

Strata Schemes Management Act 1996 (NSW)

MINUTES OF ANNUAL GENERAL MEETING

The Owners – Strata Plan No. 69259

Mondrian

2-4 Powell Street, Waterloo

DATE, PLACE AND TIME

The meeting was held on Wednesday, 28 August 2013

In the office of Strata Plus Pty Limited

Level 2, 80 Cooper Street Surry Hills

PRESENT:

M Hartiwch	Lot 1
N Lopes	Lot 16
M Rodgers & J Davis	Lot 17
M Prill	Lot 18 & 118
E O'Dwyer	Lot 19
J O'Connor	Lot 31
B Aitken	Lot 32
A Rowe & G Meadley	Lot 34
V Lalwani	Lot 35
B Prior	Lot 38
D Krause	Lot 48, 66 & 102
C Geddes	Lot 49
T Gabrielsen	Lot 51
O Diessel	Lot 53
A Haddadi	Lot 56
J Cohen	Lot 58
NJ Gazzo	Lot 64
L Porter	Lot 71, 93 & 107
M de Rooy	Lot 72
F Chan	Lot 74
K Hannan	Lot 75
K Hill	Lot 76
B & M Kelly	Lot 84
S Cassidy	Lot 99
R & S Fox	Lot 111
T Haughee	Lot 114
G Suttor	Lot 115
V Ryan	Lot 117
P Abadie	Lot 120
J Hutchinson	Lot 123 & 139
C Willis	Lot 126
E Fabbro	Lot 137

PRESENT BY PROXY: S McGrade (Lot 11) proxy to J Hutchinson
 D Mogford (Lot 15) proxy to J Hutchinson
 B Tippach & E Galloway (Lot 20) proxy to I Hulme
 J Moulieri (Lot 21) proxy to I Hulme
 T Chen (Lot 23) proxy to J Hutchinson
 V Giliadov (Lot 36) proxy to R Coulter
 M Van Santvoort (Lot 37 & 141) proxy to J Hutchinson
 D Stubbing-Hill (Lot 47) proxy to J Hutchinson
 A Gardiner (Lot 52) proxy to J Hutchinson
 S McAneney (Lot 54) proxy to D Krause
 R McIntyre (Lot 55) proxy to O Diessel
 P Cox (Lot 63) proxy to K Hannan
 G Packham (Lot 73) proxy to J Hutchinson
 V Lee (Lot 79) proxy to J Hutchinson
 D La (Lot 82) proxy to J Hutchinson
 D & R Jaron (Lot 89) proxy to R Coulter
 R Voon (Lot 90) proxy to J Hutchinson
 R Brown (Lot 92) proxy to J Hutchinson
 Y Luo (Lot 94) proxy to J Hutchinson
 G Matthews (Lot 97) proxy to J Hutchinson
 G Kostandinovska (Lot 100) proxy to J Hutchinson
 S Mahoney (Lot 105) proxy to J Hutchinson
 A & K Huber (Lot 109) proxy to J Hutchinson
 B & T Friscic (Lot 112) proxy to L Rigon
 M Coulter (Lot 125) proxy to R Coulter
 H Pape & R Moore (Lot 129 & 140) proxy to J Hutchinson
 C French (Lot 133) proxy to J Hutchinson

IN ATTENDANCE:

I Hulme	Lot 21
T Foster	Lot 42
L Rigon	Lot 112
M & R Coulter	Lot 125
Z Ling	Lot 127
D McElwain	Lot 91, 142 & 143
J Killorn	K&S Building Management Services
D Ferguson	Strata Plus Pty Limited
S Hope	Strata Plus Pty Limited

Those present determined that Robert Coulter chair the meeting.
 The chairperson declared a quorum.
 The meeting commenced at 6.15 pm.

MINUTES

CONFIRMATION OF RECORDS		
MOTION 1	MINUTES	RESOLVED that the minutes of the last general meeting of the Owners Corporation held 29 August 2012 be confirmed as a true record and account of the proceedings at that meeting.
MOTION 2	FINANCIAL STATEMENTS	RESOLVED that the audited financial statements for the period ended 30 June 2013 be adopted.
CONTRACTS OF OWNERS CORPORATION		
MOTION 3	BUILDING MANAGER	The Owners Corporation of Strata Plan No. 69259 noted the continuing arrangement with the Building Manager.
COMMON PROPERTY RISK MANAGEMENT		
MOTION 4	INSURANCE RENEWAL	RESOLVED that a standing authority be given to Strata Plus Pty Limited to renew the insurances for the scheme in accordance with current valuation.

