUSLY**)

12. **Resolved that** the owners corporation make arrangements for obtaining the next annual fire safety statement as follows:
- a) engage a suitably competent fire safety practitioner to assess each essential fire safety measures specified in the statement; and
 - b) delegate to the strata committee to consider any corrective action reports and determine what action is required; and
 - c) seek quotations and engage contractor(s) to complete any repairs (if required) and for that contractor(s) to prepare and sign the statement; and
 - d) lodge the statement with local Council and the Fire Commissioner.
 - e) delegate to the strata managing agent any functions pursuant to the strata management agency agreement additional duties schedule to undertake any of the above.

Plant registration (**RESOLVED UNANIMOUSLY**)

13. **Resolved that** the owners corporation, whilst Bright & Duggan is appointed as the strata managing agent for the strata scheme:
- a) to annually engage a suitably qualified consultant, (independent to the maintenance contractor) to provide a *statement* as to whether the equipment is safe to operate; or
 - b) to annually obtain from the maintenance contractor a *statement* confirming that the item of plant has been inspected by a competent person and that the item(s) of plant have been adequately maintained; and
 - c) to delegate to the strata managing agent any functions pursuant to the strata management agency agreement additional duties schedule to sign application form on behalf of the owners corporation and lodge with SafeWork NSW with accompanying the *statement*.

Work, health and safety report

14. **Defeated that** the owners corporation do the following:

- a) engage a suitably qualified consultant to carry out (or review an existing) common property safety report in compliance with the owners corporation's obligations under the *Work Health & Safety Act 2011* (NSW) as amended; and
- b) submit that report to the strata committee to determine what action is required, if any; and
- c) delegate to the strata managing agent the duty and function pursuant to the managing agency agreement additional duties schedule to undertake the seeking of quotations and engaging the contractor to the strata managing agent and any ancillary work approved by the strata committee.

Matters requiring a general meeting (**DEFEATED**)

15. **That** the owners corporation determine if any matter, or type of matter, is to be determined only by a general meeting of the owners corporation.

Limits on spending by large strata schemes (**RESOLVED UNANIMOUSLY**)

16. **Resolved that** the owners corporation, in accordance with Section 102(3) of the Act, to remove the limitation on spending placed by Section 102(2) of the Act generally.

Election of the strata committee (**RESOLVED**)

17. **Resolved that** the owners corporation acknowledge the written and oral nominations received at this meeting for election to the strata committee.
18. **Resolved that** the owners corporation determine the strata committee consist of nine (9) members and the following candidates were elected:

- ♦ Clive Mackay Lot 21;
- ♦ Susan Russell Lot 24;
- ♦ Alan Moon Lot 36;
- ♦ Maureen Tully Lot 42;
- ♦ Tony Moon Lot 44;
- ♦ Trent Mackie Lot 87;
- ♦ Amy Lim Lot 88;
- ♦ Michael Morris Lot 132;
- ♦ David Pengilley Lot 138;

19. Special Resolution Bylaw 19– Balcony Enclosure Lot 24 Option A (Specially Resolved Unanimously)

That The Owners – Strata Plan No. 47991 SPECIALLY RESOLVED pursuant to section 108 of the *Strata Schemes Management Act 2015* to make an additional by-law in the following terms attached by voting on either Option A for Balcony enclosure Lot 24:

Refer to the attached bylaw 19 in the notice for lot 24.

Renewal of strata management agreement (**RESOLVED**)

20.Resolved that the owners corporation renew the strata management agency agreement with Bright & Duggan Pty Ltd as its strata managing agent for a period of 12 months, and delegate functions to it on the terms and conditions as set out in the strata management agency agreement tabled at the meeting; and

- a) That the owners corporation nominate and authorise two (2) owners or members of the strata committee to execute and affix the common seal to the strata management agency agreement; and
- b) That the strata management fee be \$33,600.00 per annum (GST inclusive) commencing on 26 November 2018.

There being no further business the meeting closed at 7.30pm

A meeting of the Strata Committee was convened immediately following this meeting where Office Bearers were elected.

Bright & Duggan Pty Ltd
Managing Agent for Strata Plan 47991