

COASTAL**STRATA**

STRATA INSPECTION REPORT

Address of the unit	Unit 8/55 Park Road, East Corrimal NSW
Date of this report	Tuesday, 19 December 2023
Prepared by	Coastal Strata 02 4297 2555 info@coastalstrata.com.au coastalstrata.com.au

Buying a strata unit? You'll need to find out if the scheme is well-run, well-maintained, adequately financed, and planned well.

How do you do that? Well we've inspected the strata scheme's records at the strata manager's office and prepared this report to provide you with valuable knowledge, reassurance and insights into the strata scheme.

We know there's a lot of information (trust us, it's all relevant though!) so if you have any questions please get in touch on 02 4297 2555 or info@coastalstrata.com.au



Craig Baylis

**Licensed Strata Manager & Managing Director
Coastal Strata**

PROFILE

Client and property details

CLIENT

Instructions from	RMB Lawyers
Purchaser	To Be Advised
Vendor	Christopher John Lange
Address of the unit	Unit 8/55 Park Road, East Corrimal NSW
Strata Plan Number	52371
Lot number	8
Date of this report	Tuesday, 19 December 2023

STRATA MANAGING AGENT

Strata schemes can hire a licensed strata managing agent to help manage the scheme. An agency agreement outlines the agent's responsibilities and generally includes budgeting and planning, coordinating repairs and service providers and meeting preparation and attendance.

A strata managing agent is appointed by the strata scheme by a majority vote at a general meeting.

Strata Managing Agent	Chris Darby Strata 55 Kembla Street, Wollongong NSW chrisdarbystrata.com.au strata@chrisdarby.com.au 02 4228 0455
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SUMMARY

This brief summary is supplied to allow a quick and superficial overview of the top issues within the report. This summary is not the report and cannot be relied upon on its own. You should read the full inspection report for more information.

BUILDING

Building section comments	<p>CURRENT MATTERS</p> <p>No significant items were sighted in the strata manager's current matters file.</p>
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FINANCIAL

Levies per quarter	\$800
Special levies	There are no current special levies. If a special levy is raised your lot would need to pay \$111 out of every \$1,000 raised.
Administrative fund balance	\$2,276
Capital works fund balance	\$5,343
Capital works fund plan	<p>Attached for your information is an extract from the Capital works fund plan. From the plan and records we note;</p> <ul style="list-style-type: none"> The plan suggests that at this point in time the Capital Works Fund should be approximately \$34,523 and the balance is currently \$5,343. The levies currently raise \$7,799 per year into the Capital Works Fund. The plan suggests that \$5,961 should be raised. <p>If the strata scheme intends to keep the balance in line with the plan they may need to increase the levies at the next meeting. If the balance is insufficient when repairs are due it increases the possibility that special levies may be needed.</p>

PEOPLE

Pets By-law	Residents must obtain written permission from the owners corporation in order to keep a pet.
By-laws specially related to your lot	There are no special by-laws that relate specifically to your lot.

BUILDING

PROPERTY DETAILS

Description	9 residential units
Number of units	9
Number of lots	9
Unit entitlement of your lot	1
Unit entitlement total	9
BMC / Community Association	This strata plan is not a part of a larger development such as within a BMC Stratum Development or a Community Association.

UNIT AREA

What is a strata scheme? - A strata scheme is a building or group of buildings divided into lots, which can include individual units, car spaces and storage areas. When you buy a lot, you own the individual lot as well as share the ownership of common property with people who own the other lots.

Lot unit area (m2)	115
Lot car space area (m2)	Included in unit area
Lot yard and / or balcony area (m2)	77
Lot other areas (m2)	0
Lot total area (m2)	192
Notes	Nil

CRAIG'S TIP



The unit areas above are noted on the strata plan as part of your lot. We suggest you make sure the information above matches the plans attached to the contract and what you've been told about the unit.

REPAIRS & MAINTENANCE

Below is a snapshot of any recent major repairs and maintenance carried out. If you require further information on the condition of the lot you are purchasing you may wish to obtain a Building Inspection Report from another provider.

2023	No major repairs noted
2022	No major repairs noted
2021	No major repairs noted
2020	Fence repairs \$1,206
2019	Landscaping \$5,714

Notes	Nil
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CRAIG'S TIP



Who pays for repairs? - The owners corporation are responsible to repair and maintain the common property and each owner is responsible to repair and maintain items that are part of their lot. The strata plan shows the boundaries of your lot and therefore which parts of the building you are responsible for.

REPORTS

Owners corporations can obtain a variety of reports to assist in the management, maintenance and repair of the common property.

Work Health & Safety Report	A WH&S Report has not been obtained. It is suggested that the owners corporation obtain a WH&S Report to check for any slip, trip hazards and the like.
Asbestos Report	An Asbestos Report has not been obtained. It is suggested that the owners corporation obtain an Asbestos Report to check for the presence of any Asbestos.
Termite Inspection Report	From the information sighted termite inspection reports are not currently being obtained. If you have concerns about termites to your lot you may wish to arrange an inspection from another provider.

BUILDING DEFECTS

Strata schemes can obtain a Building Defect Report to identify known or unknown building issues within a property. Depending on the age and structure of the property the developer or other parties may be responsible to arrange the required repairs.

Building defects	No building defect issues were noted in the files inspected.
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OTHER BUILDING MATTERS

CURRENT MATTERS

No significant items were sighted in the strata manager's current matters file.

FINANCIAL

What are levies? - Levies are a fee or 'contribution' paid by all lot owners in a scheme to cover any projected costs and expenses. Generally, the levy contributions are paid by quarterly instalments as approved at the annual general meetings (AGM).

LEVIES

Administrative fund levy	\$583
Capital Works Fund levy	\$217
Total Levy Per Quarter	\$800
Levies currently paid to	31/12/2023. It is common practice that the purchasers conveyancer will obtain a section 184 certificate prior to settlement to ensure that the vendor has paid the levies to the settlement date.
Notes	Nil

CRAIG'S TIP



Low levies are not necessarily a good thing. Ideally a strata scheme should be raising sufficient funds into the Administrative fund to cover the recurring expenses each year plus keeping the Capital Works Fund balance in line with the recommendations in their Capital Works Fund plan.

SPECIAL LEVIES

Owners corporations can vote to introduce a 'special levy', which can sometimes be a large amount.

Special levies may be needed when there are insufficient funds to cover large capital works, unforeseen works or to carry out major repairs to the common property.

Special levies are calculated according to the lot entitlement of each lot owner. The special levy rate shows the % your lot contributes towards special levy amounts raised.

Special levy %	11.1%
Special levies	There are no current special levies. If a special levy is raised your lot would need to pay \$111 out of every \$1,000 raised.

BANK BALANCES

The **Administrative fund** is to pay for day-to-day recurrent expenses such as insurance, strata managers fees, common lawns and garden maintenance etc. If the administrative fund is in deficit the budget may need to be increased at the next annual general meeting to repay the deficit and ensure sufficient funds are available when required.

The **Capital Works Fund** (previously called the *Sinking fund*) is used to pay for expenses such as painting, fencing, driveway repairs, carpets, roofing and guttering.

Even one owner in **arrears** can severely impact the cash flow in a strata scheme. Strata managers often engage a debt collection agency to pursue owners who are in arrears.

Administrative Fund Balance	\$2,276
Capital Works Fund Balance	\$5,343
Levy Arrears Total	\$1

CAPITAL WORKS FUND PLAN

Owners corporations must prepare a plan of anticipated major expenditure required in the next 10 years. The forecast suggests annual budget amounts aiming to have sufficient funds when repairs are needed.

Capital Works Fund plan	<p>Attached for your information is an extract from the Capital works fund plan. From the plan and records we note;</p> <ul style="list-style-type: none">• The plan suggests that at this point in time the Capital Works Fund should be approximately \$34,523 and the balance is currently \$5,343.• The levies currently raise \$7,799 per year into the Capital Works Fund.• The plan suggests that \$5,961 should be raised. <p>If the strata scheme intends to keep the balance in line with the plan they may need to increase the levies at the next meeting. If the balance is insufficient when repairs are due it increases the possibility that special levies may be needed.</p>
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OTHER FINANCIAL MATTERS

Nil

INSURANCE

Owners corporations must insure the buildings or structures on its common property under a damage policy with an approved insurer.

INSURANCE POLICY

Insurer	CHU Underwriting Agencies Pty Ltd
Policy renewal date	10/05/2024
Premium	\$10,850
Building sum insured	\$4,080,000
Public liability	\$30,000,000

OTHER INSURANCE MATTERS

Nil

CRAIG'S TIP



Typically the strata insurance is paid as part of your levies.

As an owner you'll need to consider taking out your insurance for your contents, landlords insurance if renting the unit out and any other insurance you deem appropriate.

PEOPLE

BY-LAWS

All strata schemes have a set of by-laws (rules) that owners, occupiers and, in some cases, visitors must follow. By-laws cover issues such as whether or not pets are permitted on the scheme, how smoking is regulated, parking, noise, and the conduct of residents and visitors.

By-laws	A copy of the by-laws that apply to this strata scheme are attached for your information.
By-laws relating specifically to your lot	There are no special by-laws that relate specifically to your lot.
Pets By-law	Residents must obtain written permission from the owners corporation in order to keep a pet.

MEETINGS

Owners corporations are required to have at least one meeting per year, the annual general meeting, where amongst other items the budget and levies are set for the coming year.

Meetings other than the AGM are called general meetings.

Date of last meeting	05/12/2023 AGM
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CRAIG'S TIP



Each owner has one vote for each lot they own. If someone has outstanding strata fees owing they are considered unfinancial and cannot vote unless an unanimous resolution is needed.

Most decisions can be made by a simple majority vote (more than 50 percent). A poll can be called for regardless of the vote. In a poll vote, votes are worked out by counting the unit entitlements.

OWNER OCCUPIERS

Based on strata roll the following units are owner occupied	Unable to determine from the information provided as the strata manager did not provide a list of all owners addresses.
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OTHER PEOPLE MATTERS

Nil

CONTACT US

We know there's a lot of information in this report (trust us, it's all relevant though!) so if you have any questions please get in touch.

02 4297 2555
info@coastalstrata.com.au

Regards



Craig Baylis

**Licensed Strata Managing Agent and Managing Director
Coastal Strata**

Legal Disclaimer

This inspection report has been prepared by reviewing documents supplied by the owners corporation or by their strata managing agent. No responsibility will be accepted for errors or omissions should the report be found to be incorrect, as it is possible that some of the records were not made available for inspection. The information provided relates to strata schemes within New South Wales only. As legislation can differ between Australian States and Territories this information is not to be construed to apply to any other state or territory.

Coastal Strata accepts no liability to a third party in the event that this report is provided to a third party other than the client named in this report. Should a third party become in possession of this report an updated Inspection Report should be obtained.

Prohibition On the Provision or Sale of the Report

This report may not be sold or provided to any other person without our express written permission, unless the client is authorised to do so by legislation. If we give our permission it may be subject to conditions such as payment of a further fee by the other person and agreement from the other person to comply with this clause.

INSPECTION REPORT ATTACHMENTS



FOLIO: CP/SP52371

SEARCH DATE	TIME	EDITION NO	DATE
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15/12/2021	11:40 AM	5	14/12/2021

LAND

THE COMMON PROPERTY IN THE STRATA SCHEME BASED ON STRATA PLAN 52371
WITHIN THE PARCEL SHOWN IN THE TITLE DIAGRAM

AT CORRIMAL
LOCAL GOVERNMENT AREA WOLLONGONG
PARISH OF WOONONA COUNTY OF CAMDEN
TITLE DIAGRAM SHEET 1 SP52371

FIRST SCHEDULE

THE OWNERS - STRATA PLAN NO. 52371
ADDRESS FOR SERVICE OF DOCUMENTS:

L 1
C/- CD STRATA
55 KEMBLA STREET
WOLLONGONG NSW 2500

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP265918 EASEMENT TO DRAIN WATER 1 WIDE APPURTENANT TO THE
LAND ABOVE DESCRIBED
- 3 AM974368 INITIAL PERIOD EXPIRED
- 4 AR706203 CONSOLIDATION OF REGISTERED BY-LAWS

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 9)

STRATA PLAN 52371

LOT	ENT	LOT	ENT	LOT	ENT	LOT	ENT
1	- 1	2	- 1	3	- 1	4	- 1
5	- 1	6	- 1	7	- 1	8	- 1
9	- 1						

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

3067

PRINTED ON 15/12/2021

Req:R317879 /Doc:SP 0052371 P /Rev:02-May-1996 /Pgs:ALL /Prt:10-Aug-2021 14:17 /Seq:1 of 2
© Office of the Registrar-General /Src:TRISEARCH /Ref:21230

COUNCIL'S CERTIFICATE
WOLLONGONG CITY
(Name of Council)
having satisfied itself that the requirements of the Strata Titles Act, 1973 (other than the requirements for the registration of plans) have been complied with, approves of the proposed

• strata plan
— strata plan of subdivision

illustrated herein
*Council does not object to the encroachment of the building beyond the alignment of

*This approval is given on the condition that to (a)

is/are subject to the restriction on user referred to in section 39 of the Strata Titles Act 1973
Date 18-4-96
Subdivision No. 71/96

General Manager/Authorised Person

*Complete, or delete if inapplicable

SURVEYOR'S CERTIFICATE

GREGORY ALAN GOODMAN
of
G.A. GOODMAN SURVEYS P/L
P.O. BOX 353 WARILLA 2528.
a surveyor registered under the Surveyors Act 1929, hereby certify that:
(1) each applicable requirement of Schedule 1A to the Strata titles Act 1973 has been met.
(2) (a) the building encroaches on a public place;
(b) the building encroaches on land (other than a public place) in respect of which encroachment an appropriate easement has been created by registered +
(3) the survey information recorded in any accompanying location plan is accurate.

Signature: *h. m.*
Date: 2.04.96


* Delete if inapplicable
+ State whether dealing or plan, and quote registered number

This is sheet 1 of my Plan in TWO sheets.


PLAN OF SUBDIVISION OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 DP 858793
12 DP 858793

LGA : WOLLONGONG Locality : CORRIMAL

Parish : WOONONA County : CAMDEN

Reduction Ratio 1: 400 Lengths are in metres 

STRATA PLAN 52371

Registered:  C&W 2-5-1996

C.A.: N° 71/96 OF 18-4-1996

Purpose : STRATA PLAN


Ref. Map : W 9192 - 7

Last Plan : D.P. 517695

Name of, and *address for service of notices on, the body corporate
*Address required on original strata plan only.

THE REGISTERED PROPRIETORS
STRATA PLAN N° 52371
N° 55 PARK ROAD
CORRIMAL NSW 2518

Signatures, seals and statements of intention to create easements, restrictions on the use of land or positive covenants.

Deane May
Sec. 100
P. B. ...
allen


3 D. P. 3 8 7 5 9
4

80.44

21.945

N°55
COMMON
PROPERTY

TWO
STOREY
BRICK
TOWN
HOUSES

7.245 8.745 8.74 8.75 8.745 7.125 7.25
4.245 5.295 5.295 5.295 5.295 5.295 5.295
15.15 15.15 15.15 15.15 15.15 15.15 15.15
11.6 7.64 (3.99) 10.76 7.64 (4.03) 11.13 (3.69)
21.89 (3.51)

80.445
D. P. 3 7 8 7 2

28.325

COOLGARDIE ST.

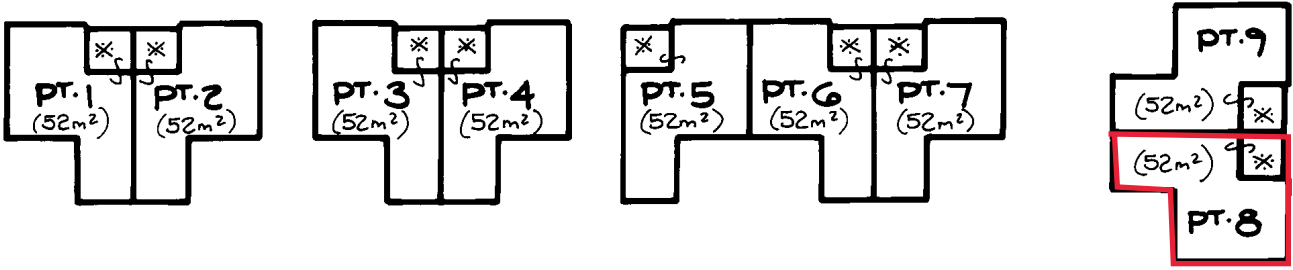
● - GARDEN SPACE
⊗ - GARAGE
* - FULLY COVERED TERRACE

Plan Drawing only to appear in this space

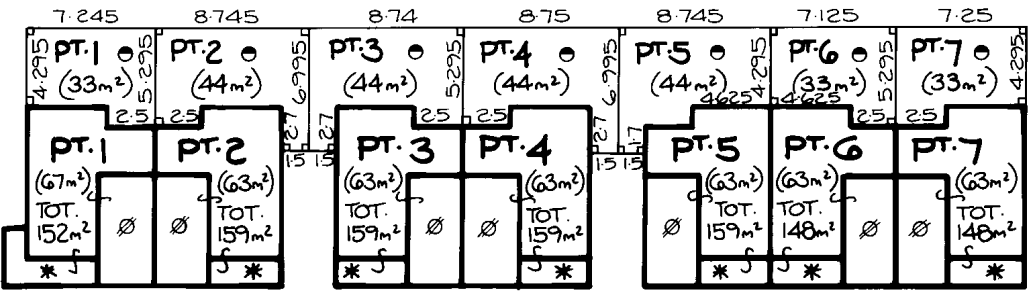
Table of mm
100 110 120 130 140 150 160
SURVEYOR'S REFERENCE: 103033 (CHECKLIST)

Attachments Page 3 of 78

*OFFICE USE ONLY



FIRST FLOOR



GROUND FLOOR

SCHEDULE OF UNIT ENTITLEMENT	
LOT	UNIT ENTITLEMENT
1	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
TOTAL	9

- * - PARTLY COVERED BALCONY
- * - FULLY COVERED TERRACE
- - GARDEN SPACE
- Ø - GARAGE

- GARDEN SPACE, WHERE UNCOVERED, IS LIMITED IN STRATUM FROM 2 BELOW TO 5 ABOVE THE UPPER CONCRETE SURFACE OF ITS RESPECTIVE UNIT GARAGE FLOOR.
- ALL AREAS ARE APPROXIMATE ONLY.

- STRATUM OF PARTLY COVERED BALCONIES EXTENDS TO THE PROLONGATION OF THE UNDERSIDE OF THE HORIZONTAL EAVES WHICH PARTLY COVER.

