

Robinson

Strata Management

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**MINUTES OF AN ANNUAL GENERAL MEETING OF THE
THE OWNERS – STRATA PLAN No. 61139: 'PACIFIC WAVES RESIDENTIAL' 9-15 CENTRAL AVENUE
MANLY, HELD IN SAINT MATTHEWS CHURCH HALL ON THE CORSO, MANLY NSW 2095 ON 14/3/2013.**

PRESENT

G Schuale (203B) V Parker (207B) D Mockler (210) R Davison (211) A Shamia (219) M Long (226) P Mulvogue (229) F Glading (304B) D & A Westacott (306B, 405A & 804) K Laxton (307B) J Robertson (308A) L Wareham (309B) G Drewianka (311) J Greentree (312) D Howie (410B) D & F Glading (507) F Z Dybac (509) G & P Moore (510) R & R Stone (704) M & J Legaz (803) G Brown (806)

IN ATTENDANCE

Martinez de Morentin (U508) Rod Pyne (Building Manager) Christopher Whelan for Whelan Property Group Clive Georgeson for the Managing Agents, Robinson Strata Management.

PRESENT BY PROXY

R Kenney (203 A & W & J Ashton (204B) J Stanley (205B) M Long (226) D & N Richards (235) B & H Rohr (301A) S Mermeze (304A) J Greentree (312) I & D James (402) C Rath (408A) D Wilson & S Hunston (501) R & C Home (504) P & Z Dybac (509) P & P Flannery (603) S Davies (605) J Robert (608) A Noble (701) E & P Martinez de Morentin (704) R & J Goodmanson (705) N & McDonald (706) J Filewood (801)

CHAIRPERSON & SECRETARY

At the request of the meeting Dennis Mockler assumed the role of secretary and chair and declared the meeting open at 6.00pm

1. MINUTES

RESOLVED: That the minutes of the Extraordinary General Meeting held on 31/7/2012, as recorded in the Owners Corporation Minute Book be confirmed as a true and accurate account of the proceedings of that meeting.

2. CHAIRMANS REPORT

The Chairman's report was tabled

3. BUILDING MANAGERS REPORT

The Building Manager's report was tabled

4. FINANCIAL STATEMENTS

RESOLVED: That the Balance Sheet and Statement of Income & Expenditure for the period ending 31/1/2013, be received and adopted.

5. ADOPTION OF PREVIOUS AUDITED ACCOUNTS

That the attached 31/01/2008, 31/1/2009 & 31/1/2010 Year End audited financial statements be accepted.

6. APPOINTMENT OF AUDITOR

RESOLVED: That Griffith Forest & Greer be appointed to audit the financial records of the Owners Corporation for the forthcoming financial year.

7. SINKING FUND FORECAST

RESOLVED: That the Sinking Fund forecast calculations tabled at the meeting be accepted.

8. MAINTENANCE CONTRIBUTIONS

RESOLVED: That the proposed budget estimates as presented to the meeting be accepted and that contributions be determined per annum as follows:

Administrative Fund:	\$478,190.88
Sinking Fund:	\$82,500.64

To be levied in equal quarterly instalments in accordance with Sections 76 & 78 of the Strata Schemes Management Act 1996; the first quarterly instalment being due and payable on 1st August, 2013.

9. LEVY ARREARS

RESOLVED: That the Owners - Strata Plan No 61139, for the purpose of collecting levy contributions, interest and recovery costs thereon and pursuant to the Act (including section 80D of the Act), authorise the strata managing agent and/or the executive committee to do any of the following:

- a. Levy Recovery Step 1: issue a reminder levy notice 35 days after the levy due date;
- b. Levy Recovery Step 2: issue 1st levy recovery letter 60 days after the levy due date;
- c. Levy Recovery Step 3: issue 2nd levy recovery letter 75 days after the levy due date;
- d. Levy Recovery Step 4: 96 days after the original date the levy was due, and where the debt is in excess of \$2,000, 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 No 61139 to issue a letter of demand and/or to commence, pursue, continue or defend any court, tribunal or any other proceedings against any lot owner, mortgagee in possession and/or former lot owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- 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.

10. INSURANCE POLICIES

(a) **RESOLVED:** That the Owners Corporation Insurances be confirmed.

RESOLVED: Not to amend the amount of cover held at this time.

RESOLVED: Not to obtain and insurance valuation at this time.

11. ELECTION OF EXECUTIVE COMMITTEE

RESOLVED: That the number of members of the Executive Committee be 9.

RESOLVED: That the following be declared as being elected members of the Executive Committee: Denis Mockler (U210) – Chairman, Zina Dybac (U509)-,Secretary ,Gunther Schaule (U206B) – Treasurer, Sharon Parker (U205A) – Member, Louise Wareham (U309B) – Member, David Glading (U507) – Member, Faustino Martinez de Morentin (U508) – Member, Greg Brown (U806) – Member, Maria Legaz (803) – Member.

12. RESTRICTED MATTERS

RESOLVED: That there were no restricted matters determined at this time.

13. BUILDING MANAGEMENT COMMITTEE REPRESENTATIVE

That the Owners Corporation SPECIALLY RESOLVE that according to Clause 2(4) of Schedule 1C of the *Strata Schemes (Freehold Development) Act 1973*, the owners corporation appoint David Glading to the Building Management Committee constituted under that Act and the Strata Management Statement.

14. ANNUAL SAFETY AND ASBESTOS REPORT

Annual Safety Report

The Owners Corporation reviewed its latest Safety Report and determined that no actions have to be undertaken at this time.

Asbestos Survey Report

The Owners Corporation reviewed its latest Asbestos Report and determined have to be undertaken at this time.

15. STRATA MANAGEMENT TENDERS

That the quote from Whelan Property Group be accepted for future management.

16. TERMINATION OF MANAGING AGENT

That the appointment of Robinson Strata Management Pty Limited as the strata managing agent for Strata Scheme No 61139 be terminated in accordance with section 27(2) of the *Strata Schemes Management Act 1996*, effective 90 days (three months) from the date of this meeting, and that the Secretary be authorised to give notice of the termination in accordance with the terms of the original appointment.

That the delegation of functions of the owners corporation, its executive committee, chairperson, secretary and treasurer to Robinson Strata Management Pty Limited be revoked in accordance with section 28(2) of the *Strata Schemes Management Act 1996*, effective 90 days (three months) from the date of this meeting, and that the Secretary be authorised to give notice of the termination in accordance with the terms of the original appointment.

17. STRATA MANAGEMENT REAPPOINTMENT OR APPOINTMENT

That, in accordance with section 27(1) of the *Strata Schemes Management Act 1996* ('Act') that:

- (a) Whelan Property Group be appointed as the strata managing agent of Strata Scheme.
- (b) The Owners Corporation delegates to the agent all of the functions of:
 - (i) the Owners Corporation (other than those listed in section 28(3) of the Act) and;
 - (ii) its chairperson, treasurer, secretary and executive committee, necessary to enable the Agent to carry out the 'routine services' and the 'non routine services' as defined in the written agreement, a copy of which was tabled at the meeting (Agreement);
- (c) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and
- (d) the Owners Corporation execute the Agreement to give effect to this appointment and delegation; and
- (e) authority be given for the common seal of the owners corporation to be affixed to the Agreement by the 2 members of the executive committee.

13. CLOSURE

The meeting closed at 6.40pm.

Dennis Mockler (Chairman)