

Minutes of Annual General Meeting

Strata Plan	47991
Address	41 Rocklands Road WOLLSTONECRAFT NSW 2065
Meeting Date	01 December 2020
Time	6:00 PM
Venue	Crows Nest Community Centre & Zoom
Present	Trent Mackie (Lot 87) Stephen Wardrop (Lot 86) A R Moon (Lot 44) David Pengilley (Lot 138) Amy Lim (Lot 88) Judy Murray (Lot 97) Michael Morris (Lot 132) Rosemary Flannery (Lot 59) Danko Pavlovic (Lot 60) Michele Reid (Lot 71) Howard Tweedie (Lot 54)
Zoom	Alan Moon (Lot 36) Andy He (Lot 89) Robin Jordan (Lot 153) Janene Wardrop (Lot 86) Robert Vernon (Lot 129) Andrew & Natalie Nelson (Lot 162) Patricia Howes (Lot 16) Ranjeet Wankhede (Lot 96) Ian Stewart (Lot 159)
Proxy	Lot 20 proxy to Tony Moon Lots 133 & 151 proxy to Judy Murray Lot 24 proxy to Amy Lim
Electronic vote	Lot 90 & Lot 141

Apologies

Clive Mackay (Lot 21)
Tony Newby (Lot 19)

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 02 December 2019 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 2020 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 2021.

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 2020 to 31 October 2021 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: \$700,000.00(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
01/11/2020	\$ 175,000.00	already levied
01/02/2021	\$ 175,000.00	
01/05/2021	\$ 175,000.00	
01/08/2021	\$ 175,000.00	
01/11/2021	\$ 175,000.00	continuing basis

Capital Works Fund:

Date	Amount	Notes
01/11/20	\$ 150,000.00	already levied
01/02/21	\$ 150,000.00	
01/05/21	\$ 150,000.00	
01/08/21	\$ 150,000.00	
01/11/21	\$ 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 2021, be confirmed.

9. Insurance - Valuation

Resolved

That the owners' corporation resolves to carry out a building valuation for insurance purposes six weeks before the insurance renewal on 5 April 2021, noting the previous valuation from A G Thomas Valuers was prepared on 13 January 2018, and the managing agent be 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 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.

Commissions

\$ 6,050.00 in commissions received from Flex Insurance in the last 12 months.

\$ 6,500.00 in commissions is expected to be received from Flex 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 2020.

13. Capital Works Fund Plan - Revise or Replace

Defeated

That the owners' corporation, in accordance with section 80(3), resolves to revise or replace the 10-year capital works fund plan for commencement, and:

- a. obtain quotations from suitably qualified consultants to prepare a 5-year review or a 10-year replacement of the capital works fund plan;
- b. delegate to the strata committee to consider the quotations and engage a consultant;
- c. delegate to the strata committee to appoint a liaison to meet with the consultant; and
- d. delegate to the strata committee authority to instruct the managing agent any functions, pursuant to the strata management agency agreement (additional services schedule), to undertake any of the above.

14. Annual Fire Safety Statement - Next Statement

Resolved

That the owners' corporation resolves to 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 measure specified in the statement and submit a corrective actions report;
- b. delegate to the strata committee to determine and resolve the corrective actions (if any), engage suitably qualified contractor to complete any works and to prepare and sign the statement;
- c. lodge the statement with the local Council and Fire Commissioner; and
- d. instruct the managing agent pursuant to the strata management agency agreement (additional services schedule where applicable) to undertake any of the above.

15. 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.

16. Plant Item Registration

Resolved

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.

17. 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.

18. 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).

19. Election of the Strata Committee

Resolved that the owners corporation determine the strata committee consist of nine (9) members and the following candidates were elected:

- ♦ Michelle Reid Lot 71;
- ♦ Robin Jordan Lot 153;
- ♦ Andy He Lot 89;
- ♦ Tony Moon Lot 44;
- ♦ Stephen Wardrop Lot 86
- ♦ Trent Mackie Lot 87;
- ♦ Amy Lim Lot 88;
- ♦ Michael Morris Lot 132;
- ♦ Clive Mackay Lot 21;

20. 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 6 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 \$33,600.00 per annum (GST inclusive), commencing on 1 December 2020.

21. Other common property matters

Resolved

The Owners' Corporation to discuss the following common property matters -:



- Tony Moon from the committee provided an update on balcony remedial works and advised the works are first class and on budget with top class supervision from the engineer who has provided recommendations on improved roof drainage that will save the strata in the long run. The current works are expected to be finish by February 2021.
- Anchor points have been installed on the roof for compliance and safety purposes
- Several owners have complained about dogs barking, washing hung on balconies, illegal parking and smoking in the past 6 months and the committee advised each case will receive a breach letter if evidence is provided on the lot causing the issues and then a notice to comply with the last resort being an application to NCAT to fine the persons breaching the by-laws.
- The owners agreed to delegate to the committee to investigate solutions for the visitors' car parking problems and some owners had good ideas which will be further investigated in the new year by the committee and owners will become aware of the solutions available.
- Tony Moon (Lot 44) and Kris Pruszynski (Building Manager) discussed the major issues with the residents about the sorting out of waste and recycling. Residents are still not sorting out their waste properly and this is causing the cleaners to do additional work to try and sort out the bins. It was advised that the responsible disposal of waste could save the strata upwards of \$12,000 per year which we could then use to better maintain the gardens and the building. The residents undervalue the cleaning staff by expecting them to sort the recycling and waste bins. It is wasting staff time by not flattening the cardboard boxes before placing them in the recycling bins.

There being no further business the meeting closed at 8.05pm.

**Date of Minutes: 16 December 2020
Bright & Duggan Pty Ltd
Managing Agents for Strata Plan 47991**