Reduction Ratio 1: 300

Lengths are in metres

Registered Surveyor

General Manager/Authorised Person

Owner Ledger

Start Date: 01/12/2021

End Date: 31/12/2025

Owners: One only

The Owners--Strata Plan 52371

55 Park Road, CORRIMAL NSW 2518

Lot 8 Unit 8 Mr C Lange

UE / AE: 1.00 / 9.00

Levies

Levy no.	Due date	Frequency	Details	Admin Fund		Capital Works Fund		Interest paid	Discount	Levy type	Status	Group
				Due	Paid	Due	Paid					
			Balance brought forward	0.00		0.00						
1	01/01/2022	Quarterly	Quarterly Admin/Capital Works Levy	555.60	555.60	44.40	44.40	0.00	0.00%	Standard	Normal	None
2	01/04/2022	Quarterly	Quarterly Admin/Capital Works Levy	555.60	555.60	44.40	44.40	0.00	0.00%	Standard	Normal	None
3	01/07/2022	Quarterly	Quarterly Admin/Capital Works Levy	555.60	555.60	44.40	44.40	0.00	0.00%	Standard	Normal	None
4	01/10/2022	Quarterly	Quarterly Admin/Capital Works Levy	555.60	555.60	44.40	44.40	0.00	0.00%	Standard	Normal	None
5	01/01/2023	Quarterly	Quarterly Admin/Capital Works Levy	583.35	583.35	16.65	16.65	0.00	0.00%	Standard	Normal	None
6	01/04/2023	Quarterly	Quarterly Admin/Capital Works Levy	583.35	583.35	16.65	16.65	0.00	0.00%	Standard	Normal	None
7	01/07/2023	Quarterly	Quarterly Admin/Capital Works Levy	583.35	583.35	16.65	16.65	0.00	0.00%	Standard	Normal	None
8	01/10/2023	Quarterly	Quarterly Admin/Capital Works Levy	583.35	583.35	16.65	16.65	0.00	0.00%	Standard	Normal	None
9	01/01/2024	Quarterly	Quarterly Admin/Capital Works Levy	583.35	0.00	216.65	0.00	0.00	0.00%	Standard	Normal	None
10	01/04/2024	Quarterly	Quarterly Admin/Capital Works Levy	583.35	0.00	216.65	0.00	0.00	0.00%	Standard	Normal	None
11	01/07/2024	Quarterly	Quarterly Admin/Capital Works Levy	583.35	0.00	216.65	0.00	0.00	0.00%	Standard	Normal	None
12	01/10/2024	Quarterly	Quarterly Admin/Capital Works Levy	583.35	0.00	216.65	0.00	0.00	0.00%	Standard	Normal	None

Current position: Unallocated prepayments \$0.00

Levy arrears & owner invoices due \$0.00

Interest on levy arrears \$0.00

Receipts

Date	Receipt no.	Subtype	Status	Source	Admin Fund		Capital Works Fund		Unallocated	Total amount	Cheque no.	Levy no.
					Paid	Interest	Paid	Interest	Paid			
15/12/2021	400147	Receipt	Banked		555.60	0.00	44.40	0.00	0.00	600.00		1

The Owners--Strata Plan 52371

55 Park Road, CORRIMAL NSW 2518

Lot 8	Unit 8	Mr C Lange	UE / AE: 1.00 / 9.00							
15/03/2022	400163	Receipt	Banked	555.60	0.00	44.40	0.00	0.00	600.00	2
31/05/2022	400176	Receipt	Banked	555.60	0.00	44.40	0.00	0.00	600.00	3
15/09/2022	400194	Receipt	Banked	555.60	0.00	44.40	0.00	0.00	600.00	4
13/01/2023	400212	Receipt	Banked	583.35	0.00	16.65	0.00	0.00	600.00	5
15/03/2023	400221	Receipt	Banked	583.35	0.00	16.65	0.00	0.00	600.00	6
31/05/2023	400230	Receipt	Banked	583.35	0.00	16.65	0.00	0.00	600.00	7
31/08/2023	400244	Receipt	Banked	583.35	0.00	16.65	0.00	0.00	600.00	8

Balance Sheet

As at 18/12/2023

The Owners--Strata Plan 52371

55 Park Road, CORRIMAL NSW 2518

Current period

Owners' funds

Administrative Fund

Operating Surplus/Deficit--Admin (1,157.13)

Owners Equity--Admin 2,448.43

1,291.30

Capital Works Fund

Operating Surplus/Deficit--Capital Works (3,943.23)

Owners Equity--Capital Works 9,509.14

5,565.91

Net owners' funds

\$6,857.21

Represented by:

Assets

Administrative Fund

Cash at Bank--Admin 2,275.83

Receivable--Levies--Admin 1.28

2,277.11

Capital Works Fund

Cash at Bank--Capital Works 5,343.49

Receivable--Levies--Capital Works 0.04

Receivable--Other--Capital Works 275.00

Receivable--Owners--Capital Works 313.50

5,932.03

Unallocated Money

0.00*Total assets*8,209.14

Less liabilities

Administrative Fund

Prepaid Levies--Admin 985.81

985.81

Capital Works Fund

Prepaid Levies--Capital Works 366.12

366.12

Unallocated Money

0.00*Total liabilities*1,351.93

Net assets

\$6,857.21

Income & Expenditure Statement

for the 6 months

to 18/12/2023

The Owners--Strata Plan 52371

55 Park Road, CORRIMAL NSW 2518

Administrative Fund

Current period

01/07/2023-18/12/2023

Revenue

Interest on Arrears--Admin 20.46

Levies Due--Admin 10,500.30

Total revenue	10,520.76
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Less expenses

Admin--Agent Disbursements 29.60

Admin--Agent Management Fees--Additional 132.00

Admin--Agent Management Fees--Standard 1,167.08

Insurance--Premiums 10,850.26

Maint Bldg--Plumbing & Drainage 385.00

Maint Grounds--Lawns & Gardening 1,300.00

Maint Grounds--Plants & Trees 439.75

Utility--Electricity 176.99

Total expenses	14,480.68
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Surplus/Deficit	(3,959.92)
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Opening balance	5,251.22
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Closing balance	\$1,291.30
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Capital Works Fund

Current period

01/07/2023-18/12/2023

Revenue

Interest on Arrears--Capital Works 0.58

Levies Due--Capital Works 299.70

Total revenue 300.28

Less expenses

Admin--Taxation Returns - Capital Works 220.00

Maint Bldg--General Replacement 313.50

Maint Bldg--Plumbing & Drainage 1,485.00

Maint Grounds--Tree Lopping/Removal 2,145.00

Total expenses 4,163.50

Surplus/Deficit (3,863.22)

Opening balance 9,429.13

Closing balance \$5,565.91



CAPITAL WORKS FUND PLAN

55 Park Road

Corrimal NSW 2518

Strata Plan 52371



Report details	
Inspection date:	22/02/2021
Inspector:	Michael Gale

NEW SOUTH WALES

Level 5, 115 Pitt St Sydney 2000
PO Box A72 Sydney South NSW 1235

QUEENSLAND

9 Gardner Close, Milton 4064
PO Box 1584 Milton 4064

VICTORIA

Level 1, 1 Queens Rd Melbourne 3004
GPO Box 3025 Melbourne 3001

15 Year Cash Flow Tracking Sheet

The table below shows the cash flow starting with the anticipated 'Opening Balance' at the start of the first financial year which you provided to us. We then add the 'Total Levy Contributions' for the year and any 'Interest' on balances greater than \$10,000. Any 'Anticipated Expenses' are then allowed for leaving a 'Closing Balance' for the year which in turn becomes the 'Opening Balance' for the following year. In summary:
Opening Balance + Total Levy Contributions + Interest – Anticipated Expenses = Closing Balance

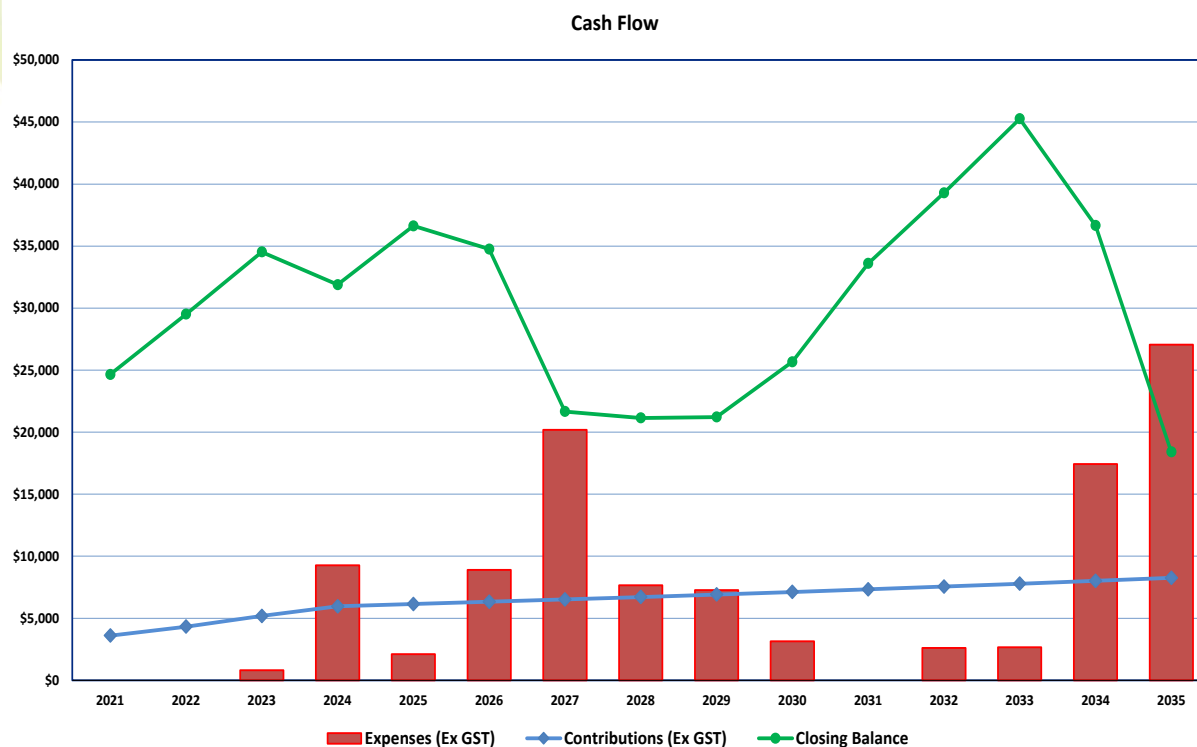
Year	Year To	Opening Balance	Total Levy Contributions	Interest	Anticipated Expenses	Closing Balance
1	31/10/2021	20,594.00	3,600.00	454.60	0.00	24,648.60
2	31/10/2022	24,648.60	4,320.00	544.21	0.00	29,512.81
3	31/10/2023	29,512.81	5,184.00	643.44	817.00	34,523.25
4	31/10/2024	34,523.25	5,961.60	667.34	9,260.00	31,892.19
5	31/10/2025	31,892.19	6,140.45	688.44	2,098.00	36,623.08
6	31/10/2026	36,623.08	6,324.66	717.25	8,906.00	34,758.99
7	31/10/2027	34,758.99	6,514.40	566.90	20,180.00	21,660.29
8	31/10/2028	21,660.29	6,709.83	430.14	7,652.00	21,148.26
9	31/10/2029	21,148.26	6,911.12	425.74	7,263.00	21,222.12
10	31/10/2030	21,222.12	7,118.45	471.19	3,140.00	25,671.76
11	31/10/2031	25,671.76	7,332.00	595.56	0.00	33,599.32
12	31/10/2032	33,599.32	7,551.96	732.37	2,596.00	39,287.65
13	31/10/2033	39,287.65	7,778.52	849.52	2,657.00	45,258.69
14	31/10/2034	45,258.69	8,011.88	823.10	17,436.00	36,657.67
15	31/10/2035	36,657.67	8,252.24	553.32	27,053.00	18,410.23

15 Year Cash Flow Graph

The graph below tracks the 'Contributions' (the amount collected in levies), the projected 'Closing balance' of the capital works fund and the likely 'Expenses' for each year of this plan. The three lines in the graph are:
 Contributions line - Total capital works fund contributions per year.

Expenses line – Total anticipated expenses in each year.

Closing balance line – Shows the amount left in the fund bank account at the end of the year after all anticipated expenses have been allowed for.



Anticipated Expenditures Table Year 1 - 15

This table shows when expenses will occur in the next 15 years. From left to right the columns are:-

‘Expenditure Items’ - lists the different areas and items of expenditure.

‘Current Cost’ - shows the current maintenance expenditure costs in today's dollars.

‘Year 1’ to ‘Year 15’ - shows the costs in the year in which they occur including the 'Assumed Rate of Inflation' compounded annually until the cost is due.

At the bottom on each column there are three lines. Firstly, a **‘Grand Total (Inc. GST)’** followed by a line calculating the **‘Contingency Allowance (Inc. GST)’** for unforeseen and minor expenses and finally **‘Total Expenses (Inc. GST)’** for that year. Please note: This page rounds figures to the nearest whole dollar.

Expenditure Item	Current Cost	Year 1 (2021)	Year 2 (2022)	Year 3 (2023)	Year 4 (2024)	Year 5 (2025)	Year 6 (2026)	Year 7 (2027)	Year 8 (2028)	Year 9 (2029)	Year 10 (2030)	Year 11 (2031)	Year 12 (2032)	Year 13 (2033)	Year 14 (2034)	Year 15 (2035)
1. Building exterior																
Repaint building exterior	1,848	-	-	-	-	-	-	2,207	-	-	-	-	-	-	-	-
Repaint gables	5,175	-	-	-	-	-	-	6,179	-	-	-	-	-	-	-	-
Repaint eaves	4,042	-	-	-	-	-	-	4,826	-	-	-	-	-	-	-	-
Replace garage doors	15,013	-	-	-	-	-	-	-	-	-	-	-	-	-	-	22,709
Repaint door face – one side including architraves	1,820	-	-	-	-	-	-	2,173	-	-	-	-	-	-	-	-
Repaint external ceilings	1,592	-	-	-	-	-	-	1,901	-	-	-	-	-	-	-	-
Maintain balustrades (total: 25Lm) – 10%	348	-	-	-	-	-	-	416	-	-	-	-	-	-	-	-
Maintain balcony floor tiles (total: 144m2) – 10%	2,227	-	-	-	2,434	-	-	-	-	2,821	-	-	-	-	3,270	-
Maintain fascia and gutters (total: 273Lm) – 10%	1,246	-	-	-	-	1,402	-	-	-	-	-	-	-	1,776	-	-
Maintain downpipes (total: 104Lm) – 10%	389	-	-	-	-	438	-	-	-	-	-	-	-	555	-	-
General building maintenance	2,111	-	-	-	2,307	-	-	-	-	-	2,754	-	-	-	-	-
Sub Total (Incl. GST)		0	0	0	4,741	1,840	0	17,702	0	2,821	2,754	0	0	2,331	3,270	22,709
2. Roof																
Maintain roof tiles (total: 736m2) - 10%	3,102	-	-	-	-	-	3,596	-	-	-	-	-	-	-	4,555	-
Re-bed and re-point ridge caps (total: 131Lm) - 10%	805	-	-	-	-	-	933	-	-	-	-	-	-	-	1,182	-
Sub Total (Incl. GST)		0	0	0	0	0	4,529	0	0	0	0	0	0	0	5,737	0
3. Vehicle accessways																
Driveway maintenance program	528	-	-	-	577	-	-	-	-	669	-	-	-	-	775	-
Maintain concrete driveway	2,156	-	-	-	-	-	2,499	-	-	-	-	-	-	-	3,166	-
Sub Total (Incl. GST)		0	0	0	577	0	2,499	0	0	669	0	0	0	0	3,941	0

Expenditure Item	Current Cost	Year 1 (2021)	Year 2 (2022)	Year 3 (2023)	Year 4 (2024)	Year 5 (2025)	Year 6 (2026)	Year 7 (2027)	Year 8 (2028)	Year 9 (2029)	Year 10 (2030)	Year 11 (2031)	Year 12 (2032)	Year 13 (2033)	Year 14 (2034)	Year 15 (2035)
4. Fixtures and fittings																
Maintain letterboxes	250	-	-	265	-	-	290	-	-	317	-	-	346	-	-	378
Maintain common lighting	426	-	-	452	-	-	494	-	-	540	-	-	590	-	-	644
Sub Total (Incl. GST)		0	0	717	0	0	784	0	0	857	0	0	936	0	0	1,022
5. Fence maintenance																
Maintain boundary powder coat fence (total: 204Lm – rate 50%)	4,488	-	-	-	-	-	-	-	5,520	-	-	-	-	-	-	-
Sub Total (Incl. GST)		0	0	0	0	0	0	0	5,520	0	0	0	0	0	0	0
6. Landscaping																
Maintain / upgrade gardens and prune trees	969	-	-	-	1,059	-	-	-	1,192	-	-	-	1,341	-	-	-
Sub Total (Incl. GST)		0	0	0	1,059	0	0	0	1,192	0	0	0	1,341	0	0	0
7. Plant - water																
Plumbing and drainage maintenance	1,598	-	-	-	1,746	-	-	-	-	2,024	-	-	-	-	2,347	-
Sub Total (Incl. GST)		0	0	0	1,746	0	0	0	0	2,024	0	0	0	0	2,347	0
Grand Total (Incl. GST)		0	0	717	8,123	1,840	7,812	17,702	6,712	6,371	2,754	0	2,277	2,331	15,295	23,731
Contingency Allowance (Incl. GST)		0	0	100	1,137	258	1,094	2,478	940	892	386	0	319	326	2,141	3,322
Grand Total Expenses (Incl. Contingency Allowance and GST)		0	0	817	9,260	2,098	8,906	20,180	7,652	7,263	3,140	0	2,596	2,657	17,436	27,053



Level 33, 101 Miller Street
North Sydney NSW 2060

PO BOX 500, North Sydney NSW 2059

Certificate of Currency

CHU Residential Strata Insurance Plan

Policy No	811987
Policy Wording	CHU RESIDENTIAL STRATA INSURANCE PLAN
Period of Insurance	10/05/2023 to 10/05/2024 at 4:00pm
The Insured	THE OWNERS - STRATA PLAN 52371
Situation	55 PARK ROAD EAST CORRIMAL NSW 2518

Policies Selected

Policy 1 – Insured Property

Building: \$4,080,000
Common Area Contents: \$40,800
Loss of Rent & Temporary Accommodation (total payable): \$612,000

Policy 2 – Liability to Others

Sum Insured: \$30,000,000

Policy 3 – Voluntary Workers

Death: \$200,000
Total Disablement: \$2,000 per week

Policy 4 – Workers Compensation

Not Available

Policy 5 – Fidelity Guarantee

Sum Insured: \$250,000

Policy 6 – Office Bearers' Legal Liability

Sum Insured: \$1,000,000

Policy 7 – Machinery Breakdown

Not Selected

Policy 8 – Catastrophe Insurance

Not Selected

Policy 9 – Government Audit Costs and Legal Expenses



Government Audit Costs: \$25,000

Appeal expenses – common property health & safety breaches: \$100,000

Legal Defence Expenses: \$50,000

Policy 10 – Lot owners' fixtures and improvements (per lot)

Sum Insured: \$250,000

Flood Cover is included.

Date Printed

10/05/2023

This certificate confirms this policy is in force for the Period of Insurance shown, subject to the policy terms, conditions and exclusions. It is a summary of cover only (for full details refer to the current policy wording and schedule). It does not alter, amend or extend the policy. This information is current only at the date of printing.

Lodger Details

Lodger Code 506562H
Name STRATA SPECIALIST LAWYERS
Address PO BOX 515
ROSE BAY 2029
Lodger Box 1W
Email COLINCUNIO@STRATASPECIALISTLAWYERS.COM.AU
Reference 3067

Land Registry Document Identification

AR706203

STAMP DUTY:

Consolidation/Change of By-laws

Jurisdiction NEW SOUTH WALES

Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference	Part Land Affected?	Land Description
CP/SP52371	N	

Owners Corporation

THE OWNERS - STRATA PLAN NO. SP52371
Other legal entity

Meeting Date

29/11/2021

Amended by-law No.

Details N/A

Repealed by-law No.

Details N/A

Added by-law No.

Details Special By-Laws 4-6

The subscriber requests the Registrar-General to make any necessary recording in the Register to give effect to this instrument, in respect of the land or interest described above.

Attachment

See attached Conditions and Provisions

See attached Approved forms

Execution

The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.

The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

The Certifier has retained the evidence supporting this Registry Instrument or Document.

The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of THE OWNERS - STRATA PLAN NO. SP52371

Signer Name RONEN HOWARD

Signer Organisation COLIN CUNIO SOLICITORS PTY. LTD.

Signer Role PRACTITIONER CERTIFIER

Execution Date 10/12/2021



STRATA | SPECIALIST | LAWYERS

THE OWNERS – STRATA PLAN NO 52371

CONSOLIDATED BY-LAWS

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1 Noise

An owner or occupier of a lot must not create any noise on the parcel likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.

