

bright & duggan 

australia's strata leader

Minutes of Annual General Meeting

To The Owners of – Plan No. 47991

41 ROCKLANDS ROAD, WOLLSTONECRAFT, NSW, 2065



Meeting Date:	31 January 2024
Time:	06:00 PM
Address:	Community Centre Meeting Room 2 Ernest Pl Crows Nest NSW 2065, 41 Rocklands Road, WOLLSTONECRAFT, NSW, 2065 Microsoft Teams was made available.
Present:	Peter Watson & Margo Watson (Lot 8) Electronic vote Tony Moon (Lot 16) Proxy present Linda Nelson (Lot 17) Electronic vote Dianne Marie Russell (Lot 18) Owner present Stuart Sexton (Lot 20) Proxy present Georgina Mallam (Lot 21) Owner present (pre-voted) Susan Russell/ Grant Russell (Lot 24) Electronic vote Voula Hatzidimitriou (Lot 34) Electronic vote Carl J DSilva (Lot 41) Electronic vote Sharon Elizabeth MacBride & Neil MacBride (Lot 43) Owner present A R Moon & K R Moon (Lot 44) Owner present Nei MacBride & Sharon MacBride (Lot 48) Owner present William Miller McKee (Lot 52) Owner present H A & T P Tweedie (Lot 54) Owner present Andrew Douglas Wilkie & Sara Alicia Wilkie (Lot 69) Owner present Kris Pruszynski (Lot 71) Proxy present Amy Lim (Lot 83) Proxy present Stephen Richard Wardrop (Lot 86) Owner present Trent Ian Mackie (Lot 87) Owner present Amy Lian Imm Lim (Lot 88) Owner present Anna Maguerite Dowe (Lot 90) Owner present

Steven C Miller (Lot 92) Owner present
Trent Mackie (Lot 97) Proxy present
Ji Hee Moon (Lot 99) Electronic vote
Helen C Hiquiana (Lot 105) Electronic vote
Damon Salakas (Lot 108) Electronic vote
Brian Appeldoorn (Lot 109) Electronic vote
Loretta Mckee (Lot 122) proxy present
Alexander George Whitman (Lot 124) Owner present
Angela Ree (Lot 126) Electronic vote
Robert Vernon (Lot 129) Owner present (pre-voted)
Kam Bhabra (Lot 130) Electronic vote
Michael Fournier Morris (Lot 132) Owner present
Trent Mackie (Lot 133) Proxy present
David Pengilley (Lot 138) Owner present
Patrick Hooper (Lot 139) Electronic vote
Wayne Ian Rowley & Kristen Louise Rowley (Lot 141) Owner present
Trent Mackie (Lot 151) Proxy present
Robin David Jordan & Tiffany Dorothea Maruta (Lot 153) Owner present
William Bhatnagar (Lot 154) Electronic vote
David Ian Cook & Georgina Jane Cook (Lot 157) Owner present
Ian Stewart & Elizabeth Stewart (Lot 159) Owner present
Darren Parnell (Lot 160) Electronic vote
Andrew Gordon Nickson & Natalie Terese Nickson (Lot 162) Owner present

By proxy:

Patricia Howes (Lot 16) to Tony Moon
Diane Karen Sexton & Daniel Allan Ferris (Lot 20) to Stuart Sexton
Michele Agnes Reid (Lot 71) to Kris Pruszynski
Alexander Charles Carroll & Josephine Carroll (Lot 83) to Amy Lim
Judy A Murray (Lot 97) to Trent Mackie
The Corporation Of The Little Company Of Mary Australia (Lot 109) to Brian Appeldoorn
W M McKee (Lot 122) proxy to Lorreta McKee
Maria Pitney (Lot 133) to Trent Mackie
Maria Pitney (Lot 151) to Trent Mackie

In attendance:

James Azar Bright & Duggan
Kris Pruszynski, Building Manager

Chairperson:

James Azar

Quorum:

Yes, 25% or more of lot owners in attendance

Motions

1. Chairmans Report

The Chairman Report was provided to the owners and was attached to the AGM notice.