MOTION 5	VALUATION	That a valuation be obtained for insurance purposes prior to the expiration of the current policy period and the insured amount be adjusted to that figure. Last obtained: 7 December 2012 MOTION DEFEATED
MOTION 6	OFFICE BEARERS LIABILITY FIDELITY GUARANTEE	(a) RESOLVED that the Owners Corporation CONFIRM the office bearers liability insurance for \$5,000,000. (b) RESOLVED that the Owners Corporation CONFIRM the fidelity guarantee insurance for \$100,000.
OWNERS CORPORATION GOVERNANCE		
MOTION 7	EXECUTIVE COMMITTEE	RESOLVED that the Executive Committee be elected. In accordance with Part 5 of the Regulations of the <i>Strata Schemes Management Act 1996</i> the number of nominations received were twelve (12) and these were: <ol style="list-style-type: none"> 1. M Hartwich (Lot 1) 2. M Rogers (Lot 17) 3. I Hulme (Lot 21) 4. B Aitken (Lot 32) 5. D Krause (Lot 48) 6. A Haddadi (Lot 56) 7. M Brindley (Lot 133) 8. K Hannan (Lot 75) 9. L Rigon (Lot 112) 10. J Hutchinson (Lot 123) 11. R Coulter (Lot 125) 12. C French (Lot 133) Upon the chairperson declaring that nominations had closed the meeting RESOLVED that the number of Executive Committee members be determined at nine (9) the chairperson declared the following candidates duly elected. <ol style="list-style-type: none"> 1. M Hartwich (Lot 1) 2. M Rogers (Lot 17) 3. I Hulme (Lot 21) 4. B Aitken (Lot 32) 5. M Brindley (Lot 133) 6. K Hannan (Lot 75) 7. L Rigon (Lot 112) 8. J Hutchinson (Lot 123) 9. C French (Lot 133)
MOTION 8	CODE OF CONDUCT	RESOLVED that members appointed to the Executive Committee acknowledge and abide by a Code of Conduct. “ “That the Code of Conduct comprise provisions identical to those set out in Schedule 1 Pt 1.1 of the Unit Titles (Management) Act 2011 of the Australian Capital Territory“
MOTION 9	RESTRICTED MATTERS	RESOLVED that no matters are to be restricted matters. All matters relative to the management of the strata scheme are to be in accordance with the current provisions of the <i>Strata Schemes Management Act 1996 (NSW)</i> and/or future amendments.
FINANCIAL MATTERS		
MOTION 10	TERM DEPOSITS	RESOLVED that the treasurer of the Owners Corporation be authorised by standing authority to advise the Strata Managing Agent of those amounts which may be placed on term deposit with the Owners Corporations bankers.