2 Vehicles

An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the written approval of the owners corporation.

3 Obstruction of Common Property

An owner or occupier of a lot must not obstruct lawful use of common property by any person.

4 Damage to Lawns and Plants on Common Property

An owner or occupier of a lot must not:

- (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or
- (b) use for his or her own purposes as a garden any portion of the common property.

5 Damage to Common Property

- (1) An owner or occupier of a lot must not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property without the approval in writing of the owners corporation.
- (2) An approval given by the owners corporation under clause (1) cannot authorise any additions to the common property.
- (3) This by-law does not prevent an owner or person authorised by an owner from installing:
 - (a) any locking or other safety device for protection of the owner's lot against intruders, or
 - (b) any screen or other device to prevent entry of animals or insects on the lot, or
 - (c) any structure or device to prevent harm to children.
- (4) Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with the appearance of the rest of the building.
- (5) Despite section 106 of the *Strata Schemes Management Act 2015*, the owner of a lot must maintain and keep in a state of good and serviceable repair any installation or structure referred to in clause (3) that forms part of the common property and that services the lot.

6 Behaviour of Owners and Occupiers

An owner or occupier of a lot when on common property must be adequately clothed and must not use language or behave in a manner likely to cause offence or embarrassment to the owner or occupier of another lot or to any person lawfully using common property.

7 Children Playing on Common Property in Building

An owner or occupier of a lot must not permit any child of whom the owner or occupier has control to play on common property within the building or, unless accompanied by an adult exercising effective control, to be or to remain on common property comprising a laundry, car parking area or other area of possible danger or hazard to children.

8 Behaviour of Invitees

An owner or occupier of a lot must take all reasonable steps to ensure that invitees of the owner or occupier do not behave in a manner likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or any person lawfully using common property.

9 Depositing Rubbish and Other Material on Common Property

An owner or occupier of a lot must not deposit or throw on the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using the common property.

10 Drying of Laundry Items

An owner or occupier of a lot must not, except with the consent in writing of the owners corporation, hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible from outside the building other than on any lines provided by the owners corporation for the purpose and there only for a reasonable period.

11 Cleaning Windows and Doors

An owner or occupier of a lot must keep clean all glass in windows and all doors on the boundary of the lot, including so much as is common property.

12 Storage of Inflammable Liquids and Other Substances and Materials

- (1) An owner or occupier of a lot must not, except with the approval in writing of the owners corporation, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material.
- (2) This by-law does not apply to chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

13 Moving Furniture and Other Objects on or Through Common Property

An owner or occupier of a lot must not transport any furniture or large object through or on common property within the building unless sufficient notice has first been given to the

strata committee so as to enable the strata committee to arrange for its nominee to be present at the time when the owner or occupier does so.

14 Floor Coverings

- (1) An owner of a lot must ensure that all floor space within the lot is covered or otherwise treated to an extent sufficient to prevent the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- (2) This by-law does not apply to floor space comprising a kitchen, laundry, lavatory or bathroom.

15 Garbage Disposal

An owner or occupier of a lot:

- (a) must maintain within the lot, or on such part of the common property as may be authorised by the owners corporation, in clean and dry condition and adequately covered a receptacle for garbage, and
- (b) must ensure that before refuse is placed in the receptacle it is securely wrapped or, in the case of tins or other containers, completely drained, and
- (c) for the purpose of having the garbage collected, must place the receptacle within an area designated for that purpose by the owners corporation and at a time not more than 12 hours before the time at which garbage is normally collected, and
- (d) when the garbage has been collected, must promptly return the receptacle to the lot or other area referred to in paragraph (a), and
- (e) must not place any thing in the receptacle of the owner or occupier of any other lot except with the permission of that owner or occupier, and
- (f) must promptly remove any thing which the owner, occupier or garbage collector may have spilled from the receptacle and must take such action as may be necessary to clean the area within which that thing was spilled.

16 Keeping of Animals

- (1) Subject to section 157 of the *Strata Schemes Management Act 2015*, an owner or occupier of a lot must not, without the approval in writing of the owners corporation, keep any animal on the lot or the common property.
- (2) The owners corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property.

17 Appearance of Lot

- (1) The owner or occupier of a lot must not, without the written consent of the owners corporation, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.

- (2) This by-law does not apply to the hanging of any washing, towel, bedding, clothing or other article as referred to in by-law 10.

18 Notice Board

An owners corporation must cause a notice board to be affixed to some part of the common property.

19 Change in Use of Lot to be Notified

An occupier of a lot must notify the owners corporation if the occupier changes the existing use of the lot in a way that may affect the insurance premiums for the strata scheme (for example, if the change of use results in a hazardous activity being carried out on the lot, or results in the lot being used for commercial or industrial purposes rather than residential purposes).

SPECIAL BY-LAW 1 – NOT USED

SPECIAL BY-LAW 2 – NOT USED

SPECIAL BY-LAW 3 – Pergolas

SCHEDULE (lot numbers that have the benefit of this By-Law): 1

A DEFINITIONS

"**Act**" means the *Strata Schemes Management Act 2015*.

"**Lot**" means the lot number in Strata Plan no. 52371 whose number is specified in the Schedule.

"**Owner**" means the owner for the time being of the Lot.

"**Building Works**" means, in respect of the Lots, the pergola installed or to be installed in the Lot comprised of:

- i. painted steel, metal or mesh, wood or plastic or other similar materials used in the building; and
- ii. in a colour which is approved by the Owners Corporation and is in keeping with the general appearance of the building.
- iii. Where any terms are used in this by-law are defined in the Act, they will have the same meanings as those words have in the Act.

B RIGHTS

Subject to the conditions in paragraph C of this by-law, the Owner will have:

- (a) special privilege and exclusive use in respect of the common property to perform, erect and keep the Building Works to and on the common property; and

- (b) in relation to their lot, the exclusive use of those parts of the common property occupied by the Building Works.

C CONDITIONS

1. Approval for Building Works

The owner must obtain approval for the installation of the Building Works from the Owners Corporation or Strata Committee of the Owners Corporation prior to installing the Building Works. The Owners Corporation or Strata Committee of the Owners Corporation will grant approval for the installation of the Building Works provided the Building Works is positioned within each lot in a position approved in writing by the Owners Corporation or Strata Committee of the Owners Corporation.

2. Building Works Maintenance

The Owner shall:

- (a) maintain the Building Works in a state of good and serviceable repair; and
- (b) renew or replace the Building Works whenever reasonably required by the Owners Corporation
- (c) remove the Building Works altogether if necessary and make good the common area.

3. Common Property Maintenance

The Owner shall be responsible for the proper maintenance and keeping in a state of good and serviceable repair of:

- (a) the common property to which the Building Works is installed; and
- (b) that part of the common property of the strata plan which is within 10cm of the Building Works.

4. Run-Off

The Owner shall dispose of any run-off water from the Building Works, so as not to cause nuisance to any person or damage to the common property.

5. Owners Fixtures

The Building Works shall be and remain the property of the Owner.

6. Statutory Directions

In installing the Building Works the Owner shall comply with all directions, orders and requirements of all relevant statutory authorities, comply with the then building code with respect to the erection of the Building Works and shall ensure and be responsible for compliance with such directions, orders and requirements by the Owners servant's, agents and contractors.

7. Replacement

In the event that the owner undertakes renewal or replacement of the Building Works or any part thereof, it shall be renewed or replaced with parts of the same materials, design, colour, style, height and dimensions BUT in the event identical replacement or renewal cannot be achieved, the Owner shall in writing request the Owners Corporation or Strata Committee of the Owners Corporation to resolve what variations may occur prior to the replacement or renewal occurring.

8. Damages

The Owner shall repair any damage to the common property caused by her/him or his agents or contractors in the course of undertaking any obligations under this by-law.

9. Indemnify Owners Corporations

The Owner shall keep the Owners Corporation indemnified against;

- (a) any claims made against or expenses incurred by the Owners Corporation and arising out of or caused by the installation of the Building Works, or the use or maintenance of the Building Works; and
- (b) any liability for damage to the Building Works caused by the Owners Corporation in undertaking any work referred to in Section 122 of the Act or in exercising the power of entry conferred by that section.

10. By-Law Breach

Without prejudice to the other rights of the Owners Corporation where the Owner fails or neglects to carry out any condition referred to herein then the Owners Corporation or its agents, servants or contractors may carry out such condition and may enter upon any part of the parcel for that purpose at any reasonable time on notice given to any occupier or Owner of any part of the parcel and may recover the costs of fulfilling such condition as a debt from the Owner.

11. Licensed Contractor

The owner shall undertake the installation of the Building Works by a contractor who is duly licensed according to the provisions of the then legislation and regulations regulating the building industry.

12. Installation Times

The owner shall install the Building Works so as to cause minimum disturbance and inconvenience to other residents of the strata scheme and only between the hours of 8:00am to 5:00pm. Monday to Friday and 8.00am to 2.00pm Saturdays.

13. Costs

The Building Works shall be built at the expense of the Owner without claim on the Owners Corporation.

14. Completion Time

The installation of the Building Works shall be completed by the Owner within a reasonable time.

15. Adjacent Common Property

All areas of Common Property adjacent to the area in which the Building Works is being installed shall be maintained in a clean and tidy state during the erection of the Building Works.

16. Legislation

Nothing in this By-Law shall be construed so as to release the Owner or occupier of the Lot from the obligations to comply with the Act, the Regulations or the By-Law applicable to the strata scheme.

SPECIAL BY-LAW 4 – Minor Renovation Delegation (added 29 November 2021)

1. The owners corporation delegates its functions under Section 110 of the *Strata Schemes Management Act 2015* to the strata committee.
2. If the owners corporation and the strata committee exercise the same function under Section 110 of the *Strata Schemes Management Act 2015*, the exercise of the function by the owners corporation prevails.

SPECIAL BY-LAW 5 – Electronic Voting (added 29 November 2021)

Definitions and Interpretation

1. In this by-law:
 - (a) “**Act**” means the *Strata Schemes Management Act 2015*;
 - (b) “**Electronic Voting**” means a vote on a motion at a strata committee meeting or general meeting cast by email, a voting website, or electronic application (e.g. Skype, teleconference, video conference) or any other method allowed by Regulation 14(1) of the *Strata Schemes Management Regulation 2016*, while participating in a meeting from a remote location.
2. Unless the context or subject matter otherwise indicates or requires:
 - (a) Reference to the singular includes the plural and the plural includes the singular;
 - (b) “Including” and similar expressions are not words of limitation;
 - (c) Headings are for convenience only and do not affect the interpretation of this by-law;
 - (d) Any expression used in this by-law and which is defined in the Act has the same meaning as that expression has in the Act unless a contrary intention is expressed in this by-law.

Determination to allow Electronic Voting

3. The owners corporation has resolved to adopt all the means of voting as provided for in this by-law and in Regulation 14(1) of the *Strata Schemes Management Regulation 2016*, as determined by the managing agent or strata committee for time to time. For the avoidance of doubt the managing agent or strata committee may choose to employ some or all of the following means or the means in Regulation 14(1) of the *Strata Schemes Management Regulation 2016*.
4. The notice of a strata committee meeting or a general meeting must indicate whether Electronic Voting applies to the meeting.

The Electronic Voting process

5. Electronic Voting must be conducted by way of an electronic ballot.
6. The electronic ballot must contain instructions for completing the ballot, the form of the motions to be voted on, and the means of indicating the voter's choice on the motions to be voted on.
7. The secretary must, before the meeting at which Electronic Voting is to be conducted, give each person entitled to vote:
 - (a) Access to an electronic ballot paper, or to a voting website or electronic application containing an electronic ballot paper, that complies with this by-law;
 - (b) Information concerning:
 - (i) How the ballot paper must be completed;
 - (ii) The deadline for submission of the ballot paper;
 - (iii) If voting is by email, the address where the ballot paper is to be returned;
 - (iv) If voting is by other electronic means, the means of accessing the electronic voting system and how the completed electronic ballot paper is to be sent to the secretary;
 - (c) Access to an electronic form of declaration requiring the voter to state their name, the capacity in which they are entitled to vote, their unit entitlement, and the name and capacity of the person who gave the proxy, if the vote is a proxy vote.
8. An electronic ballot paper and the form of declaration must be sent to the secretary of the owners corporation no later than the deadline for submission of the ballot paper.
9. The secretary must ensure that all electronic ballot papers are stored securely until the counting of the votes begins.
10. As soon as practicable after the deadline for submission of the ballot paper, the secretary must:
 - (a) Review all information and reports about the electronic ballot;

- (b) Reject as informal any votes that do not comply with the requirements of this by-law;
- (c) Ascertain the result of the electronic ballot;
- (d) Make a written or electronic record of the result of the electronic ballot;
- (e) Announce or publish the result of the ballot.

Informal votes

- 11. Any person who casts a vote by way of Electronic Voting must vote in accordance with the instructions contained in the information given by the owners corporation, or the vote will be an informal vote. An informal vote will not count.
- 12. If Electronic Voting is carried out by means of a voting website or electronic application, the website or electronic application must provide a warning message to a person casting an informal vote that their vote is or will be informal.

Secret ballots

- 13. If the ballot is a secret ballot, the secretary must ensure that the identity of the voter cannot be ascertained from the form of the electronic ballot paper, and the declaration by the voter is dealt with so that it is not capable of being used to identify the voter.

SPECIAL BY-LAW 6 – Window Safety Devices - Cost of Replacement (added 29 November 2021)

- 1. In this by-law:
 - (a) "**Act**" means the *Strata Schemes Management Act 2015*;
 - (b) "**Lot**" means any individual lot in strata plan 80451.
 - (c) "**Non-compliant Window**" means any openable window in the building where:
 - i. The lowest window edge is less than 1.7 metres above the inside floor surface of the Lot; and
 - ii. the drop from the internal floor surface level to the external surface beneath the window is two metres or more; or
 - iii. any legislative requirement that amends or replaces clauses 1(b)(i) and/or (ii).
 - (d) "**Owner**" means owner of a Lot.
 - (e) "**Window Safety Device**" means the installation or existence of:
 - i. a device which allows a window to be locked with a maximum opening of 125mm;
 - ii. the installation of a security screen that is capable of resisting a lateral load of 250 newtons or more; or

- iii. any legislative requirement that amends or replaces clauses 1(a)(i) and/or (ii),
 - iv. to Non-compliant Windows.
- (f) Unless the context or subject matter otherwise indicates or requires:
- i. Reference to the singular includes the plural and vice versa;
 - ii. A thing includes the whole or part of it;
 - iii. A person includes an individual, a firm, a body corporate, an incorporated association or an authority, or their personal representatives, executors, administrators, successors and assigns;
 - iv. A document includes any amendment or replacement of it;
 - v. "Including" and similar expressions are not words of limitation;
 - vi. Any expression used in this by-law and which is defined in the Act has the same meaning as that expression has in the Act unless a contrary intention is expressed in this by-law.
2. Where a term of the by-law is inconsistent with any by-law applicable to the strata scheme, then the provisions of the by-law shall prevail to the extent of the inconsistency.
3. The Owners acknowledge and agree that:
- (a) they will reimburse the owners corporation for all costs of any repair or replacement of the Window Safety Device if it is removed, replaced, or in any way damaged or defaced by the Owner or any occupant of the Lot; and
 - (b) the cost of repair and replacement, if not paid in accordance with clause 3(a) of this by-law, will be recoverable as a debt to the owners corporation together with any simple interest on any outstanding amount at the rate prescribed by Section 85 of the Act, and the expenses of the owners corporation incurred in recovering those amounts.

Approved Form 23

Attestation

The seal of The Owners - Strata Plan No 52371 was affixed on [^]8 December 2021 in the presence of the following person(s) authorised by section 273 *Strata Schemes Management Act 2015* to attest the affixing of the seal.

Signature:  Name: John Martin Authority: Licensee in charge

Signature: Name: Authority:

[^] Insert appropriate date



STRATA PLAN NO – 52371
55 PARK ROAD, CORRIMAL

MINUTES OF THE EXTRA-ORDINARY GENERAL MEETING OF THE OWNERS - STRATA PLAN NO 52371 HELD AT THE OFFICE OF CHRIS DARBY STRATA, LEVEL 1, 55 KEMBLA STREET, WOLLONGONG ON 6TH APRIL 2019 AT 12.30PM

PRESENT:

Ms G Erven..... Lot 2
Mr T & Mrs K Ruberu..... Lot 3
Mr S Testa..... Lot 5
Ms S Clancy..... Lot 9
Mrs J Darby..... Managing Agent

QUORUM:

A quorum was present and the meeting was declared open at 12.30pm by Mrs J Darby, who chaired the meeting.

MOTION 1: MINUTES

IT WAS RESOLVED that the minutes of the Annual General Meeting held on 27th November 2018, as distributed and briefly read, be adopted as an accurate record of that meeting.

MOTION 2: APPOINTMENT OF MANAGING AGENT

IT WAS RESOLVED that, pursuant to S.49(2) of the Strata Schemes Management Act 2015 (the Act) Chris Darby Strata Pty Ltd (ABN 45630633573) and trading as Chris Darby Strata (the Agent) be appointed Managing Agent of Strata Plan 52371 effective from 1 May 2019 and that the Owners Corporation execute under seal an instrument in writing delegating the Agent the following functions as listed in S.52 of the Act:

- (a) the functions of the Chairperson, Secretary and Treasurer, and
- (b) all other functions as necessary to enable the Agreed Services and the Additional Services to be supplied
- (c) the power to affix the Common Seal to Section 184 Certificates and other documents as directed by the Strata Committee.

The following were authorised to sign the Agreement:

Ms G Erven..... Lot 2
Mr T Ruberu..... Lot 3

MOTION 3: ENDING OF PREVIOUS APPOINTMENT

IT WAS RESOLVED that, pursuant to s.50(3) of the Strata Schemes Management Act 2015 (the Act) and in accordance with the instrument appointing the Agent, that appointment is mutually terminated from 30 April 2019 and all functions, delegations and authorities previously given are revoked.

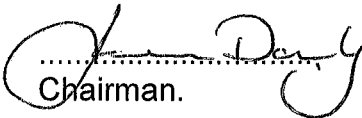
MOTION 4: COMBUSTIBLE CLADDING

IT WAS RESOLVED that the Owners Corporation determines that no relevant cladding exists and registration is not required.

NON-AGENDA ITEMS:

1. Agent to contact Danny Boyle Fencing to confirm start date next week.
1. Kedram have mowed the lawns but not addressed the gardens. Agent to contact with clear instructions.

There being no further business the meeting closed at 1.00pm.


Chairman.

STRATA PLAN NO – 52371
55 PARK ROAD, CORRIMAL NSW 2518

MINUTES OF THE EXTRA-ORDINARY GENERAL MEETING OF THE OWNERS - STRATA PLAN NO 52371 HELD AT THE OFFICE OF CHRIS DARBY STRATA, LEVEL 1, 55 KEMBLA STREET, WOLLONGONG ON FRIDAY 16TH AUGUST 2019 AT 10.00AM

PRESENT:

Ms K Chambers & Mr J Cross Lot 1
Ms G Erven Lot 2
Mr R Lingal Managing Agent

PRESENT VIA VOTING SLIP:

Mr S Testa Lot 5

PRESENT VIA EMAIL:

Mr C Lange Lot 8

QUORUM:

A quorum was present and the meeting was declared open at 10.00am by Mr R Lingal, who chaired the meeting.

MOTION 1: CONFIRMATION OF PREVIOUS MINUTES

IT WAS RESOLVED that the minutes of the Extraordinary General Meeting held on 6th April 2019, as distributed and briefly read, be adopted as an accurate record of that meeting.