2. Minutes

RESOLVED

Resolved that the owners corporation resolves to confirm the minutes of the last general meeting, held on 31st of January 2023, as a true and accurate record of the proceedings of that meeting.

3. Financial Statements

RESOLVED

Resolved that the owners corporation resolves to adopt the audited statements of key financial information, for the financial year ending on 31st of October 2023, for the administrative fund, the capital works fund and any other fund held by the strata scheme.

4. Financial Audit

RESOLVED

Resolved that the owners corporation resolves to audit the financial statements for the financial year ending on 31st of October 2024.

5. Administrative & Capital Works Funds Estimates

RESOLVED

Resolved that the owners corporation estimates that, for the financial year period from 1st of November 2023 to 31st of October 2024, 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: \$790,000.00 GST Inclusive

Capital Works Fund: \$500,000.00 GST Inclusive

6. Levy Contributions

RESOLVED

Resolved that the owners corporation resolves that the contributions are to be payable in regular periodic instalments, due on and specified as follows, and continue on the same periodic instalments, based on the interim quarterly period and contributions, in accordance with the same budget and estimates approved at this meeting, until the next annual general meeting:

Levy Status	Period From	Period To	Due	Admin Fund	Capital Works Fund
Already Issued	1/11/2023	31/01/2024	1/11/2023	\$172,500.00	\$150,000.00
Already Issued	1/02/2024	30/04/2024	1/02/2024	\$172,500.00	\$150,000.00
To be Issued	1/05/2024	31/07/2024	1/05/2024	\$222,500.00	\$100,000.00
To be Issued	1/08/2024	31/10/2024	1/08/2024	\$222,500.00	\$100,000.00
Total	1/11/2023	31/10/2024		\$790,000.00	\$500,000.00

Interim Periods

Levy Status	Period From	Period To	Due	Admin Fund	Capital Works Fund
To be Issued	1/11/2024	31/01/2025	1/11/2024	\$197,500.00	\$125,000.00
Total	1/11/2024	31/01/2025		\$197,500.00	\$125,000.00

7. Recovery of Contributions

RESOLVED

Resolved that the owners corporation resolves, in accordance with the provisions of the *Strata Schemes Management Act 2015 (NSW)*, including Section 103, for the purpose of recovery of unpaid contributions, to authorise and instruct the managing agent and/or the strata committee to do any one or more of the following:

1. issue arrears notices, reminder notices and/or letters to seek recovery of unpaid contributions and the recovery of other debts, including penalties, interest, legal and other costs/expenses, and arrange and monitor payment plans;
2. 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. 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 unpaid 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 unpaid 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 the bankruptcy proceedings or winding up proceedings;
5. filing an appeal or defending an appeal against any judgment concerning the collection of unpaid contributions; and
6. liaise, instruct and prepare all matters with the owners corporation's debt collection agents, lawyers and experts in relation to any contributions recovery proceedings.

8. Payment Plans

RESOLVED

Resolved that the owners corporation resolves to agree to enter into payment plans for matters involving arrears of unpaid contributions or other amounts, including interest, legal and other costs/expenses thereon, and delegates to the managing agent and/or strata committee 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 owners corporation or strata committee by resolution.

9. Capital Works Fund Plan - Revise or Replace

Defeated

Defeated that the owners corporation resolves to revise or replace the 10-year capital works fund plan, for commencement from 1st of November 2024, and:

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

10. Insurance

RESOLVED

Resolved that the owners corporation resolves to consider taking out of insurance of the kind referred to in Section 165(2), if insurance of that kind has not already been taken out, and delegates to the strata committee to determine and take out the insurance.

11. Insurance - Valuation

DEFEATED

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 9th of March 2021, and delegates to the managing agent authority to adjust the sum insured in accordance with a new valuation.

12. Acknowledgements

RESOLVED

Resolved that the owners corporation acknowledges:

1. in accordance with Section 9(d) of Schedule 1, the particulars of each insurance policy of the owners corporation expiring on 5th of October 2024, as detailed in the certificate of currency attached to the notice of this meeting, and the managing agent delegated to renew the insurances taken out by the owners corporation.