MOTION 11	AUDITOR	RESOLVED that an auditor be appointed for the Owners Corporation for the financial year ending 30 June 2014.																								
MOTION 12	SINKING FUND ASSESSMENT	RESOLVED that the Owners Corporation authorise and instruct the Strata Managing Agent to obtain a sinking fund forecast for the anticipated major capital expenditure of the strata scheme over a 10 year period in accordance with Section 75A of the <i>Strata Schemes Management Act 1996 (NSW)</i> , commencing from the current financial year. Last obtained: December 2008																								
MOTION 13	BUDGET & LEVIES	<p>Amendments to the motion was moved that:</p> <ul style="list-style-type: none"> The amount of \$12,727.27 shown as "Levies Due (Special) –Sinking "be deleted from the proposed budget for 1/7/2013 to 30/6/2014 The amount of \$178,272.23 shown as "Levies Due – Sinking" in the proposed budget for 1/7/2013 to 30/6/2014 be amended to \$149,564.00 plus GST, being \$164,520.40 incl. GST In respect of paragraphs b) the levies, incl. GST, due on 1 Oct 2013, 1 January 2014, 1 April 2014 & 1 July 2014 be amended from \$48,945.00 to \$39,418.14 In respect of paragraph c) the levies for the sinking fund due 1 July 2014 be amended from \$48,945.00 to \$39,418.14 <table border="1" data-bbox="635 846 1453 1144"> <thead> <tr> <th>DUE DATE</th> <th>SINKING INCL. GST</th> </tr> </thead> <tbody> <tr> <td>1 July 2013 (already issued as per resolution of last year's AGM)</td> <td>\$46,265.97</td> </tr> <tr> <td>1 October 2013</td> <td>\$39,418.14</td> </tr> <tr> <td>1 January 2014</td> <td>\$39,418.14</td> </tr> <tr> <td>1 April 2014</td> <td>\$39,418.14</td> </tr> <tr> <td>TOTAL</td> <td>\$164,520.40</td> </tr> </tbody> </table> <p><i>Please note that there has been a slight adjustment to the figures in the table above to reflect the quarterly amount raised to the Sinking Fund due 1 July 2013 as per the resolution of the 2012 AGM being \$46,265.97 not \$49,265.97</i></p> <p style="text-align: right;">Motion Moved By J Hutchinson (Lot 123)</p> <p style="text-align: center;">AMENDMENTS RESOLVED</p> <p>(a) RESOLVED that the Administrative Fund Budget for the financial year commencing 1 July 2013 remain at \$358,415.01 Incl GST (\$322,573.51 plus GST) as detailed in the table below:</p> <table border="1" data-bbox="635 1473 1453 1765"> <thead> <tr> <th>DUE DATE</th> <th>ADMIN INCL. GST</th> </tr> </thead> <tbody> <tr> <td>1 July 2013 (already issued as per resolution of last year's AGM)</td> <td>\$102,542.07</td> </tr> <tr> <td>1 October 2013</td> <td>\$85,290.98</td> </tr> <tr> <td>1 January 2014</td> <td>\$85,290.98</td> </tr> <tr> <td>1 April 2014</td> <td>\$85,290.98</td> </tr> <tr> <td>TOTAL</td> <td>\$358,415.01</td> </tr> </tbody> </table>	DUE DATE	SINKING INCL. GST	1 July 2013 (already issued as per resolution of last year's AGM)	\$46,265.97	1 October 2013	\$39,418.14	1 January 2014	\$39,418.14	1 April 2014	\$39,418.14	TOTAL	\$164,520.40	DUE DATE	ADMIN INCL. GST	1 July 2013 (already issued as per resolution of last year's AGM)	\$102,542.07	1 October 2013	\$85,290.98	1 January 2014	\$85,290.98	1 April 2014	\$85,290.98	TOTAL	\$358,415.01
DUE DATE	SINKING INCL. GST																									
1 July 2013 (already issued as per resolution of last year's AGM)	\$46,265.97																									
1 October 2013	\$39,418.14																									
1 January 2014	\$39,418.14																									
1 April 2014	\$39,418.14																									
TOTAL	\$164,520.40																									
DUE DATE	ADMIN INCL. GST																									
1 July 2013 (already issued as per resolution of last year's AGM)	\$102,542.07																									
1 October 2013	\$85,290.98																									
1 January 2014	\$85,290.98																									
1 April 2014	\$85,290.98																									
TOTAL	\$358,415.01																									