MOTION 2: SPECIAL BY LAW 3 - PERGOLAS

IT WAS RESOLVED, by Special Resolution pursuant to Section 143 of the Strata Schemes Management Act 2015 (NSW) ("The Act") to approve the following addition be made to the By Laws applying to the Strata Scheme and that notification of this change to the By Laws be lodged for registration at the Registrar General's office:

ANNEXURE 'A'

STRATA PLAN NUMBER: 52371

ADDRESS: 55 Park Road, East Corrimal 2518

SPECIAL BY-LAW NO. 3. - PERGOLAS

SCHEDULE (lot numbers that have the benefit of this By-Law): 1

A DEFINITIONS

"Act" means the Strata Schemes Management Act 2015.

"Lot" means the lot number in Strata Plan no. 52371 whose number is specified in the Schedule.

"Owner" means the owner for the time being of the Lot.

"Building Works" means, in respect of the Lots, the pergola installed or to be installed in the Lot comprised of;

- (i) painted steel, metal or mesh, wood or plastic or other similar materials used in the building;
and
- (ii) in a colour which is approved by the Owners Corporation and is in keeping with the general appearance of the building.
- (iii) Where any terms are used in this by-law are defined in the Act they will have the same meanings as those words have in the Act.

B RIGHTS

Subject to the conditions in paragraph C of this by-law, the Owner will have;

- (a) special privilege and exclusive use in respect of the common property to perform, erect and keep the Building Works to and on the common property; and
- (b) in relation to their lot, the exclusive use of those parts of the common property occupied by the Building Works.

C CONDITIONS

1. Approval for Building Works

The owner must obtain approval for the installation of the Building Works from the Owners Corporation or Strata Committee of the Owners Corporation prior to installing the Building Works. The Owners Corporation or Strata Committee of the Owners Corporation will grant approval for the installation of the Building Works provided the Building Works is positioned within each lot in a position approved in writing by the Owners Corporation or Strata Committee of the Owners Corporation.

2. Building Works Maintenance

The Owner shall;

- (a) maintain the Building Works in a state of good and serviceable repair; and
- (b) renew or replace the Building Works whenever reasonably required by the Owners Corporation.
- (c) remove the Building Works altogether if necessary and make good the common area.

3. Common Property Maintenance

The Owner shall be responsible for the proper maintenance and keeping in a state of good and serviceable repair of;

- (a) the common property to which the Building Works is installed; and
- (b) that part of the common property of the strata plan which is within 10cm of the Building Works.

4. Run-Off

The Owner shall dispose of any run-off water from the Building Works, so as not to cause nuisance to any person or damage to the common property.

5. Owners Fixtures

The Building Works shall be and remain the property of the Owner.

6. Statutory Directions

In installing the Building Works the Owner shall comply with all directions, orders and requirements of all relevant statutory authorities, comply with the then building code with respect to the erection of the Building Works and shall ensure and be responsible for compliance with such directions, orders and requirements by the Owners servant's, agents and contractors.

7. Replacement

In the event that the owner undertakes renewal or replacement of the Building Works or any part thereof, it shall be renewed or replaced with parts of the same materials, design, colour, style, height and dimensions BUT in the event identical replacement or renewal cannot be achieved, the Owner shall in writing request the Owners Corporation or Strata Committee of the Owners Corporation to resolve what variations may occur prior to the replacement or renewal occurring.

8. Damages

The Owner shall repair any damage to the common property caused by her/him or his agents or contractors in the course of undertaking any obligations under this by-law.

9. Indemnify Owners Corporations

The Owner shall keep the Owners Corporation indemnified against;

- (a) any claims made against or expenses incurred by the Owners Corporation and arising out of or caused by the installation of the Building Works, or the use or maintenance of the Building Works; and
- (b) any liability for damage to the Building Works caused by the Owners Corporation in undertaking any work referred to in Section 122 of the Act or in exercising the power of entry conferred by that section.

10. By-Law Breach

Without prejudice to the other rights of the Owners Corporation where the Owner fails or neglects to carry out any condition referred to herein then the Owners Corporation or its agents, servants or contractors may carry out such condition and may enter upon any part of the parcel for that purpose at any reasonable time on notice given to any occupier or Owner of any part of the parcel and may recover the costs of fulfilling such condition as a debt from the Owner.

11. Licensed Contractor

The owner shall undertake the installation of the Building Works by a contractor who is duly licensed according to the provisions of the then legislation and regulations regulating the building industry.

12. Installation Times

The owner shall install the Building Works so as to cause minimum disturbance and inconvenience to other residents of the strata scheme and only between the hours of 8:00am to 5:00pm. Monday to Friday and 8:00am to 2:00pm Saturdays.

13. Costs

The Building Works shall be built at the expense of the Owner without claim on the Owners Corporation.

14. Completion Time

The installation of the Building Works shall be completed by the Owner within a reasonable time.

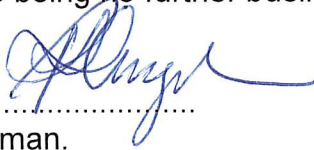
14. Adjacent Common Property

All areas of Common Property adjacent to the area in which the Building Works is being installed shall be maintained in a clean and tidy state during the erection of the Building Works.

15. Legislation

Nothing in this By-Law shall be construed so as to release the Owner or occupier of the Lot from the obligations to comply with the Act, the Regulations or the By-Law applicable to the strata scheme.

There being no further business the meeting closed at 10.10am.



.....
Chairman.

MINUTES OF AN ANNUAL GENERAL MEETING FOR THE OWNERS - STRATA PLAN 52371

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 52371 was held at Office of Chris Darby Strata on 19/11/2019 at 04:00 PM.

PRESENT:

Lot #	Unit #	Attendance	Owner Name Representative
9	9	Yes	Clancy, S Donovan Clancy
2	2	Yes	Erven, G
1	1	Yes	Ms K Chambers & Mr J Cross
3	3	Yes	Ruberu, Mr T & Mrs K

IN ATTENDANCE: Roger Lingal on behalf of Chris Darby Strata

CHAIRPERSON: Roger Lingal acted as Chairperson of the meeting

QUORUM: The Chairperson declared that there was a quorum present and opened the meeting at 04:00 PM.

MOTIONS:

1 Minutes of Previous General Meeting

RESOLVED That the Minutes of the previous General Meeting held 16/08/2019 be confirmed as a true and accurate account of the proceedings of that Meeting.

2 Annual Statement of Accounts

RESOLVED That the Annual Statement of Accounts for the Administrative Fund and Capital Works Fund (and any other Fund prepared by the Owners Corporation) for the year ended 31/10/2020 be received and adopted.

3 Proposed Annual Budget (Estimated Receipts & Payments)

RESOLVED That the proposed annual estimates of expenditure for the year ending 31/10/2020 be received and adopted and that contributions be determined as follows: -

(a) **RESOLVED** That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$14,400.00; and

(b) **RESOLVED** That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$3,600.00; and

(c) **RESOLVED** That both contributions be paid in regular equal quarterly instalments, and be due and payable as follows, and continue to be paid as above until otherwise determined by the Owners Corporation:

1/11/2019, 1/02/2020, 1/05/2020, 1/08/2020.

4 Audit of Accounts

THE MOTION That the Financial Statement of Accounts of the Owners Corporation be audited for the ensuing year and an appropriately qualified person appointed. **WAS DEFEATED**

NB: An audit is required if the total income of the strata scheme exceeds, or is likely to exceed, \$250,000.00.

5 Capital Works Fund Plan

RESOLVED That the Owners Corporation: -

- Prepare and/or review the current Capital Works Fund 10 year plan; and
- Engage a suitably qualified consultant to assess the major capital works and general maintenance requirements of the building;
- Submit that Report to the Strata Committee to determine appropriate action; and

- Delegate to the strata managing agent the authority to undertake any additional functions in accordance with their Agency Agreement to obtain necessary quotations and engage contractors to prepare the Report and any other work as approved by the Strata Committee.

NB: Date that Capital Works Fund Plan is due to be updated - 4/09/2012.

6 **Levy Recovery**

RESOLVED That the Owners Corporation for the purpose of collecting overdue levy contributions, interest and related expenses thereon and pursuant to the Act (including Section 103 (3) (b), authorise the Strata Managing Agent and/or the Strata Committee to do any of the following: -

- a) any previous motion relative to levy recovery be repealed;
- b) Levy Recovery Stage 1: issue a Reminder Notice after 60 days from the levy due date for debts in excess of \$200.00;
- c) Levy Recovery Stage 2: issue Final Notice after 90 days from the levy due date for debts in excess of \$200.00;
- d) Levy Recovery Stage 3: after 120 days from the original date the levy was due, and where the debt is in excess of \$500.00, appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation of solicitors, barristers and/or experts on behalf of The Owners - Strata Plan 52371 to issue a letter of demand and/or to commence, pursue, continue to 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;
- e) Enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy or winding up proceedings;
- f) Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- g) Liaise, instruct and prepare all matters with the Owners Corporation's debt collection agents, lawyers and/or experts in relation to any levy recovery proceedings.

And further that;

Subject to the agreement of the Strata Committee, the Owners Corporation agree to enter into payment plans for the recovery of outstanding levy contributions in accordance with the provisions of Section 85(5) of the Strata Schemes Management Act 2015.

7 **Insurances**

(a) General Insurances

RESOLVED That the Owners Corporation note and confirm the general insurance cover as effected over the strata scheme and detailed in the meeting agenda.

(b) Insurance Quotations

RESOLVED That the Owners Corporation authorise and delegate to the Strata Committee and Strata Managing Agent the function of obtaining three (3) quotations for insurance over the strata scheme and further that the Strata Managing Agent be authorised and directed to arrange appropriate cover.

(c) Office Bearers Liability Insurance

RESOLVED That the Owners Corporation effects/renews Office Bearer's Liability insurance to cover office holders and/or Committee members from damages claims arising as a result of an act of omission, committed or omitted in good faith in performing the functions of their office, at the existing level of cover as shown in the Insurance Summary contained within the notice of the Annual General Meeting or such other limit that may be determined by the meeting.

(d) Valuation

THE MOTION That the Strata Managing Agent be authorised to arrange an annual revaluation of the building for insurance purposes for replacement. **WAS AMENDED TO READ**

That the Strata Managing Agent be authorised to arrange a revaluation of the building for insurance purposes for replacement.

THE MOTION AS AMENDED WAS RESOLVED

N.B. The average cost of a valuation is between \$250.00 - \$450.00.

Date of the last Building Valuation: 16/03/2014.

8 Commissions and Training Services

RESOLVED THAT the below information be received from the Strata Managing Agent on commissions and training services received in the last 12 months and the estimate of commissions and training services to be received in the next 12 months: -

(a) Commission was received totalling \$858.14 in the past 12 months, and it is estimated an amount of ADD 5% ON RECEIVED COMMISSION is likely to be received in the next 12 months

9 Review of By-Laws

RESOLVED That pursuant to Schedule 3 Part 2 (4) of the Strata Schemes Management Act 2015 the Owners Corporation has reviewed its By-Laws.

10 Restrictions on Committee

RESOLVED That, for the purposes of Section 36(3) of the Strata Schemes Management Act 2015, there be no special restrictions placed on the Strata Committee in relation to matters which the Committee is authorised to decide without referral to a General Meeting.

11 Election of Strata Committee

RESOLVED That nominations be received for election of the Strata Committee.

N.B. Members must be financial to be eligible for appointment or election to the Strata Committee and consent to the nomination.

(a) Nominations already received prior to this meeting are as follows: NIL

(b) **RESOLVED** That the Owners Corporation determine the number of members of the Strata Committee (not being more than 9)

(c) **RESOLVED** That the Strata Committee be elected in accordance with the provisions of the Strata Schemes Regulation 2016, cl.9 and cl.10

- Gail Erven	Lot 2
- Kalani Ruberu	Lot 3
- Jackson Cross	Lot 1

Noted: That the eligible tenant representative on the Strata Committee is: NA

Quotation - Concrete Garden Boarder

THE MOTION That the Owners Corporation to consider and if seen fit approve the quotation for repairing the concrete garden boarder for the amount of \$2,965.00 provided by On Board Building Services. **WAS DEFEATED**

IT WAS RESOLVED To get an additional two more quotations and get an amended quotation from On Board Building Services for repairing the concrete garden boarder.

CLOSURE: There being no further business, the chairperson declared the meeting closed at: 5:00 pm

CHAIRPERSON

**MINUTES OF A STRATA COMMITTEE MEETING
FOR THE OWNERS - STRATA PLAN 52371**

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 52371 was held on 19/11/2019 immediately following the Annual General Meeting at Office of Chris Darby Strata.

PRESENT: Jackson Cross, Gail Erven, Kalani Ruberu

IN ATTENDANCE: Karlie Chambers, Sophia Clancy and Donovan Clancy

CHAIRPERSON: Roger Lingal acted as Chairperson of the meeting.

MOTIONS:

1 Appointment Chairperson, Secretary & Treasurer

RESOLVED That, pursuant to Section 41 of the Strata Schemes Management Act, 2015:

(a) **THE MOTION** That a Strata Committee Member be appointed Chairperson of the Strata Committee until the conclusion of the next Annual General Meeting. **WAS DEFEATED**

(b) **THE MOTION** That a Strata Committee Member be appointed Secretary of the Strata Committee until the conclusion of the next Annual General Meeting. **WAS DEFEATED**

(c) **THE MOTION** That a Strata Committee Member be appointed Treasurer of the Strata Committee until the conclusion of the next Annual General Meeting. **WAS DEFEATED**

2 Committee Liaison

(a) **RESOLVED** That Gail Erven, a Strata Committee Member be appointed to liaise with the Strata Managing Agent and be the schemes point of contact.

(b) **RESOLVED** That Jackson Cross, a Strata Committee Member be appointed to liaise with the Strata Managing Agent and be the schemes substitute point of contact.

3 Old Records

RESOLVED That the Managing Agent is hereby authorised to destroy records older than seven (7) years, the minimum retention period required under the Strata Schemes Management Act.

4 Signboard Policy

THE MOTION That the policy for allowing signboards for properties for sale & lease be determined for the ensuing year. **WAS DEFFERED**

5 Minutes of the last meeting

RESOLVED That there **WAS NO** Strata Committee meeting that took place in the past 12 months.

6 Property & Administrative Matters

That any property and administrative matters presented be considered and accordingly dealt with by the Meeting.

6.1 - PLANTS FRONTS OF UNIT 9

- The meeting has discussed and agreed that Gail Erven of unit 2 will get in touch with unit 9 owner for further information about the plants that can be planted in front of their unit.

6.2 - PLANTS COST

- **RESOLVED** that the Owners Corporation will cover the expenses or the cost of the plants which will be planted in front of unit 9.

7 Future Meetings

RESOLVED That the date, time and place of future meetings be determined as follows:

- (a) Annual General Meeting - **TO BE ADVISED**
- (b) Strata Committee Meetings - **TO BE ADVISED IF NEEDED**

CLOSURE: There being no further business, the chairperson declared the meeting closed at: 5:00 pm

CHAIRPERSON

MINUTES OF AN ANNUAL GENERAL MEETING FOR THE OWNERS - STRATA PLAN 52371

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 52371 was held at The Office of Chris Darby Strata on Tuesday, 1 December 2020 at 4:00 PM.

PRESENT:

Erven, G	Lot 2
Ruberu, Mr T & Mrs K	Lot 3
Lange, C	Lot 8 - via Zoom
Clancy, S	Lot 9 - via Zoom

IN ATTENDANCE: Karen Johnson on behalf of Chris Darby Strata

Clancy, D Lot 9 - via Zoom

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting

QUORUM: The Chairperson declared that there was a quorum present and opened the meeting at 4:00 PM.

MOTIONS:

1 Minutes of Previous General Meeting

RESOLVED that the Minutes of the previous General Meeting held 19/11/2019 be confirmed as a true and accurate account of the proceedings of that Meeting.

2 Annual Statement of Accounts

RESOLVED that the Annual Statement of Accounts for the Administrative Fund and Capital Works Fund (and any other Fund prepared by the Owners Corporation) for the year ended 31/10/2020 be received and adopted.

3 Audit of Accounts

THE MOTION, "that the Financial Statement of Accounts of the Owners Corporation be audited for the ensuing year and an appropriately qualified person appointed," **WAS DEFEATED**.

NB: An audit is required if the total income of the strata scheme exceeds, or is likely to exceed, \$250,000.00.

4 Proposed Annual Budget (Estimated Receipts & Payments)

THE MOTION, "that the proposed annual estimates of expenditure for the year ending 31/10/2021 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$18,400.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$3,600.00; and

- (c) That both contributions be paid in regular equal quarterly instalments, and be due and payable as follows, and continue to be paid as above until otherwise determined by the Owners Corporation:

01/01/2021, 01/04/2021, 01/07/2021, 01/10/2021, " **WAS AMENDED AS FOLLOWS;**

That the proposed annual estimates of expenditure for the year ending 31/10/2021 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$17,700.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$2,818.00; and

- (c) That both contributions be paid in regular equal quarterly instalments, and be due and payable as follows, and continue to be paid as above until otherwise determined by the Owners Corporation:

01/01/2021, 01/04/2021, 01/07/2021, 01/10/2021.

THE MOTION WAS RESOLVED AS AMENDED

5

Capital Works Fund Plan

RESOLVED that the Owners Corporation: -

- Prepare and/or review the current Capital Works Fund 10 year plan; and
- Engage a suitably qualified consultant to assess the major capital works and general maintenance requirements of the building;
- Submit that Report to the Strata Committee to determine appropriate action; and
- Delegate to the strata managing agent the authority to undertake any additional functions in accordance with their Agency Agreement to obtain necessary quotations and engage contractors to prepare the Report and any other work as approved by the Strata Committee.

NOTE: The Committee have requested the contractor meet with them onsite when completing Capital Works Fund Plan Update.

NB: Date that Capital Works Fund Plan is due to be updated - 04/09/2012.

6

Levy Recovery

RESOLVED that the Owners Corporation for the purpose of collecting overdue levy contributions, interest and related expenses thereon and pursuant to the Act (including Section 103 (3) (b), authorise the Strata Managing Agent and/or the Strata Committee to do any of the following: -

- a) any previous motion relative to levy recovery be repealed;
- b) Levy Recovery Stage 1: issue a Reminder Notice after 60 days from the levy due date for debts in excess of \$200.00;
- c) Levy Recovery Stage 2: issue Final Notice after 90 days from the levy due date for debts in excess of \$200.00;
- d) Levy Recovery Stage 3: after 120 days from the original date the levy was due, and where the debt is in excess of \$500.00, appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation of solicitors, barristers and/or experts on behalf of The Owners - Strata Plan 52371 to issue a letter of demand and/or to commence, pursue, continue to 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;
- e) Enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy or winding up proceedings;
- f) Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- g) Liaise, instruct and prepare all matters with the Owners Corporation's debt collection agents, lawyers and/or experts in relation to any levy recovery proceedings.

And further that;

Subject to the agreement of the Strata Committee, the Owners Corporation agree to enter into payment plans for the recovery of outstanding levy contributions in accordance with the provisions of Section 85(5) of the Strata Schemes Management Act 2015.

7

Insurances

(a) General Insurances

RESOLVED that the Owners Corporation note and confirm the general insurance cover as effected over the strata scheme and detailed in the meeting agenda.

(b) Insurance Quotations

RESOLVED that the Owners Corporation authorise and delegate to the Strata Committee and Strata Managing Agent the function of obtaining three (3) quotations for insurance over the strata scheme and further that the Strata Managing Agent be authorised and directed to arrange appropriate cover.

(c) Office Bearers Liability Insurance

RESOLVED that the Owners Corporation effects/renews Office Bearer's Liability insurance to cover office holders and/or Committee members from damages claims arising as a result of an act of omission, committed or omitted in good faith in performing the functions of their office, at the existing level of cover as shown in the Insurance Summary contained within the notice of the Annual General Meeting or such other limit that may be determined by the meeting.

(d) Valuation

RESOLVED that the Strata Managing Agent be authorised to arrange an annual revaluation of the building for insurance purposes for replacement.