2. in accordance with Section 60, the statement for commissions and training services provided to or paid for the agent in connection with the exercise by the agent of functions for the strata scheme:

Commissions

\$ \$10,065.97 in commissions received in the last 12 months; and

\$ \$11,071.00 in commissions is expected to be received in the next 12 months.

13. Annual Fire Safety Statement - Next Statement Arrangements

RESOLVED

Resolved that the owners corporation resolves to:

1. engage a suitably competent fire safety practitioner to assess each essential fire safety measure specified in the statement and submit a corrective actions report;
2. delegate to the building manager an/or strata committee to determine and resolve the corrective actions (if any), engage a suitably qualified contractor to complete any works and to prepare and sign the statement;
3. lodge the statement with the local Council and Fire Commissioner;
4. delegate to the strata committee authority to instruct the managing agent any functions, pursuant to the strata management agency agreement (additional services schedule where applicable), to undertake any of the above; and
5. instruct the managing agent, acting in the capacity as agent for the owners corporation, to sign the annual fire safety statement, based on certification provided by a competent fire safety practitioner engaged by the owners corporation.

14. Utility Supply Agreements

RESOLVED

Resolved that the owners corporation resolves to consider any agreements for the supply of electricity, gas or any other utility relevant to the scheme, at the time of the agreement renewal, and delegates to the strata committee authority to:

1. engage a suitably qualified broker or consultant as may be reasonably required;
2. provide any utility bills and specific usage data for the purpose of obtaining competitive pricing;
3. enter into utility supply agreements on behalf of the owners corporation; and
4. instruct the managing agent any functions, pursuant to the strata management agency agreement (additional services schedule where applicable), to undertake any of the above.

15. Strata Hub

RESOLVED

Resolved that the owners corporation resolves to:

1. provide all mandatory information and documents relating to the Office of Fair Trading "Strata Hub";
2. pay \$3.00 per lot annual administration fee to the Office of Fair Trading (or such other amount as determined by the Regulation from time to time); and
3. instruct the managing agent any functions, pursuant to the strata management agency agreement (additional services schedule where applicable), to undertake any of the above.

16. Restricted Matters

RESOLVED

Resolved that the owners corporation resolves that no additional matter or type of matter is to be determined only by the owners corporation in general meeting.

17. Limitation on Spending by a Large Strata Scheme

RESOLVED

That the owners corporation resolves to generally remove the limitation on spending imposed by Section 102(2).

18. Election of the Strata Committee

RESOLVED

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

- Stephen Wardrop Lot 86
- Trent Mackie Lot 87
- David Pengilley Lot 138
- James Chong Lot 95
- Robert Vernon Lot 129
- Kristen Rowley Lot 141
- Tony Moon Lot 44
- Kevin Patrick Hooper Lot 139
- Loretta McKee Lot 122

19. Voting Methods

RESOLVED

Resolved that the owners corporation resolves to adopt other voting methods by means of tele-conference, video-conference, email, pre-meeting voting or other means, while participating in a meeting from a remote location.

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 \$32,860 per annum (GST inclusive), commencing on 31 January 2024.

21. Other Common Properties

RESOLVED

The Owners to discuss and resolve the following common property matters -:

- The previous committee provided an update to the owners regarding the status of the fire order. The Fire Engineers have recently provided the committee with a fire engineering report. The committee will review this report and the Engineers will work with council over the coming months to get the best outcome for the Owners Corporation before a scope of works and a tender is organised for the fire upgrade. Once the tender is completed the Strata Committee will organise a general meeting in due course to discuss the recommendations and the funding required. Communication to all the owners is provided through SC meetings as well as postings on the Pacific Park Website.
- Lot 90 wanted the building manager to look into easy access points in the building for emergency services.

There being no further business the meeting closed at 7:36 PM.

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

bright & duggan 

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Minutes of

Strata Committee Meeting

To The Owners of – Plan No. 47991

41 ROCKLANDS ROAD, WOLLSTONECRAFT, NSW, 2065



Meeting Date:	31 January 2024
Time:	Took place after AGM
Address:	Community Centre Meeting Room 2 Ernest Pl Crows Nest NSW 2065, 41 Rocklands Road, WOLLSTONECRAFT, NSW, 2065
Present:	SW Lot 86 TM Lot 87 DP Lot 138 RV Lot 129 KR Lot 141 TM Lot 44
In attendance:	James Azar Bright & Duggan (Chairperson)
Apologies:	JC Lot 95 PH Lot 139 LM Lot 122
Quorum:	Quorum Yes was Achieved.



