

Minutes of
Annual General Meeting

To The Owners of – Plan No 47991

41 ROCKLANDS ROAD, WOLLSTONECRAFT, NSW, 2065



Meeting Date:	31 January 2023
Time:	06:00 PM
Address:	Crows Nest Community Centre, 2 Ernest Place, Crows Nest, If you cannot attend face to face and wish to hook onto zoom at the event please email the strata manager who will provide a zoom link., Sydney, NSW, 2065
Present:	Patricia Howes (Lot 00016) Electronic vote Dianne Marie Russell (Lot 00018) Owner present Grant Neil Russell & Susan Bernadette Russell (Lot 00024) Electronic vote Voula Hatzidimitriou (Lot 00034) Electronic vote Carl Johann D'Silva (Lot 00041) Owner present Maureen Helena Tully (Lot 00042) Owner present A R Moon & K R Moon (Lot 00044) Owner present H A & T P Tweedie (Lot 00054) Owner present Rosemary J Flannery (non-financial) (Lot 00059) Owner present Michele Agnes Reid (Lot 00071) Owner present Stephen Richard Wardrop & Janene Gaye Wardrop (Lot 00086) Owner present Trent Ian Mackie (Lot 00087) Owner present Amy Lian Imm Lim (Lot 00088) Owner present Ze Quan He (Lot 00089) Owner present (pre-voted) Anne Elizabeth Streeter (Lot 00090) Owner present Scarlet Ray Fung (Lot 00095) Electronic vote Judy A Murray (Lot 00097) Owner present Yue Wu & Pooja Pavithran (Lot 00112) Electronic vote Robert J Vernon (Lot 00129) Owner present A F R, L F & J M Trigger (Lot 00131) Electronic vote Maria Pitney (Lot 00133) Owner present Alexander Philip Mullane & Stefanie Eleonore Maria Graefin Von Westphalen Zu Fuerstenberg (Lot 00134) Owner present

Wayne Ian Rowley & Kristen Louise Rowley (Lot 00141) Owner present
Maria Pitney (Lot 00151) Owner present
Ian Stewart & Elizabeth Stewart (Lot 00159) Owner present
Andrew Gordon Nickson & Natalie Terese Nickson (Lot 00162) Owner present
Stuart Sexton Lot 20 Via Zoom

By proxy:

Lot 21, 24, 95, 132 proxies to Tony Moon
Lot 138 proxy to Stephen Richard Wardrop

In attendance:

James Azar Bright & Duggan
Boris Smagarinsky Bright & Duggan
Kris Pruszynski, Krystal Building Manager
Grant McGrath – Building Code Professionals

Chairperson:

James Azar

Quorum:

No, the Strata Manager waited 30 minutes and then declared the meeting open.

Motions

1. Minutes

Resolved that the owners corporation resolves to confirm the minutes of the last general meeting, held on 2/9/22, as a true and accurate record of the proceedings of that meeting.

Passed by Simple Majority

2. Financial Statements

Resolved that the owners corporation resolves to adopt the audited statements of key financial information, for the financial year ending on 31/10/22, for the administrative fund, the capital works fund and any other fund held by the strata scheme.

Passed by Simple Majority

3. Financial Audit

Resolved that the owners corporation resolves to audit the financial statements, for the financial year ending on 31/10/23.

Passed by Simple Majority

4. Administrative & Capital Works Funds Estimates

Resolved that the owners corporation estimates that, for the financial year period from 31/10/22 to 31/10/23. It will need to credit to its administrative fund and capital works fund the amounts set out in the budget, and resolves that the following amounts to be levied as a contribution:

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

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

Passed by Simple Majority

5. Levy Contributions

Resolved that the owners corporation resolves that the contributions are to be payable in regular periodic instalments, due on and specified as follows:

Levy Status	Period From	Period To	Due	Admin Fund	Capital Works Fund
Already Issued	1/11/2022	31/01/2023	1/11/2022	\$175,000.00	\$150,000.00
Already Issued	1/02/2023	30/04/2023	1/02/2023	\$175,000.00	\$150,000.00
To be Issued	1/05/2023	31/05/2023	1/05/2023	\$170,000.00	\$150,000.00
To be Issued	1/08/2023	31/08/2023	1/08/2023	\$170,000.00	\$150,000.00
Total	1/11/2022	31/08/2023		\$690,000.00	\$600,000.00

Interim Periods

Levy Status	Period From	Period To	Due	Admin Fund	Capital Works Fund
To be Issued	1/11/2023	30/11/2023	1/11/2023	\$172,500.00	\$150,000.00
Total	1/11/2023	30/11/2023		\$172,500.00	\$150,000.00

Passed by Simple Majority

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 authorize the managing agent and/or the strata committee to do any one or more of the following:

1. 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;
2. 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;
3. 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;
4. 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;
5. Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
6. Liaise, instruct and prepare all matters with the owners corporation's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Passed by Simple Majority

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.

Passed by Simple Majority

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 5/4/23, be confirmed.

Passed by Simple Majority

9. Reports - Insurance Valuation

Defeated that the owners corporation resolves to carry out a building valuation for insurance purposes, noting the previous valuation from AG Thomas Valuers was prepared on 10/3/22, and the managing agent authorized to adjust the sum insured in accordance with the new valuation.

Defeated by Simple Majority

10. Insurance Renewal

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

1. In accordance with section 165, delegate to the strata committee to consider whether to vary or extend any insurances;
2. 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
3. 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.

Passed by Simple Majority

11. Acknowledgement Motion - Commissions

That the owners corporation acknowledges the following:

Commissions

\$ 7,604.67 in commissions received from Flex Insurance in the last 12 months.

\$ 8,200.00 in commissions is expected to be received from Flex Insurance in the next 12 months.

12. 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.

Passed by Simple Majority

13. Election of Committee

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

Election of Ordinary Member

Name	Nominated By
Andy He Lot 89	Self-Nominated
Stephen Wardrop Lot 86	Self-Nominated
Trent Mackie Lot 87	Self-Nominated
David Pengilley Lot 138	Self-Nominated
James Chong Lot 95	Self-Nominated
Robert Vernon Lot 129	Self-Nominated
Amy Lim Lot 88	Self-Nominated
Kristen Rowley Lot 141	Self-Nominated
Maureen Tully Lot 42	Self-Nominated

14. 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:

Passed by Simple Majority

(Option A)

Independent Consultant

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:

(Option 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.

'OPTION A' has been selected with the highest votes.

15. Capital Works Fund - Review

Defeated 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, and implement it as part of the approved budget for the financial year ending on 31/10/23.

Defeated by Simple Majority

16. Fire Order

That the Owners Corporation discuss and resolve the fire order imposed on the building by North Sydney Council on 12 August 2022. A copy of the Fire Consultants assessment report in relation to Council's letter were attached to the AGM notice. Grant McGrath from Building Code Professional who was hired by the owners corporation to provide an assessment report outlined the process and after 45 minutes of discussion with questions and answers The Strata Committee was delegated to determine a course of action to comply with North Sydney Council and will report its findings and budgeting to the owner's corporation accordingly.

Passed by Simple Majority

17. Amending Special By-Law 14 - Lot 21

That The Owners – Strata Plan No. 47991 SPECIALLY RESOLVED 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):

Passed by more than 75%

18. Amending Special Bylaw 24 - Lot 43

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):

Passed by more than 75%

There being no further business the meeting closed at 07:45 PM.

**Bright & Duggan Pty Ltd
Managing Agents for Plan No 47991**