8

Commissions and Training Services

RESOLVED that the below information be received from the Strata Managing Agent on commissions and training services received in the last 12 months and the estimate of commissions and training services to be received in the next 12 months: -

Commission was received totalling in the past 12 months, and it is estimated an amount of ADD 5% ON RECEIVED COMMISSION is likely to be received in the next 12 months.

10

Election of Strata Committee

RESOLVED that nominations be received for election of the Strata Committee.

N.B. Members must be financial to be eligible for appointment or election to the Strata Committee and consent to the nomination.

(a) Nominations already received prior to this meeting are as follows: **Nil**

(b) That the Owners Corporation determine the number of members of the Strata Committee (not being more than 9) **Four (4)**

(c) That the Strata Committee be elected in accordance with the provisions of the Strata Schemes Regulation 2016, cl.9 and cl.10

Karlie Chambers	Lot 1
Gail Ann Erven	Lot 2
Christopher John Lange	Lot 8
Kalani Ranmal Ruberu	Lot 3

11

Restrictions on Committee

RESOLVED that, for the purposes of Section 36(3) of the Strata Schemes Management Act 2015, there be no special restrictions placed on the Strata Committee in relation to matters which the Committee is authorised to decide without referral to a General Meeting.

12

Electronic Voting

RESOLVED that the Owners Corporation RESOLVES pursuant to Regulation 14 of the Strata Schemes Management Regulation 2016 to adopt all the means of voting as provided in Regulation 14(1) or as made available by the managing agent.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 4:35 PM.

CHAIRPERSON

**MINUTES OF A STRATA COMMITTEE MEETING
FOR THE OWNERS - STRATA PLAN 52371**

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 52371 was held on Tuesday, 1 December 2020 immediately following the Annual General Meeting at The Office of Chris Darby Strata.

PRESENT:

Gail Ann Erven	Lot 2
Christopher John Lange	Lot 8
Kalani Ranmal Ruberu	Lot 3

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting.

MOTIONS:

1 Minutes of the last meeting

RESOLVED that the Minutes of the last Strata Committee Meeting be confirmed as a true record of the proceedings of that Meeting.

2 Appointment Chairperson, Secretary & Treasurer

That, pursuant to Section 41 of the Strata Schemes Management Act, 2015:

(a) That a Strata Committee Member be appointed Chairperson of the Strata Committee until the conclusion of the next Annual General Meeting.

(b) **RESOLVED** that Gail Ann Erven be appointed Secretary of the Strata Committee until the conclusion of the next Annual General Meeting.

(c) **RESOLVED** that Kalani Ranmal Ruberu be appointed Treasurer of the Strata Committee until the conclusion of the next Annual General Meeting.

3 Committee Liaison

(a) **RESOLVED** that Gail Ann Erven be nominated to liaise with the Strata Managing Agent and be the schemes point of contact.

(b) **RESOLVED** that Kalani Ranmal Ruberu be nominated to liaise with the Strata Managing Agent and be the schemes substitute point of contact.

4 Old Records

RESOLVED that the Managing Agent is hereby authorised to destroy records older than seven (7) years, the minimum retention period required under the Strata Schemes Management Act.

5 Signboard Policy

RESOLVED that the policy for allowing signboards for properties for sale & lease be determined for the ensuing year.

6 Property & Administrative Matters

RESOLVED that any property and administrative matters presented be considered and accordingly dealt with by the Meeting.

- Strata Manager to follow up gutter cleaning.
- Plumbers details to Gail Erven - Imperial Plumbing.
- Garden near unit 9 - plants are thriving and vote to thanks to those involved in replanting.

7 Future Meetings

That the date, time and place of future meetings be determined as follows:

(a) Annual General Meeting - Late afternoon is preferred, Strata Manager to liaise with Committee.

(b) Strata Committee Meetings - Strata Manager to liaise with Committee.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 4:45 PM.

CHAIRPERSON

MINUTES OF AN ANNUAL GENERAL MEETING FOR THE OWNERS - STRATA PLAN 52371 HELD BY VIDEO/TELECONFERENCE

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 52371 was held via video/teleconference on Monday, 29 November 2021 at 4:00 PM.

PRESENT:

G Erven	Lot 2
T & K Ruberu	Lot 3
S & D Clancy	Lot 9

APOLOGY: C Lange

IN ATTENDANCE: Karen Johnson on behalf of CD Strata

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting

QUORUM: The Chairperson declared that there was a quorum present and opened the meeting at 4:00 PM.

MOTIONS:

1 Minutes of Previous General Meeting

RESOLVED that the Minutes of the previous General Meeting held 01/12/2020 be confirmed as a true and accurate account of the proceedings of that Meeting.

2 Annual Statement of Accounts

RESOLVED that the Annual Statement of Accounts for the Administrative Fund and Capital Works Fund (and any other Fund prepared by the Owners Corporation) for the year ended 31/10/2021 be received and adopted.

3 Audit of Accounts

THE MOTION, "that the Financial Statement of Accounts of the Owners Corporation be audited for the ensuing year and an appropriately qualified person appointed," **WAS DEFEATED**.

NB: Section 95 states that a mandatory audit is required if the annual budget of the strata scheme plus opening balance of funds exceeds, or is likely to exceed, \$250,000.00.

4 Proposed Annual Budget (Estimated Receipts & Payments)

THE MOTION, "that the proposed annual estimates of expenditure for the year ending 31/10/2022 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$20,000.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$4,320.00; and

- (c) That both contributions be paid in regular equal quarterly instalments, and be due and payable as follows, and continue to be paid as above until otherwise determined by the Owners Corporation:

01/01/2022, 01/04/2022, 01/07/2022, 01/10/2022," **WAS AMENDED AS FOLLOWS;**

That the proposed annual estimates of expenditure for the year ending 31/10/2022 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$20,000.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$1,598.00; and

- (c) That both contributions be paid in regular equal quarterly instalments, and be due and payable as follows, and continue to be paid as above until otherwise determined by the Owners Corporation:

01/01/2022, 01/04/2022, 01/07/2022, 01/10/2022.

THE MOTION WAS RESOLVED AS AMENDED

5 Capital Works Fund Plan

THE MOTION, "that the Owners Corporation: -

- Prepare and/or review the current Capital Works Fund 10 year plan; and
- Engage a suitably qualified consultant to assess the major capital works and general maintenance requirements of the building;
- Submit that Report to the Strata Committee to determine appropriate action; and
- Delegate to the strata managing agent the authority to undertake any additional functions in accordance with their Agency Agreement to obtain necessary quotations and engage contractors to prepare the Report and any other work as approved by the Strata Committee," **WAS DEFEATED.**

NB: Date that Capital Works Fund Plan is due to be updated - 22/02/2026

6 Levy Recovery

RESOLVED that the Owners Corporation for the purpose of collecting overdue levy contributions, interest and related expenses thereon and pursuant to the Act (including Section 103 (3) (b), authorise the Strata Managing Agent and/or the Strata Committee to do any of the following: -

- a) any previous motion relative to levy recovery be repealed;
- b) Levy Recovery Stage 1: issue a Reminder Notice after 31 days from the levy due date for debts in excess of \$200.00;
- c) Levy Recovery Stage 2: issue Final Notice after 60 days from the levy due date for debts in excess of \$200.00;
- d) Levy Recovery Stage 3: after 90 days from the original date the levy was due, and where the debt is in excess of \$500.00, appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation of solicitors, barristers and/or experts on behalf of The Owners - Strata Plan 52371 to issue a letter of demand and/or to commence, pursue, continue to 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;
- e) Enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy or winding up proceedings;
- f) Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- g) Liaise, instruct and prepare all matters with the Owners Corporation's debt collection agents, lawyers and/or experts in relation to any levy recovery proceedings.

And further that;

Subject to the agreement of the Strata Committee, the Owners Corporation agree to enter into payment plans for the recovery of outstanding levy contributions in accordance with the provisions of Section 85(5) of the Strata Schemes Management Act 2015.

7

Insurances

(a) General Insurances

RESOLVED that the Owners Corporation note and confirm the general insurance cover as effected over the strata scheme and detailed in the meeting agenda.

(b) Insurance Quotations

RESOLVED that the Owners Corporation authorise and delegate to the Strata Committee and Strata Managing Agent the function of obtaining three (3) quotations for insurance over the strata scheme and further that the Strata Managing Agent be authorised and directed to arrange appropriate cover.

(c) Office Bearers Liability Insurance

RESOLVED that the Owners Corporation effects/renews Office Bearer's Liability insurance to cover office holders and/or Committee members from damages claims arising as a result of an act of omission, committed or omitted in good faith in performing the functions of their office, at the existing level of cover as shown in the Insurance Summary contained within the notice of the Annual General Meeting or such other limit that may be determined by the meeting.

(d) Valuation

THE MOTION, "that the Strata Managing Agent be authorised to arrange an annual revaluation of the building for insurance purposes for replacement," **WAS DEFEATED**.

8

Commissions and Training Services

RESOLVED that the below information be received from the Strata Managing Agent on commissions and training services received in the last 12 months and the estimate of commissions and training services to be received in the next 12 months: -

- (a) Commission was received totalling \$832.62 in the past 12 months, and it is estimated an amount of ADD 15% ON RECEIVED COMMISSION is likely to be received in the next 12 months.

Explanation Note: As Strata Managing Agent we have relationships with insurers and brokers to help manage the insurance needs of the building. As authorised representatives or partners with the insurers or brokers, we may receive commission for our role in placing the renewal.

This commission is included as part of the base management fee for the building, and is taken into account in proposing a Management Fee to a client or potential client. The vast majority of Strata Management companies in NSW include commission as part of their management fee in the same way that CD Strata does.

You will note in the Agency Agreement that we do provide the option for us to place insurance without receiving any commission, but the fee is adjusted as a result of this.

9

Reappointment of Managing Agent

RESOLVED that in accordance with Section 49 of the Strata Schemes Management Act 2015 (Act): 52371

- (a) CD Strata Pty Ltd continues to be appointed as Strata Managing Agent of Strata Plan 52371
- (b) The Owners Corporation delegates to the Agent all of the functions of the Owners Corporation (other than those listed in Section 52(2) of the Act; and
- (c) Its Chairperson, Secretary, Treasurer and Strata Committee necessary to enable the Agent to carry out the "Agreed Services" and the "Additional Services" as defined in the Agency Agreement tabled at this meeting
- (d) The delegation to the Agent is subject to the conditions and limitations contained in the Agreement
- (e) The Owners Corporation execute the Agreement to give effect to this appointment
- (f) Authority be given for the common seal of the Owners Corporation to be affixed to the Agreement by two owners or members of the Strata Committee.

IMPORTANT NOTES TO THE MOTION:

- The Agreement is a standard SCA (NSW) (Strata Community Australia) Agreement that is used by many strata companies across the industry.
- The Agreement we are proposing is for 3 years, with the ability to terminate by providing 3 months' written notice after the initial 12 months has elapsed.
- We have done this to avoid the need to have the motion on the agenda each year, while still providing flexibility for the clients if they are unhappy and wish to terminate the agreement.

Please contact johnm@chrisdarby.com.au or your strata manager, if required, for a copy of the agreement or for more detailed information/explanation on any item in the agreement, prior to the meeting taking place.

Note: The owner(s) signing the Managing Agency Agreement will need to provide two forms of identification (ID). Attached to the meeting agenda is the *Proof of Identity Checklist for Owner/s* that will be completed with your strata manager.

10 Fire Safety

RESOLVED that the Owners Corporation engage a suitably qualified consultant/fire contractor to carry out a Fire Safety inspection and, if applicable prepare an Annual Fire Safety Statement (AFSS) in accordance with the provisions of the Environmental Planning and Assessment Act 1979, and;

- (a) that any essential maintenance/renewal of fire safety measures be reported to the Strata Committee, and;
- (b) that the Strata Committee be authorised to seek quotations and engage contractors to remedy any deficiencies, and, if applicable arrange for an AFSS to be signed by a competent person on behalf of the strata scheme for lodgement with local Council and the Fire Commissioner.

Note: To obtain two quotations for consideration by the strata committee.

11 Election of Strata Committee

RESOLVED that nominations be received for election of the Strata Committee.

N.B. Members must be financial to be eligible for appointment or election to the Strata Committee and consent to the nomination.

- (a) Nominations already received prior to this meeting are as follows: NIL.
- (b) That the Owners Corporation determine the number of members of the Strata Committee (not being more than 9) be three (3)
- (c) That the Strata Committee be elected in accordance with the provisions of the Strata Schemes Regulation 2016, cl.9 and cl.10

G Erven	Lot 2
K Ruberu	Lot 3
C Lange	Lot 8

N.B. If the number of candidates is greater than the number decided upon by the meeting - a ballot is to be held

Noted: That the eligible tenant representative on the Strata Committee is: N/A.

12 Restrictions on Committee

RESOLVED that, for the purposes of Section 36(3) of the Strata Schemes Management Act 2015, there be no special restrictions placed on the Strata Committee in relation to matters which the Committee is authorised to decide without referral to a General Meeting.

13 Issuing of Work Orders

RESOLVED that the Owners Corporation acknowledges that the managing agent will not issue a work order or engage any contractors for the provision of any goods or services, unless they have complied with the minimum requirements below

Minimum requirements (as aligned to the recommended criteria as advised by Safe Work Australia):

- Must be registered as a business for tax purposes in Australia
- Must have a minimum \$10 million Public & Property Liability Insurance (in respect of each and every occurrence and unlimited in aggregate for any period of cover)
- Must have a minimum \$1 million Professional Indemnity Insurance (where applicable)
- Must have Statutory Workers Compensation Insurance for all employees or Personal and Accident Insurance as a Sole Trader
- Must hold all licenses as relevant to services provided
- Must have an established Quality Management System (Consultants only)
- Must have an established Health & Safety Management system
- Must accept Chris Darby Strata Terms and Conditions of engagement and Business Code of Conduct.

Definitions:

- Contractor: means a person or organisation that is engaged, on a temporary basis, to undertake a particular task and includes consultants who provide recommendations and/or specialist professional advice.
- Work Order: means a written order providing specific or blanket authorisation to a contractor to proceed with the provision of specific goods or services without further instructions.

Explanatory note:

The Owners Corporation has a duty of care to ensure the safety of its owners, tenants, visitors, contractors and any members of the general public who access the common areas of their property. It is therefore essential that any Contractors engaged to perform any services at the property assume the same obligations.

The risks involved in engaging Contractors are significantly increased when they do not meet the Minimum Requirements noted in the table above. Any damage caused to property or persons resulting from any accidents or incidents caused by the Contractor, places the Owners Corporation at risk.

As per the Strata Management Agency Agreement entered into by the Agent and the Owners Corporation, the agent will continue to effect repairs and maintenance, as defined under that agreement, to the common property through the engagement of qualified tradespersons and or companies.

The Owners Corporation, through its Committee, take full responsibility for the engagement and direction of Contractors who have not achieved the Minimum Requirements and understand and acknowledge the associated risks.

The Agent will take no responsibility for any consequences arising from the engagement of any Contractors and will not perform any services other than to provide the administration tasks in relation to the payment of invoices raised by those Contractors.

14 **Special By Law - Minor Renovation Delegation**

RESOLVED that the owners corporation SPECIALLY RESOLVES pursuant to Section 110 of the Strata Schemes Management Act 2015 to make a by-law on the following terms and to have it registered:

SPECIAL BY-LAW 4.

1. The owners corporation delegates its functions under Section 110 of the Strata Schemes Management Act 2015 to the strata committee.
2. If the owners corporation and the strata committee exercise the same function under Section 110 of the Strata Schemes Management Act 2015, the exercise of the function by the owners corporation prevails.

Explanatory Note: This is a motion to make a by-law delegating to the strata committee the functions of the owners corporation in relation to minor renovations conducted by a lot owner to the common property in connection with their lot. Amongst other things, it will allow the strata committee to approve a minor renovation at a strata committee meeting, rather than approval needing to be obtained from the owners corporation in a general meeting.

Note: The average cost of a by-law registration is between \$250.00 - \$750.00.

15 **Special By-Law - Electronic Voting**

(a) RESOLVED that the Owners Corporation RESOLVES pursuant to Regulation 14 of the Strata Schemes Management Regulation 2016 to adopt all the means of voting as provide in regulation 14(1) or as made available by the strata managing agent.

Explanatory Note:

This motion seeks to adopt all the means of electronic voting under Regulation 14(1) of the Strata Schemes Management Regulation 2016 or so much or those made available by the strata managing agent.

This motion must be passed by ordinary resolution. An ordinary resolution is passed if a majority of votes are cast for the motion, with each person having one vote in respect of each lot the person is entitled to vote, unless a poll is called.

And Further that:

(b) THAT the owners corporation **SPECIALLY RESOLVES** to make an additional by-law on the following terms and have it registered:

Explanatory Note: This motion seeks to make a by-law that allows electronic voting to be at a strata committee meeting or general meeting of the owners corporation. The by-law sets out the particulars and management of electronic voting.

The motion must be passed by special resolution. A special resolution is resolution passed in a general meeting of the owners corporation where no more than 25% of the value of votes cast are against the motion. The value of a vote in respect of a lot is equal to the unit entitlement of the lot.

SPECIAL BY-LAW - ELECTRONIC VOTING

Definitions and Interpretation

1. In this by-law:

- (a) "**Act**" means the *Strata Schemes Management Act 2015*;
- (b) "**Electronic Voting**" means a vote on a motion at a strata committee meeting or general meeting cast by email, a voting website, or electronic application (e.g. Skype, teleconference, video conference) or any other method allowed by Regulation 14(1) of the *Strata Schemes Management Regulation 2016*, while participating in a meeting from a remote location.

2. Unless the context or subject matter otherwise indicates or requires:

- (a) Reference to the singular includes the plural and the plural includes the singular;
- (b) "Including" and similar expressions are not words of limitation;
- (c) Headings are for convenience only and do not affect the interpretation of this by-law;
- (d) Any expression used in this by-law and which is defined in the Act has the same meaning as that expression has in the Act unless a contrary intention is expressed in this by-law.

Determination to allow Electronic Voting

- 3. The owners corporation has resolved to adopt all the means of voting as provided for in this by-law and in Regulation 14(1) of the *Strata Schemes Management Regulation 2016*, as determined by the managing agent or strata committee for time to time. For the avoidance of doubt the managing agent or strata committee may choose to employ some or all of the following means or the means in Regulation 14(1) of the *Strata Schemes Management Regulation 2016*.
- 4. The notice of a strata committee meeting or a general meeting must indicate whether Electronic Voting applies to the meeting.

The Electronic Voting process

- 5. Electronic Voting must be conducted by way of an electronic ballot.
- 6. The electronic ballot must contain instructions for completing the ballot, the form of the motions to be voted on, and the means of indicating the voter's choice on the motions to be voted on.
- 7. The secretary must, before the meeting at which Electronic Voting is to be conducted, give each person entitled to vote:
 - (a) Access to an electronic ballot paper, or to a voting website or electronic application containing an electronic ballot paper, that complies with this by-law;

(b) Information concerning:

- i. How the ballot paper must be completed;
 - ii. The deadline for submission of the ballot paper;
 - iii. If voting is by email, the address where the ballot paper is to be returned;
 - iv. If voting is by other electronic means, the means of accessing the electronic voting system and how the completed electronic ballot paper is to be sent to the secretary;
- (c) Access to an electronic form of declaration requiring the voter to state their name, the capacity in which they are entitled to vote, their unit entitlement, and the name and capacity of the person who gave the proxy, if the vote is a proxy vote.
8. An electronic ballot paper and the form of declaration must be sent to the secretary of the owners corporation no later than the deadline for submission of the ballot paper.
9. The secretary must ensure that all electronic ballot papers are stored securely until the counting of the votes begins.
10. As soon as practicable after the deadline for submission of the ballot paper, the secretary must:
- (a) Review all information and reports about the electronic ballot;
 - (b) Reject as informal any votes that do not comply with the requirements of this by-law;
 - (c) Ascertain the result of the electronic ballot;
 - (d) Make a written or electronic record of the result of the electronic ballot;
 - (e) Announce or publish the result of the ballot.