1. Election of the Chairperson

Motion Resolved

Resolved that the Strata Committee, in accordance with Strata Schemes Management Act 2015 (NSW) elects James Azar (Bright-Duggan) as the chairperson to preside at this meeting.

2. Minutes

Motion Resolved.

Resolved that the minutes of the last Strata Committee meeting held on 5th of December 2023 be adopted as a true and accurate record of the proceedings of that meeting.

3. Election of Officers

Motion Resolved.

Resolved that the Strata Committee, in accordance with Regulation 11, resolves to elect Stephen Wardrop Lot 86 as the Chairperson, Robert Vernon Lot 129 as the Secretary and David Pengilley as the Treasurer of the Committee.

4. Compliance with Strata Hub Requirements

Motion Resolved.

The Strata Committee resolve to authorize the Strata Manager to comply with the owners corporation obligations under Part 7 Division 2 of the Strata Schemes Management Regulation 2016 by inputting the mandatory information into the NSW Strata Hub, this year and on an ongoing basis and to charge in accordance with the terms of its agency agreement including charging the disbursements of \$3 per lot specified under the relevant legislation.

5. Appoint Contact and Substitute Contact

Motion Resolved.

Resolved that the Strata Committee resolves to appoint Robert Vernon a member of the Strata Committee to liaise with the strata manager and be the strata manager's primary point of contact. Further, that David Pengilley 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. Common Property Safety Audit

Motion Defeated.

Defeated that the Strata Committee resolves to do the following:

7. 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);
8. 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
9. 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.

7. Other Business

Motion Resolved.

Resolved that the Strata Committee discuss any further items of business that attendees wish to raise at the meeting and resolve how those will be dealt with at a later meeting (noting that depending on the nature of the item, it may not be able to be resolved at the meeting).

- The Fire Order Planning will be organised by the Strata Committee subcommittee in the coming months and information to the owners will be posted on the Pacific Park Website in due course.
- The Engineer is looking into 8 apartments that are currently experiencing some leaks during rain and the make safe repairs are being organised. Kris the building manager advised the committee that Grainne the Engineer has provided plans for future waterproofing projects of balconies, and this will be discussed at future SC meetings.
- The Strata Manager in the next few weeks will organise a calculation and evidence of the additional Insurance commission received since the rise of the insurance premium due to the fire order and this will be forwarded to the Treasurer for review first before going back to Bright & Duggan management to request a refund to the Owners Corporation. The Strata Manager will also follow up with the treasurer the actuals versus budget in relation to the disbursements and Strata Management Consultancy fees.
- Lot 43 Bond continues to be held up until Lot 43 provides the committee with an Occupation Certificate.
- The Treasurer and the SM will review any opportunities for surplus cash to be invested on term deposit.
- The plumbing bill that came from Lot 26 Kitchen pipe leak is very expensive and not justified for any reimbursement and it won't be paid back until evidence is provided to the building manager that the bill is correct.
- The building manager advises the cracks on the wall inside Lot 109 are building movement cracks and not structural and therefore the lot owner is responsible for these cosmetic repairs.
- Grainne the Engineer will look into Lot 156 water damage and the building manager will report back to the agents and owners and the committee.
- Drainage issues reported in the Garage on 27 December 2023 after heavy rain is believed to be a one off and will be monitored after subsequent rain by the building manager.
- The building manager will investigate the dumbbells that have been missing for quite some time now from the gym. The weight range of the removed/taken dumbbells are in 5-7kg range which is quite a popular weight range. The building manager will advise the committee.

- The HSE outstanding invoice is currently with the Engineer, and they will review the amended invoice received in the last week. The Engineer will advise the committee if the invoice is ok to pay or not.

8. Next Meeting

Motion Resolved.

Resolved that the Strata Committee determined the date of the next meeting as 19 March 2024.

There being no further business the meeting closed at 8pm.

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