		<p>(b) RESOLVED that the Sinking Fund Budget for the financial year commencing 1 July 2013 be adopted and that levies of \$149,564.00 plus GST (\$164,520.00 Inc GST) be determined as detailed in the table below:</p> <table border="1"> <thead> <tr> <th>DUE DATE</th> <th>SINKING INCL. GST</th> </tr> </thead> <tbody> <tr> <td>1 July 2013 (already issued as per resolution of last year's AGM)</td> <td>\$46,265.97</td> </tr> <tr> <td>1 October 2013</td> <td>\$39,418.14</td> </tr> <tr> <td>1 January 2014</td> <td>\$39,418.14</td> </tr> <tr> <td>1 April 2014</td> <td>\$39,418.14</td> </tr> <tr> <td>TOTAL</td> <td>\$164,520.40</td> </tr> </tbody> </table> <p>(c) That the first levy for the 1 July 2014 financial year be due and payable to the Administrative Fund and Sinking Fund in accordance with the table below and that these amounts continue to fall due and payable on a quarterly basis until redetermined at next year's annual general meeting:</p> <table border="1"> <thead> <tr> <th>DUE DATE</th> <th>ADMIN INCL. GST</th> <th>SINKING INCL. GST</th> </tr> </thead> <tbody> <tr> <td>1 July 2014</td> <td>\$85,290.98</td> <td>\$39,418.14</td> </tr> </tbody> </table> <p>(d) That all contributions be levied by notice from the treasurer of the owners corporation in accordance with section 78 of the Strata Schemes Management Act 1996 (NSW).</p>	DUE DATE	SINKING INCL. GST	1 July 2013 (already issued as per resolution of last year's AGM)	\$46,265.97	1 October 2013	\$39,418.14	1 January 2014	\$39,418.14	1 April 2014	\$39,418.14	TOTAL	\$164,520.40	DUE DATE	ADMIN INCL. GST	SINKING INCL. GST	1 July 2014	\$85,290.98	\$39,418.14
DUE DATE	SINKING INCL. GST																			
1 July 2013 (already issued as per resolution of last year's AGM)	\$46,265.97																			
1 October 2013	\$39,418.14																			
1 January 2014	\$39,418.14																			
1 April 2014	\$39,418.14																			
TOTAL	\$164,520.40																			
DUE DATE	ADMIN INCL. GST	SINKING INCL. GST																		
1 July 2014	\$85,290.98	\$39,418.14																		
MOTION 14	MANAGEMENT OF OUTSTANDING LEVIES	<p>RESOLVED that the Owners Corporation authorise:</p> <p>(a) The managing agent to take legal proceedings on behalf of the owners corporation for the recovery of outstanding levies and interest, costs and expenses;</p> <p>(b) The engagement of a solicitor and/or counsel for the purposes of proceedings;</p> <p>(c) The managing agent to instruct the solicitor and / or legal counsel in relation to such proceedings.</p>																		
ADDITIONAL MOTIONS																				
MOTION 15	ENERGY SAVING PROGRAMME	<p>RESOLVED that the Energy Saving Action Plan showing forecast savings of some \$23,500 per year, prepared as part of Mondrian's participation in the Smart Green Apartments programme, be adopted for implementation in the 2013 / 2014 financial year"</p> <p>The 15 page action plan can be found at: www.strataplus.com.au/69259</p>																		
MOTION 16	COMMON PROPERTY CHANGES	<p>SPECIALLY RESOLVED that pursuant to Sec 65A of the Strata Schemes Management Act 1996 the Owners Corporation be authorised to make any changes to common property that may be required for the effective implementation of the Energy Saving Action Plan.</p>																		
MOTION 17	FACEBOOK PAGE	<p>RESOLVED that the moderator of the Facebook page be requested to move the page from public to a private domain and invite all owners to be members.</p> <p>It was noted that the Owner's Corporation were introducing systems to replicate and improve on communication methods at Mondrian.</p>																		
MOTION 18	BREEZWAY	<p>RESOLVED that the owners resolve to investigate the options for closing off the breezeway area from through traffic.</p>																		
CLOSURE		<p>There being no further business the chairperson declared the meeting closed at 9.45 pm.</p>																		

Strata Schemes Management Act 1996 (NSW)

MINUTES OF EXECUTIVE COMMITTEE MEETING

The Owners – Strata Plan No. 69259

Mondrian

2-4 Powell Street, Waterloo

DATE, PLACE AND TIME

The meeting was held immediately following the Annual General Meeting on

Wednesday, 28 August 2013

PRESENT:	M Hartwich	Lot 1
	M Rogers	Lot 17
	I Hulme	Lot 21
	B Aitken	Lot 32
	K Hannan	Lot 75
	J Hutchinson	Lot 123
IN ATTENDANCE:	J Killorn	K&S Building Management Services
	D Ferguson	Strata Plus Pty Limited
	S Hope	Strata Plus Pty Limited
APOLOGIES:	L Rigon	Lot 112
	C French & M Brindley	Lot 133
CHAIRPERSON:	David Ferguson	

MINUTES

STATUTORY MATTERS		
MOTION 1	MINUTES	RESOLVED that the minutes of the last Executive Committee meeting held on 6 August 2013 be confirmed as a true and accurate account of that meeting.
OFFICE BEARERS		
MOTION 2	OFFICE BEARERS	RESOLVED that Karen Hannan be appointed as the Secretary until the next meeting of the Executive Committee at which time the matter will be reconsidered. FURTHER RESOLVED that the Chairperson and Treasurer be appointed at that next meeting.
BY-LAW COMPLIANCE		
MOTION 3	BY-LAW NON-COMPLIANCE	As there were no matters of non-compliance raised for consideration the motion was withdrawn.
WH&S COMPLIANCE		
MOTION 4	WH&S REPORT	RESOLVED that the Owners Corporation authorise and instruct the managing agent to obtain an update of the work health and safety report to satisfy the obligations of the WH&S Regulations.

NEXT MEETING		
MOTION 5	NEXT MEETING	RESOLVED that the next Executive Committee meeting will be held on Wednesday, 18 September 2013 at 6.15pm in the offices of Strata Plus Pty Limited, Level 2, 80 Cooper Street, Surry Hills.
CLOSURE		There being no further business the chairperson declared the meeting closed at 10.00 pm.