Informal votes

11. Any person who casts a vote by way of Electronic Voting must vote in accordance with the instructions contained in the information given by the owners corporation, or the vote will be an informal vote. An informal vote will not count.
12. If Electronic Voting is carried out by means of a voting website or electronic application, the website or electronic application must provide a warning message to a person casting an informal vote that their vote is or will be informal.

Secret ballots

13. If the ballot is a secret ballot, the secretary must ensure that the identity of the voter cannot be ascertained from the form of the electronic ballot paper, and the declaration by the voter is dealt with so that it is not capable of being used to identify the voter.

Note: The average cost of a by-law registration is between \$250.00 - \$500.00.

16 Change of Service of Notice Address

RESOLVED that the Owners Corporation RESOLVES pursuant to Section 265(1) of the Strata Schemes Management Act 2015 to change the address for the service of notices of the owners corporation to the following and to have the change registered: **C/- CD Strata, Level 1, 55 Kembla Street, Wollongong NSW 2500.**

Explanatory Note: This is a motion to change the address for service of notices for the owners corporation.

17 Utility Service Providers

THE MOTION, "that the Owners Corporation authorise the Strata Managing Agent and /or the Strata Committee to review and enter into any agreement for the supply of utilities for the Owners Corporation," **WAS DEFEATED.**

Explanatory note:

This motion provides the authority for the Strata Manager and the Strata Committee to obtain quotes and enter into agreement for common area utility supply such as electricity and gas. CD Strata undertake such process for its clients to ensure that competitive market rates are obtained.

18 Window Safety Devices - Inspection

THE MOTION, "that the Owners Corporation RESOLVES to conduct an inspection the window safety devices in the scheme," **WAS DEFEATED.**

Explanatory Note: This motion proposes that the owners corporation undertakes an inspection of the window safety devices fitting to the windows in the scheme to determine their state of repair and compliance. Section 118(1) of the Strata Schemes Management Act 2015 requires the owners corporation to ensure that there are complying window safety devices for all windows in the scheme to which the section applies.

19 Special By Law - Window safety devices - cost to replace

THAT the Owners Corporation **SPECIALLY RESOLVED** to make an additional by-law in the following terms and to have it registered;

Explanatory Note: The motion proposes to make a by-law providing that the cost replacing or repairing of any removed or damaged window safety device is borne by the owner.

The motion must be passed by special resolution. A special resolution is resolution passed in a general meeting of the owners corporation where no more than 25% of the value of votes cast are against the motion. The value of a vote in respect of a lot is equal to the unit entitlement of the lot.

SPECIAL BY-LAW 6 - Window Safety Devices - Cost of Replacement

1. In this by-law:

(a) "Act" means the *Strata Schemes Management Act 2015*;

(b) "Lot" means any individual lot in strata plan 80451.

(c) "Non-compliant Window" means any openable window in the building where:

- i. The lowest window edge is less than 1.7 metres above the inside floor surface of the Lot; and
- ii. the drop from the internal floor surface level to the external surface beneath the window is two metres or more; or
- iii. any legislative requirement that amends or replaces clauses 1(b)(i) and/or (ii).

(d) "Owner" means owner of a Lot.

(e) "Window Safety Device" means the installation or existence of:

- i. a device which allows a window to be locked with a maximum opening of 125mm;
- ii. the installation of a security screen that is capable of resisting a lateral load of 250 newtons or more; or
- iii. any legislative requirement that amends or replaces clauses 1(a)(i) and/or (ii),
- iv. to Non-compliant Windows.

(f) Unless the context or subject matter otherwise indicates or requires:

- i. Reference to the singular includes the plural and vice versa;
- ii. A thing includes the whole or part of it;
- iii. A person includes an individual, a firm, a body corporate, an incorporated association or an authority, or their personal representatives, executors, administrators, successors and assigns;
- iv. A document includes any amendment or replacement of it;
- v. "Including" and similar expressions are not words of limitation;
- vi. Any expression used in this by-law and which is defined in the Act has the same meaning as that expression has in the Act unless a contrary intention is expressed in this by-law.

2. Where a term of the by-law is inconsistent with any by-law applicable to the strata scheme, then the provisions of the by-law shall prevail to the extent of the inconsistency.

3. The Owners acknowledge and agree that:

- (a) they will reimburse the owners corporation for all costs of any repair or replacement of the Window Safety Device if it is removed, replaced, or in any way damaged or defaced by the Owner or any occupant of the Lot; and
- (b) the cost of repair and replacement, if not paid in accordance with clause 3(a) of this by-law, will be recoverable as a debt to the owners corporation together with any simple interest on any outstanding amount at the rate prescribed by Section 85 of the Act, and the expenses of the owners corporation incurred in recovering those amounts.

Note: The average cost of a by-law registration is between \$250.00 - \$750.00.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 5:02 PM.

CHAIRPERSON

Liability limited by a scheme approved under Professional Standards Legislation.

**MINUTES OF A STRATA COMMITTEE MEETING
FOR THE OWNERS - STRATA PLAN 52371 HELD BY VIDEO/TELECONFERENCE**

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 52371 was held on Monday, 29 November 2021 immediately following the Annual General Meeting via video/teleconference.

PRESENT:

G Erven	Lot 2
K Ruberu	Lot 3
C Lange	Lot 8

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting.

MOTIONS:

- 1 Minutes of the last meeting**
RESOLVED that the Minutes of the last Strata Committee Meeting be confirmed as a true record of the proceedings of that Meeting.
- 2 Appointment Chairperson, Secretary & Treasurer**
That, pursuant to Section 41 of the Strata Schemes Management Act, 2015:
 - (a) That the position of Chairperson is to remain vacant until the conclusion of the next Annual General Meeting
 - (b) **RESOLVED** that G Erven be appointed Secretary of the Strata Committee until the conclusion of the next Annual General Meeting.
 - (c) **RESOLVED** that K Ruberu be appointed Treasurer of the Strata Committee until the conclusion of the next Annual General Meeting.
- 3 Committee Liaison**
 - (a) **RESOLVED** that G Erven be nominated to liaise with the Strata Managing Agent and be the schemes point of contact.
 - (b) **RESOLVED** that K Ruberu be nominated to liaise with the Strata Managing Agent and be the schemes substitute point of contact.
- 4 Signboard Policy**
RESOLVED that the policy for allowing signboards for properties for sale & lease be determined for the ensuing year.
- 5 Property & Administrative Matters**
RESOLVED that any property and administrative matters presented be considered and accordingly dealt with by the Meeting.
- 6 Future Meetings**
RESOLVED that the date, time and place of future meetings be determined as follows:
 - (a) Annual General Meeting - Managing agent will liaise with strata committee.
 - (b) Strata Committee Meetings - Managing agent will liaise with strata committee.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 5:10 PM.

CHAIRPERSON

8 August 2022

MEMO TO: ALL LOT OWNERS – STRATA PLAN 52371
55 Park Road, CORRIMAL NSW 2518

FROM: CD STRATA

SUBJECT: ENCLOSED MEETING MINUTES – “STRATA HUB” MOTION NOT
RESOLVED. NEXT STEPS FOR YOUR CONSIDERATION

We write to you regarding a recently convened meeting of your strata committee held on Monday, 1 August 2022.

Why was the meeting called?

The meeting was called to obtain clients' consent for our agency to assist in obligations placed upon all strata schemes within NSW by the state government.

In summary, the NSW Government requires all strata schemes to upload certain building information onto its newly created “strata hub” by the 30 September 2022. As this “strata hub” is an external “on-line portal”, we require client authority before uploading any information.

How did we approach the task of obtaining client consent?

Due to the onerous task of obtaining consent from all of our valued clients, the approach we took was as follows;

- i) As best as possible, we identified clients who have planned meetings scheduled prior to the 1 September 2022. In these instances, your allocated point of contact within our agency will include a motion to authorise our agency in assisting you in your “strata hub” reporting obligations; or
- ii) In the instances where planned meetings were not due to be held prior to the 1 September 2022, we convened a “paper meeting” of your strata committee to vote on the topic of providing our agency with authority to upload required data onto the NSW Government’s “strata hub”

Challenges experienced with this approach

To create minimal inconvenience to your elected strata committee, the meeting was convened as a “paper meeting”. Paper meetings allow for the committee to register their vote prior to the meeting (with no requirement to attend the meeting). Such meetings also require a majority of the committee to vote for a motion in order for it to pass e.g. if your committee comprises of 7 members, 4 “yes” votes are required.

A big thank you to all strata committee members who cast their votes.

Enclosed minutes of meeting

Your most recent strata committee meeting minutes are enclosed. Motion 2, dealing with “strata hub” was *not resolved* meaning our agency is *not* authorised to assist you in your “strata hub” reporting requirements.

Next steps your strata committee may consider to comply with NSW Government reporting requirements:

- i) To assist in the required task of reporting to “strata hub”, your strata committee may opt to instruct our office, via your allocated strata manager, to convene a further meeting to re-consider this matter; OR*
- ii) In order to avoid penalties from the NSW Government, your strata committee can progress reporting requirements directly i.e. without the involvement of our agency*

Please note Failure to comply with this requirement may result in government fines of up to \$5,500.

Further information, relating to “Strata Hub” can be found at the following URL:

<https://nsw.strata.community/strata-hub/>

8 August 2022

MINUTES OF A STRATA COMMITTEE PAPER MEETING FOR THE OWNERS – STRATA PLAN 52371

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING:

The Strata Committee of The Owners – Strata Plan 52371 held a meeting on **1 August 2022** at Level 1, 60 Harbour Street, Mosman. The meeting was held in accordance with Schedule 2(9)(2) of the Strata Schemes Management Act 2015 and commenced at 10:00am

VOTING PAPERS RECEIVED FROM: Christopher Lange

CHAIRPERSON OF MEETING: Philip Kooper

MINUTES:

1. **Minutes of Previous Committee Meeting**
NOT RESOLVED that the Minutes of the previous Strata Committee Meeting be confirmed as a true record of that meeting.
2. **Strata Hub**
NOT RESOLVED that the Strata Committee;
 - i) Delegate to the strata managing agent the function of uploading all information/documents required to comply with the Strata Schemes Management Regulations 2021 (regulation 43A) relating to the Office of Fair Trading “strata hub”; and
 - ii) Note that performance of this function is an additional service under the Agency Agreement

MEETING CLOSURE: There being no further business, the chairperson declared the meeting closed at **10:15am**.

MINUTES OF AN ANNUAL GENERAL MEETING FOR THE OWNERS - STRATA PLAN 52371 HELD BY VIDEO/TELECONFERENCE

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 52371 was held via video/teleconference on Wednesday, 14 December 2022 at 4:00 PM.

PRESENT:

G McRae	Lot 1
T & K Ruberu	Lot 3
C Lange	Lot 8

APOLOGIES:

G Erven	Lot 2
S Clancy	Lot 9

IN ATTENDANCE: Karen Johnson on behalf of CD Strata

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting

QUORUM: The Chairperson declared that there was a quorum present and opened the meeting at 4:00 PM.

MOTIONS:

1 Minutes of Previous General Meeting

RESOLVED that the Minutes of the previous General Meeting held 20/01/22 be confirmed as a true and accurate account of the proceedings of that Meeting.

[Explanatory Note: Section 8(1)(a) of Schedule 1 of the Strata Schemes Management Act 2015 requires a motion to confirm the minutes of the previous general meeting.]

2 Annual Statement of Accounts

RESOLVED that the Annual Statement of Accounts for the Administrative Fund and Capital Works Fund (and any other Fund prepared by the Owners Corporation) for the year ended 31/10/2022 be received and adopted.

[Explanatory Note: Clause 9(b) of Schedule 1 of the Strata Schemes Management Act 2015 requires a motion to adopt financial statements.]

3 Audit of Accounts

THE MOTION, "that the Financial Statement of Accounts of the Owners Corporation be audited for the ensuing year by an appropriately qualified person," **WAS DEFEATED**.

[Explanatory Note: Section 95 states that a mandatory audit is required if the annual budget of the strata scheme plus opening balance of funds exceeds, or is likely to exceed, \$250,000.00.]

4 Proposed Annual Budget (Estimated Receipts & Payments)

THE MOTION, "that the proposed annual estimates of expenditure for the year ending 31/10/23 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$22,000.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$5,184.00; and

- (c) That both contributions be paid in regular quarterly instalments, due and payable as follows:

01/01/23, 01/04/23, 01/07/23, 01/10/23.

and continue to be determined and paid in subsequent quarters per a) and b) of this motion until otherwise determined by the Owners Corporation," **WAS AMENDED AS FOLLOWS;**

[Explanatory Note: Under section 79(1) and 81(1) of the Strata Schemes Management Act 2015 there are requirements to determine the amounts required to credit to the administrative and capital works funds and to levy those amounts at each Annual General Meeting. Parts (c) of the motion allows for the owners corporation to continue raising levies beyond the initial four quarters until a subsequent general meeting determines otherwise. This allows for no disruption in the scheme's cash-flow.]

That the proposed annual estimates of expenditure for the year ending 31/10/23 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$21,000.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$599.00; and

- (c) That both contributions be paid in regular quarterly instalments, due and payable as follows:

01/01/23, 01/04/23, 01/07/23, 01/10/23.

and continue to be determined and paid in subsequent quarters per a) and b) of this motion until otherwise determined by the Owners Corporation.

[Explanatory Note: Under section 79(1) and 81(1) of the Strata Schemes Management Act 2015 there are requirements to determine the amounts required to credit to the administrative and capital works funds and to levy those amounts at each Annual General Meeting. Parts (c) of the motion allows for the owners corporation to continue raising levies beyond the initial four quarters until a subsequent general meeting determines otherwise. This allows for no disruption in the scheme's cash-flow.]

THE MOTION WAS RESOLVED AS AMENDED

5

Capital Works Fund Plan

THE MOTION, "that the Owners Corporation: -

- Prepare and/or review the current Capital Works Fund 10 year plan; and
- Engage a suitably qualified consultant to assess the major capital works and general maintenance requirements of the building;
- Submit that Report to the Strata Committee to determine appropriate action; and
- Delegate to the strata managing agent the authority to undertake any additional functions in accordance with their Agency Agreement to obtain necessary quotations and engage contractors to prepare the Report and any other work as approved by the Strata Committee," **WAS DEFEATED.**

NB: Date that Capital Works Fund Plan is due for review - 22/02/26.

[Explanatory Note: Under section 80 of the Strata Schemes Management Act 2015, the owners corporation is required to have a 10-year capital works fund plan in place. Clause 6 of Schedule 1 of the Strata Schemes Management Act 2015 provides a mandatory motion to prepare or review the 10-year plan for the capital works. Section 80(3) of the Strata Schemes Management Act 2015 provides that an owners corporation may, by resolution at a general meeting, review, revise or replace a 10-year plan prepared and must review the plan at least once every 5 years. Further, section 80(7) of the Strata Schemes Management Act 2015 provides that the owners corporation is, so far as practicable (and subject to any adjustments), to implement the 10 year capital works fund plan.]

6

Levy Recovery

RESOLVED that the Owners Corporation for the purpose of collecting overdue levy contributions, interest and related expenses thereon and pursuant to the Act (including Section 103 (3) (b), authorise the Strata Managing Agent and/or the Strata Committee to do any of the following: -

- a) Levy Recovery Stage 1: issue a Reminder Notice after 31 days from the levy due date for debts in excess of \$200.00;
- b) Levy Recovery Stage 2: issue Final Notice after 60 days from the levy due date for debts in excess of \$200.00;

- c) Levy Recovery Stage 3: after 90 days from the original date the levy was due, and where the debt is in excess of \$500.00, appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation of solicitors, barristers and/or experts on behalf of The Owners - Strata Plan 52371 to issue a letter of demand and/or to commence, pursue, continue to 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) Enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy 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/or experts in relation to any levy recovery proceedings.

And further that;

- g) Subject to the agreement of the Strata Committee, the Owners Corporation agree to enter into payment plans for the recovery of outstanding levy contributions in accordance with the provisions of Section 85(5) of the Strata Schemes Management Act 2015.

[Explanatory Note: This motion sets out the steps the owners corporation instructs our agency to take should any lot owner fall into levy arrears. Costs associated with levy arrears include; 1. Simple interest, on amounts owing, at an annual rate of 10% p.a., and 2. Recovery of the reasonable expenses the owners corporation incurred in recovering amounts due. Expenses include agency costs to issue levy reminder letters charged at \$33 for stage 1 reminder, \$88 for stage 2 reminder and \$176 for stage 3 action i.e. referring debt to a third party as detailed under part c) of this motion. Costs of any third-party debt recovery firm are also recoverable from the debtor.]

7

Insurances

(a) General Insurances

RESOLVED that the Owners Corporation note and confirm the general insurance cover as effected over the strata scheme and detailed in the meeting agenda.

[Explanatory Note: The owners corporation is required to maintain mandatory insurance and can take out additional insurance. This motion is a requirement of clause 9(d) of Schedule 1 of the Strata Schemes Management Act 2015.]

(b) Insurance Quotations

RESOLVED that the Owners Corporation authorise and delegate to the Strata Committee and Strata Managing Agent the function of obtaining three (3) quotations for insurance over the strata scheme and further that the Strata Managing Agent be authorised and directed to arrange appropriate cover.

[Explanatory Note: Quotations obtained include mandatory insurances and may also include optional insurances as determined by the owners corporation e.g. office bearers liability & fidelity guarantee insurance as detailed under parts (c) and (d) of this motion.]

(c) Office Bearers Liability Insurance

RESOLVED that the Owners Corporation effects/renews Office Bearer's Liability insurance to cover office holders and/or Committee members from damages claims arising as a result of an act of omission, committed or omitted in good faith in performing the functions of their office, at the existing level of cover as shown in the Insurance Summary contained within the notice of the Annual General Meeting or such other limit that may be determined by the meeting.

[Explanatory Note: Office bearers liability insurance provides cover for losses arising from alleged wrongful acts or omissions of the strata committee, committed or omitted in good faith in the course of carrying out their duties as a committee. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting.]

(d) Fidelity Guarantee Insurance

RESOLVED that the Owners Corporation effects/renews Fidelity Guarantee Insurance to cover for losses arising from misappropriation of money or other property of the owners corporation.

[Explanatory Note: Fidelity guarantee insurance provides cover for losses arising from misappropriation of money or other property of the owners corporation. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting. The cost of such cover is typically factored into building insurance costs i.e. its removal generally does not result in lower premiums.]

(e) Valuation

RESOLVED that the Strata Managing Agent be authorised to arrange an annual revaluation of the building for insurance purposes for replacement.

N.B. The average cost of a valuation is between \$500.00 - \$750.00.

Date of the last Building Valuation: 04/03/21.

*[Explanatory Note: The former legislation only required consideration of the replacement value. However, **reinstatement** is also required and in some circumstances this amount could exceed the replacement value, leaving the scheme underinsured. It is expected that the valuer's fee to value **reinstatement** costs will be higher than just for replacement costs. The legislation does not require an owners corporation to obtain a valuation, however this is highly recommended and any former valuation obtained before 30 November 2016 probably only allowed for replacement costs and not **reinstatement** costs.]*

8 Commissions and Training Services

RESOLVED that the below information be received from the Strata Managing Agent on commissions and training services received in the last 12 months and the estimate of commissions and training services to be received in the next 12 months: -

- (a) Commission was received totalling \$914.75 in the past 12 months, and it is estimated an amount of \$1,051.96 is likely to be received in the next 12 months.
- (b) Regular training services were received in the past 12 months from Bannermans Lawyers and Strata Specialist Lawyers (by way of regular on-line webinars). It is anticipated that on-going training webinars, from Bannermans Lawyers and Strata Specialist Lawyers, will continue to be provided in the coming 12 months.

[Explanatory Note: As Strata Managing Agent we have relationships with insurers and brokers to help manage the insurance needs of the building. As authorised representatives or partners with the insurers or brokers, we may receive commission for our role in placing the renewal.

This commission is included as part of the base management fee for the building, and is taken into account in proposing a Management Fee to a client or potential client. The vast majority of Strata Management companies in NSW include commission as part of their management fee in the same way that CD Strata does.

You will note in the Agency Agreement that we do provide the option for us to place insurance without receiving any commission, but the fee is adjusted as a result of this.]

9 Election of Strata Committee

RESOLVED that nominations be received for election of the Strata Committee.

N.B. Members must be financial to be eligible for appointment or election to the Strata Committee and consent to the nomination. Any candidate for election to the Strata Committee must, if applicable, disclose any connections with the original owner or building manager of the scheme.

Elected Strata Committee Members should note that, in compliance with NSW Government requirements relating to "Strata Hub", details of the chairperson and secretary are required to be uploaded onto "Strata Hub". Contact details for committee members will be accessible, via the "Strata Hub" by;

- i. local council; and
- ii. NSW Fire Brigade

- (a) Nominations already received prior to this meeting are as follows: nil.
- (b) That the Owners Corporation determine the number of members of the Strata Committee (not being more than 9) to be three (3)
- (c) That the Strata Committee be elected in accordance with the provisions of the Strata Schemes Regulation 2016, cl.9 and cl.10

G Mcrae	Lot 1
G Erven	Lot 2
K Ruberu	Lot 3
C Lange	Lot 8

N.B. If the number of candidates is greater than the number decided upon by the meeting - a ballot is to be held

Noted: That the eligible tenant representative on the Strata Committee is: N/A.

10 Restrictions on Committee

RESOLVED that, for the purposes of Section 36(3) of the Strata Schemes Management Act 2015, there be no special restrictions placed on the Strata Committee in relation to matters which the Committee is authorised to decide without referral to a General Meeting.

11 Issuing of Work Orders

RESOLVED that the Owners Corporation acknowledges that the managing agent will not issue a work order or engage any contractors for the provision of any goods or services, unless they have complied with the minimum requirements below

Minimum requirements (as aligned to the recommended criteria as advised by Safe Work Australia):

- Must be registered as a business for tax purposes in Australia
- Must have a minimum \$10 million Public & Property Liability Insurance (in respect of each and every occurrence and unlimited in aggregate for any period of cover)
- Must have a minimum \$1 million Professional Indemnity Insurance (where applicable)
- Must have Statutory Workers Compensation Insurance for all employees or Personal and Accident Insurance as a Sole Trader
- Must hold all licenses as relevant to services provided
- Must have an established Quality Management System (Consultants only)
- Must have an established Health & Safety Management system
- Must accept Chris Darby Strata Terms and Conditions of engagement and Business Code of Conduct.

Definitions:

- Contractor: means a person or organisation that is engaged, on a temporary basis, to undertake a particular task and includes consultants who provide recommendations and/or specialist professional advice.
- Work Order: means a written order providing specific or blanket authorisation to a contractor to proceed with the provision of specific goods or services without further instructions.

Explanatory note:

The Owners Corporation has a duty of care to ensure the safety of its owners, tenants, visitors, contractors and any members of the general public who access the common areas of their property. It is therefore essential that any Contractors engaged to perform any services at the property assume the same obligations.

The risks involved in engaging Contractors are significantly increased when they do not meet the Minimum Requirements noted in the table above. Any damage caused to property or persons resulting from any accidents or incidents caused by the Contractor, places the Owners Corporation at risk.

As per the Strata Management Agency Agreement entered into by the Agent and the Owners Corporation, the agent will continue to effect repairs and maintenance, as defined under that agreement, to the common property through the engagement of qualified tradespersons and or companies.

The Owners Corporation, through its Committee, take full responsibility for the engagement and direction of Contractors who have not achieved the Minimum Requirements and understand and acknowledge the associated risks.

The Agent will take no responsibility for any consequences arising from the engagement of any Contractors and will not perform any services other than to provide the administration tasks in relation to the payment of invoices raised by those Contractors.

12 Pet application - Lot 8

RESOLVED to consider and if seen fit give approval, pursuant to By Law 16, to the Owner of Lot 8 to keep a dog upon the Lot as per the attached application, subject to:

- Approval is for the life of the subject animal only.
- All mess/damage caused by the animal is the responsibility of its Owner.
- The animal must be restrained and accompanied by an Owner at all times whilst crossing Common Property.

13 Utility Service Providers

RESOLVED that the Owners Corporation authorise the Strata Managing Agent and /or the Strata Committee to review and enter into any agreement for the supply of utilities for the Owners Corporation.

Explanatory note:

This motion provides the authority for the Strata Manager and the Strata Committee to obtain quotes and enter into agreement for common area utility supply such as electricity and gas. CD Strata undertake such process for its clients to ensure that competitive market rates are obtained.

14 Strata Hub

RESOLVED that the Owners - Strata Plan 52371, by ordinary resolution:

- Delegate to the strata manager the function of uploading all information/documents required to comply with the Strata Schemes Management Regulations 2021 (regulation 43A) relating to the Office of Fair Trading "strata hub"; and

- Note that this activity triggers additional statutory costs (\$3 per lot, per annum), and service fees per item 4.6 of schedule A2 of the agency agreement, namely additional services relating to "compliance" for the owners corporation.

[Explanatory note: From 30 June 2022 an Owners Corporation will be required to place a range of information (and documents) on the Office of Fair Trading "strata Hub" which is designed to capture information relating to a strata scheme (some of which is for public distribution). This motion is for the strata managing agent to be delegated the authority to undertake such work (uploading the information/documents and keeping records current) and the associated payment of the strata managers fees (as additional services under the Agency Agreement). Failure to comply will attract penalties from the NSW Government. A copy of the regulation can be viewed via this link - <https://legislation.nsw.gov.au/view/pdf/asmade/sl-2021-773>.]

CLOSURE: There being no further business, the chairperson declared the meeting closed at 4:21 PM.

CHAIRPERSON

Liability limited by a scheme approved under Professional Standards Legislation.

**MINUTES OF A STRATA COMMITTEE MEETING
FOR THE OWNERS - STRATA PLAN 52371 HELD BY VIDEO/TELECONFERENCE**

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 52371 was held on Wednesday, 14 December 2022 immediately following the Annual General Meeting via video/teleconference.

PRESENT:

G Mcrae	Lot 1
G Erven	Lot 2
K Ruberu	Lot 3
C Lange	Lot 8

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting.

MOTIONS:

1 Minutes of the last meeting

RESOLVED that the Minutes of the last Strata Committee Meeting be confirmed as a true record of the proceedings of that Meeting.

2 Appointment Chairperson, Secretary & Treasurer

That, pursuant to Section 41 of the Strata Schemes Management Act, 2015:

(a) RESOLVED that G Erven be appointed Chairperson of the Strata Committee until the conclusion of the next Annual General Meeting.

(b) RESOLVED that G Erven be appointed Secretary of the Strata Committee until the conclusion of the next Annual General Meeting.

(c) RESOLVED that K Ruberu be appointed Treasurer of the Strata Committee until the conclusion of the next Annual General Meeting.

3 Authority for Expenditure

RESOLVED that the Strata Committee;

- i. Authorises the managing agent to address emergency repairs; and
- ii. Authorises the managing agent to progress repairs, required for annual certification of safety measures, up to a cost limit of \$5,000; and
- iii. Authorises the managing agent to progress non-emergency repairs up to a cost limit of \$1,000

[Explanatory note: The owners corporation has a duty, pursuant to section 106 of the Strata Schemes Management Act 2015, to repair and maintain common property. The purpose of this motion is to allow the managing agent to progress repair works in a timely fashion. Delays in completion of works, relating to annual certification of safety measures, can result in financial penalties from local council. Any works exceeding authority limits within this motion will be referred to the strata committee for approval.]

4 Committee Liaison

(a) RESOLVED that G Erven be nominated to liaise with the Strata Managing Agent and be the schemes point of contact.

(b) RESOLVED that G Mcrae be nominated to liaise with the Strata Managing Agent and be the schemes substitute point of contact.

5 Signboard Policy

RESOLVED that the policy for allowing signboards for properties for sale & lease be determined for the ensuing year.

6 Property & Administrative Matters

RESOLVED that any property and administrative matters presented be considered and accordingly dealt with by the Meeting.

Note: Yukkas - approval for trees to be removed. G McRae advised his preference is not to remove the larger trees at the front of the property as they give shade and privacy - the Managing Agent to request a quotation to prune.

7 Future Meetings

RESOLVED that the date, time and place of future meetings be determined as follows:

(a) Annual General Meeting - The Managing Agent will liaise with the Strata Committee when required.

(b) Strata Committee Meetings - The Managing Agent will liaise with the Strata Committee when required.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 4:35 PM.

CHAIRPERSON

MINUTES OF AN ANNUAL GENERAL MEETING FOR THE OWNERS - STRATA PLAN 52371 HELD BY VIDEO/TELECONFERENCE

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 52371 was held via video/teleconference on Tuesday, 5 December 2023 at 4:07 PM.

PRESENT:

G Erven	Lot 2
T & K Ruberu	Lot 3
C Lange	Lot 8

APOLOGY: G McRae - Lot 1

IN ATTENDANCE: Karen Johnson on behalf of CD Strata

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting

QUORUM: The Chairperson declared that there was a quorum present and opened the meeting at 4:07 PM.

MOTIONS:

1 Minutes of Previous General Meeting

RESOLVED that the Minutes of the previous General Meeting held 14/12/22 be confirmed as a true and accurate account of the proceedings of that Meeting.

[Explanatory Note: Section 8(1)(a) of Schedule 1 of the Strata Schemes Management Act 2015 requires a motion to confirm the minutes of the previous general meeting.]

2 Annual Statement of Accounts

RESOLVED that the Annual Statement of Accounts for the Administrative Fund and Capital Works Fund (and any other Fund prepared by the Owners Corporation) for the year ended 31/10/2023 be received and adopted.

[Explanatory Note: Clause 9(b) of Schedule 1 of the Strata Schemes Management Act 2015 requires a motion to adopt financial statements.]

3 Audit of Accounts

THE MOTION, "that the Financial Statement of Accounts of the Owners Corporation be audited for the ensuing year by an appropriately qualified person," **WAS DEFEATED**.

[Explanatory Note: Section 95 of the Strata Schemes Management Act 2015 requires an audit to be undertaken for all large strata schemes. In addition to large schemes, an audit must be undertaken if; the cumulative total of the annual budget, any other income to the owners corporation, and the opening balance of funds for the financial period, exceeds, or is likely to exceed, \$250,000.00.]

4 Proposed Annual Budget (Estimated Receipts & Payments)

THE MOTION, "that the proposed annual estimates of expenditure for the year ending 31/10/23 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$21,000.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$31,650.00; and

- (c) That both contributions be paid in regular quarterly instalments, due and payable as follows:

01/01/24, 01/04/24, 01/07/24, 01/10/24.

and continue to be determined and paid in subsequent quarters per a) and b) of this motion until otherwise determined by the Owners Corporation," **WAS AMENDED AS FOLLOWS;**

[Explanatory Note: Under section 79(1) and 81(1) of the Strata Schemes Management Act 2015 there are requirements to determine the amounts required to credit to the administrative and capital works funds and to levy those amounts at each Annual General Meeting. Parts (c) of the motion allows for the owners corporation to continue raising levies beyond the initial four quarters until a subsequent general meeting determines otherwise. This allows for no disruption in the scheme's cash-flow.]

That the proposed annual estimates of expenditure for the year ending 31/10/23 be received and adopted and that contributions be determined as follows: -

- (a) That contributions to the Administrative Fund are estimated in accordance with Section 79 (1) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$21,000.00; and

- (b) That contributions to the Capital Works Fund are based upon the latest Capital Works Fund Report, and are estimated in accordance with Section 79 (2) and determined in accordance with Section 81 (1) of the Strata Schemes Management Act 2015 at: -

\$7,799.00; and

- (c) That both contributions be paid in regular quarterly instalments, due and payable as follows:

01/01/24, 01/04/24, 01/07/24, 01/10/24.

and continue to be determined and paid in subsequent quarters per a) and b) of this motion until otherwise determined by the Owners Corporation.

[Explanatory Note: Under section 79(1) and 81(1) of the Strata Schemes Management Act 2015 there are requirements to determine the amounts required to credit to the administrative and capital works funds and to levy those amounts at each Annual General Meeting. Parts (c) of the motion allows for the owners corporation to continue raising levies beyond the initial four quarters until a subsequent general meeting determines otherwise. This allows for no disruption in the scheme's cash-flow.]

THE MOTION WAS RESOLVED AS AMENDED

5

Capital Works Fund Plan

THE MOTION, "that the Owners Corporation: -

- Prepare and/or review the current Capital Works Fund 10 year plan; and
- Engage a suitably qualified consultant to assess the major capital works and general maintenance requirements of the building;
- Submit that Report to the Strata Committee to determine appropriate action; and
- Delegate to the strata managing agent the authority to undertake any additional functions in accordance with their Agency Agreement to obtain necessary quotations and engage contractors to prepare the Report and any other work as approved by the Strata Committee," **WAS DEFEATED.**

NB: Date that Capital Works Fund Plan is due for review - 22/02/26.

[Explanatory Note: Under section 80 of the Strata Schemes Management Act 2015, the owners corporation is required to have a 10-year capital works fund plan in place. Clause 6 of Schedule 1 of the Strata Schemes Management Act 2015 provides a mandatory motion to prepare or review the 10-year plan for the capital works. Section 80(3) of the Strata Schemes Management Act 2015 provides that an owners corporation may, by resolution at a general meeting, review, revise or replace a 10-year plan prepared and must review the plan at least once every 5 years. Further, section 80(7) of the Strata Schemes Management Act 2015 provides that the owners corporation is, so far as practicable (and subject to any adjustments), to implement the 10 year capital works fund plan.]

6

Levy Recovery

RESOLVED that the Owners Corporation for the purpose of collecting overdue levy contributions, interest and related expenses thereon and pursuant to the Act (including Section 103 (3) (b), authorise the Strata Managing Agent and/or the Strata Committee to do any of the following: -

- a) Levy Recovery Stage 1: issue a Reminder Notice after 31 days from the levy due date for debts in excess of \$200.00;
- b) Levy Recovery Stage 2: issue Final Notice after 60 days from the levy due date for debts in excess of \$200.00;
- c) Levy Recovery Stage 3: after 90 days from the original date the levy was due, and where the debt is in excess of \$500.00, appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation of solicitors, barristers and/or experts on behalf of The Owners - Strata Plan 52371 to issue a letter of demand and/or to commence, pursue, continue to 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) Enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy 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/or experts in relation to any levy recovery proceedings.

And further that;

- g) Subject to the agreement of the Strata Committee, the Owners Corporation agree to enter into payment plans for the recovery of outstanding levy contributions in accordance with the provisions of Section 85(5) of the Strata Schemes Management Act 2015.

[Explanatory Note: This motion sets out the steps the owners corporation instructs our agency to take should any lot owner fall into levy arrears. Costs associated with levy arrears include; 1. Simple interest, on amounts owing, at an annual rate of 10% p.a., and 2. Recovery of the reasonable expenses the owners corporation incurred in recovering amounts due. Expenses include agency costs to issue levy reminder letters charged at \$33 for stage 1 reminder, \$88 for stage 2 reminder and \$176 for stage 3 action i.e. referring debt to a third party as detailed under part c) of this motion. Costs of any third-party debt recovery firm are also recoverable from the debtor.]

7

Insurances

(a) General Insurances

RESOLVED that the Owners Corporation note and confirm the general insurance cover as effected over the strata scheme and detailed in the meeting agenda.

[Explanatory Note: The owners corporation is required to maintain mandatory insurance and can take out additional insurance. This motion is a requirement of clause 9(d) of Schedule 1 of the Strata Schemes Management Act 2015.]

(b) Insurance Quotations

RESOLVED that the Owners Corporation authorise and delegate to the Strata Committee and Strata Managing Agent the function of obtaining three (3) quotations for insurance over the strata scheme and further that the Strata Managing Agent be authorised and directed to arrange appropriate cover.

[Explanatory Note: Quotations obtained include mandatory insurances and may also include optional insurances as determined by the owners corporation e.g. office bearers liability & fidelity guarantee insurance as detailed under parts (c) and (d) of this motion.]

(c) Office Bearers Liability Insurance

RESOLVED that the Owners Corporation effects/renews Office Bearer's Liability insurance to cover office holders and/or Committee members from damages claims arising as a result of an act of omission, committed or omitted in good faith in performing the functions of their office, at the existing level of cover as shown in the Insurance Summary contained within the notice of the Annual General Meeting or such other limit that may be determined by the meeting.

[Explanatory Note: Office bearers liability insurance provides cover for losses arising from alleged wrongful acts or omissions of the strata committee, committed or omitted in good faith in the course of carrying out their duties as a committee. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting.]

(d) Fidelity Guarantee Insurance

RESOLVED that the Owners Corporation effects/renews Fidelity Guarantee Insurance to cover for losses arising from misappropriation of money or other property of the owners corporation.

[Explanatory Note: Fidelity guarantee insurance provides cover for losses arising from misappropriation of money or other property of the owners corporation. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting. The cost of such cover is typically factored into building insurance costs i.e. its removal generally does not result in lower premiums.]

(e) Valuation

THE MOTION, "that the Strata Managing Agent be authorised to arrange a valuation of the building for insurance purposes," **WAS DEFEATED**.

N.B. The average cost of a valuation is between \$500.00 - \$750.00.

Date of the last Building Valuation: 13/02/23.

*[Explanatory Note: The former legislation only required consideration of the replacement value. However, **reinstatement** is now also required and in some circumstances this amount could exceed the replacement value, leaving the scheme underinsured. It is expected that the valuer's fee to value **reinstatement** costs will be higher than just for replacement costs. The legislation does not require an owners corporation to obtain a valuation, however this is highly recommended and any former valuation obtained before 30 November 2016 probably only allowed for replacement costs and not **reinstatement** costs.]*

8 Commissions and Training Services

RESOLVED that the below information be received from the Strata Managing Agent on commissions and training services received in the last 12 months and the estimate of commissions and training services to be received in the next 12 months: -

- (a) Commission was received totalling \$1,040.12 in the past 12 months, and it is estimated an amount of \$1,196.00 is likely to be received in the next 12 months.
- (b) Regular, no cost, training services were received in the past 12 months from Bannermans Lawyers, Strata Specialist Lawyers, and Chambers Russell Lawyers. It is anticipated that on-going training services will continue to be provided in the coming 12 months.

[Explanatory Note: As Strata Managing Agent we have relationships with insurers and brokers to help manage the insurance needs of the building. As authorised representatives or partners with the insurers or brokers, we may receive commission for our role in placing the renewal. This commission is included as part of the base management fee for the building, and is taken into account in proposing a Management Fee to a client or potential client. The vast majority of Strata Management companies in NSW include commission as part of their management fee in the same way that CD Strata does. You will note in the Agency Agreement that we do provide the option for us to place insurance without receiving any commission, but the fee is adjusted as a result of this.]

9 Fire Safety

THE MOTION, "that the Owners Corporation engage a suitably qualified consultant/fire contractor to carry out a Fire Safety inspection and, if applicable prepare an Annual Fire Safety Statement (AFSS) in accordance with the provisions of the Environmental Planning and Assessment Act 1979, and," **WAS DEFEATED**.

- (a) that any essential maintenance/renewal of fire safety measures be reported to the Strata Committee.
- (b) that the Strata Committee be authorised to seek quotations and engage contractors to remedy any deficiencies, and, if applicable arrange for an AFSS to be signed by a competent person on behalf of the strata scheme for lodgement with local Council and the Fire Commissioner, and;
- (c) that the Strata Managing Agent be authorised to approve works up to the value of \$5,000 to remedy any deficiencies found by the qualified consultant/fire contractor when carrying out the Fire Safety inspection.

10 Election of Strata Committee

RESOLVED that nominations be received for election of the Strata Committee.

N.B. Members must be financial to be eligible for appointment or election to the Strata Committee and consent to the nomination. Any candidate for election to the Strata Committee must, if applicable, disclose any connections with the original owner or building manager of the scheme.

Elected Strata Committee Members should note that, in compliance with NSW Government requirements relating to "Strata Hub", details of the chairperson and secretary are required to be uploaded onto "Strata Hub". Contact details for committee members will be accessible, via the "Strata Hub" by;

- i. local council; and
- ii. NSW Fire Brigade

- (a) Nominations already received prior to this meeting are as follows: G Mcrae - Lot 1.
- (b) Oral nominations of candidates eligible for election to the strata committee be received and recorded as follows:

G Mcrae	Lot 1
G Erven	Lot 2
K Ruberu	Lot 3
C Lange	Lot 8

- (c) That the Owners Corporation determine the number of members of the Strata Committee (not being more than 9) to be four (4)
- (d) That the Strata Committee be elected in accordance with the provisions of the Strata Schemes Regulation 2016, cl.9 and cl.10

G Mcrae	Lot 1
G Erven	Lot 2
K Ruberu	Lot 3
C Lange	Lot 8

N.B. If the number of candidates is greater than the number decided upon by the meeting - a ballot is to be held

Noted: That the eligible tenant representative on the Strata Committee is: N/A.

11 Restrictions on Committee

RESOLVED that, for the purposes of Section 36(3) of the Strata Schemes Management Act 2015, there be no special restrictions placed on the Strata Committee in relation to matters which the Committee is authorised to decide without referral to a General Meeting.

12 Issuing of Work Orders

RESOLVED that the Owners Corporation acknowledges that the managing agent will not issue a work order or engage any contractors for the provision of any goods or services, unless they have complied with the minimum requirements below

Minimum requirements (as aligned to the recommended criteria as advised by Safe Work Australia):

- Must be registered as a business for tax purposes in Australia
- Must have a minimum \$10 million Public & Property Liability Insurance (in respect of each and every occurrence and unlimited in aggregate for any period of cover)
- Must have a minimum \$1 million Professional Indemnity Insurance (where applicable)
- Must have Statutory Workers Compensation Insurance for all employees or Personal and Accident Insurance as a Sole Trader
- Must hold all licenses as relevant to services provided
- Must have an established Quality Management System (Consultants only)
- Must have an established Health & Safety Management system
- Must accept Chris Darby Strata Terms and Conditions of engagement and Business Code of Conduct.

Definitions:

- Contractor: means a person or organisation that is engaged, on a temporary basis, to undertake a particular task and includes consultants who provide recommendations and/or specialist professional advice.
- Work Order: means a written order providing specific or blanket authorisation to a contractor to proceed with the provision of specific goods or services without further instructions.

[Explanatory note:

The Owners Corporation has a duty of care to ensure the safety of its owners, tenants, visitors, contractors and any members of the general public who access the common areas of their property. It is therefore essential that any Contractors engaged to perform any services at the property assume the same obligations.

The risks involved in engaging Contractors are significantly increased when they do not meet the Minimum Requirements noted in the table above. Any damage caused to property or persons resulting from any accidents or incidents caused by the Contractor, places the Owners Corporation at risk.

As per the Strata Management Agency Agreement entered into by the Agent and the Owners Corporation, the agent will continue to effect repairs and maintenance, as defined under that agreement, to the common property through the engagement of qualified tradespersons and or companies.

The Owners Corporation, through its Committee, take full responsibility for the engagement and direction of Contractors who have not achieved the Minimum Requirements and understand and acknowledge the associated risks.

The Agent will take no responsibility for any consequences arising from the engagement of any Contractors and will not perform any services other than to provide the administration tasks in relation to the payment of invoices raised by those Contractors.]

13 Utility Service Providers

RESOLVED that the Owners Corporation authorise the Strata Managing Agent and /or the Strata Committee to review and enter into any agreement for the supply of utilities for the Owners Corporation.

[Explanatory note:

This motion provides the authority for the Strata Manager and the Strata Committee to obtain quotes and enter into agreement for common area utility supply such as electricity and gas. CD Strata undertake such process for its clients to ensure that competitive market rates are obtained.]

14 Strata Hub

RESOLVED that the Owners - Strata Plan 52371, by ordinary resolution:

- Delegate to the strata manager the function of uploading all information/documents required to comply with the Strata Schemes Management Regulations 2021 (regulation 43A) relating to the Office of Fair Trading "strata hub"; and
- Note that this activity triggers additional statutory costs (\$3 per lot, per annum), and service fees per item 4.6 of schedule A2 of the agency agreement, namely additional services relating to "compliance" for the owners corporation.

[Explanatory note: From 30 June 2022 an Owners Corporation will be required to place a range of information (and documents) on the Office of Fair Trading "strata Hub" which is designed to capture information relating to a strata scheme (some of which is for public distribution). This motion is for the strata managing agent to be delegated the authority to undertake such work (uploading the information/documents and keeping records current) and the associated payment of the strata managers fees (as additional services under the Agency Agreement). Failure to comply will attract penalties from the NSW Government. A copy of the regulation can be viewed via this link - <<https://legislation.nsw.gov.au/view/pdf/asmade/sl-2021-773>>.]

15 Window Safety Devices - Inspection & Works

THE MOTION, "that the Owners Corporation, pursuant to obligations set out under section 30 of the Strata Schemes Management Regulation 2016, engage QSEC Strata Facilities Group Pty Ltd to," **WAS DEFEATED**.

1. Inspect and certify all installed window safety devices within the building; and
2. Install window safety devices, as required, to windows; and
3. Replace / repair any installed window safety devices that do not comply with requirements; and
4. Provide the owners corporation with a summary report/certification of works completed

[Explanatory note: The requirement to install window safety devices has been in place for some time. On-going checks that the installed devices are still functional/compliant/in place will mitigate risk to the owners corporation. Window safety devices are required to be installed to all windows within residential apartment buildings that;

- i) *Can be opened; and*
- ii) *Has the lowest level of the window opening less than 1.7 meters from the surface of the floor adjacent to the window; and*
- iii) *Is 2 meters or more above the ground level, or any external surface, below the window; and*
- iv) *Is a window on common property to which access can be gained from a residence in a strata scheme or a window on any part of the building that is part of a residence*

The window safety device must;

- *be capable of restricting the window opening so that a sphere having a diameter of 125 millimetres or more cannot pass through the opening; and*
- *be capable of resisting an outward horizontal force of 250 newtons; and*
- *have a child resistant release mechanism, in the case of a device that can be removed, overridden or unlocked].*

QSEC Strata Facilities Group Pty Ltd has provided competitive pricing to undertake works outlined in this motion. We have sourced pricing from several providers and have identified that QSEC's pricing is c. 10% less than the market average. QSEC Strata Facilities Group Pty Ltd is a related entity to the Strata Managing Agent.

A copy of QSEC's quotation can be found here:

<https://cngpropertygroup.com.au/wp-content/uploads/2023/10/Strata-Window-Locks.pdf>

Alternatively, please contact repairs@cngproperty.com.au for a copy

16 Special By-law Window Safety Devices

Should the preceding motion not be resolved;

THE MOTION, "that the Owners - Strata Plan 52371, pursuant to sections 141 and 142 of the Strata Schemes Management Act 2015, specially resolves to make an additional by-law on the following terms," **WAS DEFEATED**.

1. This by-law is made for the purpose of the control, management, administration and use of the common property for the strata scheme. Its principal purpose is to impose conditions on the operation, use, repair, maintenance and replacement of the Child Window Safety Devices.
2. In this by-law, unless the context otherwise requires:
 - (a) "Act" means the *Strata Schemes Management Act 2015*.
 - (b) "Authority" means any government, semi-government, statutory, public or other authority having any jurisdiction over any part of the parcel, including the local council.
 - (c) "Child Window Safety Device" means the installation of:
 - i. a device which allows a window to be locked with a maximum opening of 125mm;
 - ii. the installation of a security screen that is capable of resisting a lateral load of 250 newtons or more; or
 - iii. any legislative requirement that amends or replaces sub-clauses 2(c)(i) and/or (ii), to Non-compliant Windows.

- (d) "Non-compliant Window" means any openable window in the building where:
- i. the lowest window edge is less than 1.7 metres above the inside floor surface of the Lot; and
 - ii. the drop from the internal floor surface level to the external surface beneath the window is two metres or more; or
 - iii. any legislative requirement that amends or replaces sub-clauses 2(d)(i) and/or (ii).
- (e) "work" means any work undertaken to comply with clause 6 of this by-law;
3. In this by-law, unless the context otherwise requires:
- a) the singular includes the plural and vice versa;
 - b) any gender includes the other genders;
 - c) any terms in the by-law will have the same meaning as those defined in the Act;
 - d) references to legislation include references to amending and replacing legislation; and
 - e) where a term of the by-law is inconsistent with any by-law applicable to the strata scheme, then the provisions of the by-law shall prevail to the extent of the inconsistency.
4. As at the date of making this by-law, the owners corporation has installed Child Window Safety Devices.
5. On the conditions set out in this by-law, the owner of a lot has a special privilege in respect of the common property to keep Child Window Safety Devices in relation to their lot.
6. The owner must properly maintain and keep in a state of good and serviceable repair (and must renew or replace where necessary) the Child Window Safety Devices in relation to their lot.
7. In undertaking work, the owner must by themselves, their agents, servants and contractors:
- (a) use only duly licensed contractors to conduct the work in a proper and skilful manner;
 - (b) use appropriate materials in accordance with the manufacturer's specifications;
 - (c) comply with all conditions and requirements of any Authority;
 - (d) comply with the Building Code of Australia and all pertinent Australian Standards;
 - (e) not allow the obstruction, for example by building materials, debris, tools, machines or motor vehicles, of the reasonable use of the common property;
 - (f) ensure that the work does not interfere with or damage the common property (other than as approved in this by-law) or the property of any other lot owner and if this happens the owner must rectify that interference or damage within a reasonable period of time;
 - (g) comply with any reasonable requirement of the owners corporation concerning the means of entering and leaving the building for tradespeople, building materials, tools and debris, and storage of materials and debris;
 - (h) only perform work subject to any limitations imposed by any Authority on the hours of work;
 - (i) provide access to the owners corporation's representative to permit an examination of the work;
 - (j) keep all affected areas of the building outside the lot clean and tidy, and remove all debris from the common property.
8. After the completion of work, the owner must without unreasonable delay:
- (a) notify the owners corporation that work has been completed;
 - (b) notify the owners corporation that all damage, if any, to any lot in the strata scheme or common property caused or contributed to by the work and not permitted by this by-law, has been rectified;
 - (c) provide a copy of any requisite certification relating to the completion of the work, including but not limited to any certification issued to or by an Authority.
9. If an owner fails to comply with or breaches any obligation under this by-law, then the owners corporation may:

- (a) carry out anything necessary to perform that obligation;
- (b) enter upon any part of the parcel to perform that obligation;
- (c) recover the costs of carrying out that obligation from the owner as a debt;

but only if the owners corporation first gives the owner a reasonable opportunity (not less than 28 days by written notice) to rectify any alleged breach or failure to comply, unless there is an emergency. The owner shall also indemnify the owners corporation against any legal action or liability from any action by the owners corporation pursuant to this clause.

- 10. The owner indemnifies and must keep the owners corporation indemnified against any loss, claim, cost, legal liability or proceedings in respect of any injury, loss or damage whatsoever to the common property, or other property or person insofar as such injury, loss or damage arises out of the performance of the work including, without limitation, any liability of the owners corporation under s.122(6) of the Act.
- 11. The owner is liable and remains liable for any damage caused or contributed to by the work which is not authorised by this by-law Including, without limitation, damage to the property of the owners corporation or the property of an owner or occupier of a lot in the strata scheme.

The work and anything else required of the owner pursuant to this by-law must be undertaken at the cost of the owner.

[Explanatory note: The purpose of this by-law is to impose conditions on the operation, use, repair, maintenance and replacement of the Child Window Safety Devices.]

CLOSURE: There being no further business, the chairperson declared the meeting closed at 4:40 PM.

CHAIRPERSON

Liability limited by a scheme approved under Professional Standards Legislation.

**MINUTES OF A STRATA COMMITTEE MEETING
FOR THE OWNERS - STRATA PLAN 52371 HELD BY VIDEO/TELECONFERENCE**

ADDRESS OF THE STRATA SCHEME: 55 Park Road, CORRIMAL NSW 2518

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 52371 was held on Tuesday, 5 December 2023 immediately following the Annual General Meeting via video/teleconference.

PRESENT:

G Erven	Lot 2
T & K Ruberu	Lot 3
C Lange	Lot 8

CHAIRPERSON: Karen Johnson acted as Chairperson of the meeting.

MOTIONS:

1 Minutes of the last meeting

RESOLVED that the Minutes of the last Strata Committee Meeting be confirmed as a true record of the proceedings of that Meeting.

2 Appointment Chairperson, Secretary & Treasurer

That, pursuant to Section 41 of the Strata Schemes Management Act, 2015:

(a) RESOLVED that G Erven be appointed Chairperson of the Strata Committee until the conclusion of the next Annual General Meeting.

(b) RESOLVED that G Erven be appointed Secretary of the Strata Committee until the conclusion of the next Annual General Meeting.

(c) RESOLVED that K Ruberu be appointed Treasurer of the Strata Committee until the conclusion of the next Annual General Meeting.

[Explanatory note: Section 41 of the Strata Schemes Management Act 2015 ("Act") requires the strata committee to appoint office bearers.

The functions of office bearing roles, within the strata committee, are as follows:

Chairperson - to chair meetings of the owners corporation and strata committee of the owners corporation. To make determinations as to quorums and procedural matters at meetings.

Secretary - to prepare and distribute meeting notices/minutes of the owners corporation and strata committee. To give notices as required under the Act. To maintain the strata roll. To enable the inspection of books and records as required under the Act. To answer communications addressed to the owners corporation. To attend to matters of an administrative or secretarial nature in connection with the exercise of function by the owners corporation or strata committee. To attend to any other functions conferred on the secretary under any other Act or law.

Treasurer - To notify owners of any contributions levies in accordance with the Act. To receive and account for any money paid to the owners corporation. To prepare any strata information certificate. To keep the accounting records and prepare the financial statements.

It should be noted that many of the functions listed above are delegated to the strata managing agent.]

3 Committee Liaison

(a) RESOLVED that G Erven be nominated to liaise with the Strata Managing Agent and be the schemes point of contact.

(b) RESOLVED that G McRae be nominated to liaise with the Strata Managing Agent and be the schemes substitute point of contact.

4 Authority for Expenditure

RESOLVED that the Strata Committee;

- i. Authorises the managing agent to address emergency repairs; and
- ii. Authorises the managing agent to progress repairs, required for annual certification of safety measures, up to a cost limit of \$5,000; and
- iii. Authorises the managing agent to progress non-emergency repairs up to a cost limit of \$5,000

[Explanatory note: The owners corporation has a duty, pursuant to section 106 of the Strata Schemes Management Act 2015, to repair and maintain common property. The purpose of this motion is to allow the managing agent to progress repair works in a timely fashion. Delays in completion of works, relating to annual certification of safety measures, can result in financial penalties from local council. Any works exceeding authority limits within this motion will be referred to the strata committee for approval.]

5 Signboard Policy

RESOLVED that the policy for allowing signboards for properties for sale & lease be determined for the ensuing year.

6 Property & Administrative Matters

RESOLVED that any property and administrative matters presented be considered and accordingly dealt with by the Meeting.

- Plumbing - the Managing Agent is to approve job 1 of the Keira Plumbering quotation # 0067 in the amount of \$2,000.00 only.
- Drains on driveway - G Erven will discuss clearing drains regularly with lawn/garden contractor
- Trees - the Managing Agent is to follow up with peter walton tree care regarding the stump grinding owners were under the impression it was included in the quoted price.

7 Future Meetings

RESOLVED that the date, time and place of future meetings be determined as follows:

(a) Annual General Meeting - Future meetings be held on a Wednesday, Thursday or Friday.

(b) Strata Committee Meetings - Future meetings be held on a Wednesday, Thursday or Friday.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 4:48 PM.

CHAIRPERSON

Approved Levy Posting for

The Owners--Strata Plan 52371

ABN 81382521247

First instalment due date: 01/01/2024

Discount: Nil

Instalment frequency: Quarterly

Group: General

Number of instalments: 4

Entitlement set: Levy

Description: Quarterly Admin/Capital
Works Levy

Levy determination date: 05/12/2023

Lot No.	Unit No.	Unit Entitlement	Administrative Fund	Capital Works Fund	Total
1	1	1.00	2,333.40	866.60	3,200.00
2	2	1.00	2,333.40	866.60	3,200.00
3	3	1.00	2,333.40	866.60	3,200.00
4	4	1.00	2,333.40	866.60	3,200.00
5	5	1.00	2,333.40	866.60	3,200.00
6	6	1.00	2,333.40	866.60	3,200.00
7	7	1.00	2,333.40	866.60	3,200.00
8	8	1.00	2,333.40	866.60	3,200.00
9	9	1.00	2,333.40	866.60	3,200.00
Totals		9.00	\$21,000.60	\$7,799.40	\$28,800.00
GST included in amounts to be raised			\$0.00	\$0.00	\$0.00
Amount to be raised per unit of entitlement			\$2,333.33	\$866.56	\$3,199.89

The following advanced instalment settings were used:

Due date	Description	Administrative Fund	Capital Works Fund	Total	Comment
01/01/2024	Quarterly Admin/Capital Works Levy	5,250.00	1,949.75	7,199.75	
01/04/2024	Quarterly Admin/Capital Works Levy	5,250.00	1,949.75	7,199.75	
01/07/2024	Quarterly Admin/Capital Works Levy	5,250.00	1,949.75	7,199.75	
01/10/2024	Quarterly Admin/Capital Works Levy	5,250.00	1,949.75	7,199.75	
		\$21,000.00	\$7,799.00	\$28,799.00	

Approved Budget to apply from 01/11/2023

The Owners--Strata Plan 52371

55 Park Road, CORRIMAL NSW 2518

Administrative Fund

Approved
budget

Revenue

Levies Due--Admin	21,000.00
Total revenue	21,000.00

Less expenses

Admin--Agent Management Fees--Additional	500.00
Admin--Agent Management Fees--Standard	2,953.00
Admin--Legal Fees--Other	440.00
Admin--Strata Hub	250.00
Insurance--Premiums	13,500.00
Insurance--Valuation	510.00
Maint Bldg--Contractor Compliance	132.00
Maint Bldg--Electrical	300.00
Maint Bldg--General Repairs	300.00
Maint Bldg--Plumbing & Drainage	300.00
Maint Grounds--Lawns & Gardening	3,400.00
Utility--Electricity	500.00
Total expenses	23,085.00

Surplus/Deficit	(2,085.00)
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Opening balance	2,448.43
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Closing balance	\$363.43
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Total units of entitlement	9
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Levy contribution per unit entitlement	\$2,333.33
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Capital Works Fund

Approved
budget

Revenue

Levies Due--Capital Works

7,799.00

Total revenue

7,799.00

Less expenses

Maint Bldg--Expense per Capital Works Forecast

9,260.00

Total expenses

9,260.00

Surplus/Deficit

(1,461.00)

Opening balance

9,509.14

Closing balance

\$8,048.14

Total units of entitlement

9

Levy contribution per unit entitlement

\$866.56