

# Minutes of First Annual General Meeting

*Strata Schemes Management Act 2015 (NSW) (the Act)*  
The Owners – Strata Plan No. 102714

## Miranda Central

14-16 Wandella Road  
MIRANDA NSW 2228

## Date, Place and Time

The meeting was held on **Thursday, 15 July 2021** by **Video-Conference** and commenced at 5.55pm.

*Pursuant to clause 17(2) of Schedule 1 of the Strata Schemes Management Act 2015 (NSW) (the Act), the chairperson declared a quorum present at 5.55pm.*

## Attendees

### Present

|                         |                |
|-------------------------|----------------|
| Madeline Connolly       | Lot 1          |
| Anita Harris            | Lot 3          |
| Alison Douglas          | Lot 5          |
| Andrew Shi Wang         | Lot 6          |
| Ron and Tracey Tedeschi | Lot 7          |
| Kate Mifsud             | Lot 10         |
| Madeliene Warren        | Lot 11         |
| Stephen Vella           | Lots 13 and 14 |
| Antonio Chan            | Lot 19         |
| Jie Wei Sun             | Lot 20         |
| Jennifer Nataly         | Lot 21         |
| Mitchell Foster         | Lot 22         |
| Alexander Ladikos       | Lot 24         |
| David Huthwaite         | Lot 26         |
| Lynette Ng              | Lot 27         |

|                      |        |
|----------------------|--------|
| Flora Martins        | Lot 31 |
| Elizabeth Gorgievski | Lot 37 |
| Bradley Stevens      | Lot 38 |
| Neil Newton          | Lot 41 |
| Steve Kelly          | Lot 42 |
| Nitish Mantri        | Lot 46 |
| Kenneth Burrows      | Lot 50 |
| Carmel Poulos        | Lot 52 |
| Kenneth Harrison     | Lot 53 |
| Karen Palmer         | Lot 54 |
| Brian and Ann Senior | Lot 55 |
| Soo Wee Wong         | Lot 56 |

### Present by Company Nominee:

|                                       |        |
|---------------------------------------|--------|
| Aaron McKinnon as company nominee for | Lot 28 |
| Happy Days Property Holdings Pty Ltd  |        |

### In Attendance

|                   |                                |
|-------------------|--------------------------------|
| John Marantos     | Lot 30                         |
| Peter Marantos    | Lot 30                         |
| Richard Noble     | Lot 34                         |
| Brenton Morley    | Energy Australia               |
| Anthony Walsh     | Energy Australia               |
| Jordan Agullo     | Laing & Simmons Miranda        |
| Jaydon Lee-Hodder | Waterpoint Building Management |
| Kniles Comafay    | Waterpoint Building Management |
| Daniel Holt       | Strata Sense Pty Ltd           |
| Esther Lee        | Strata Sense Pty Ltd           |
| Raymond Tang      | Strata Sense Pty Ltd           |

### Chairperson

Daniel Holt (By Invitation)

## Minutes

|          |   |  |
|----------|---|--|
| Motion 1 | Receive Documents and Records from Original Owner | It was <b>RESOLVED</b> that:   |
|          |   | <ol style="list-style-type: none"> <li>a. the owners received the following documents and records which are required to be provided by the original owner in accordance with section 16 of <i>the Act</i> and sections 6 and 29 of the <i>Strata Schemes Management Regulation 2016</i>:</li> <li>1. The common property certificate of title, strata roll and any notices or other records relating to the strata scheme.</li> <li>b. the owners noted that the documents and records were not provided by the original owner are:</li> <li>1. Plans, specifications, occupation certificates or other certificates, diagrams, depreciation schedules and insurance policies relating to the parcel or any</li> </ol> |

building on the parcel; Planning approvals, complying development certificates and related plans, “as built” drawings, compliance certificates, fire safety certificates and warranties relating to the parcel or any building, plant or equipment on the parcel;

2. Any interim or final report of a building inspector relating to any building on the parcel;
3. The initial maintenance schedule.

|          |                               |  |
|----------|-------------------------------|--|
| Motion 2 | Insurances                    | It was <b>RESOLVED</b> that the owners corporation confirm the insurances taken out by the original owner on behalf of the owners corporation and that the strata committee will consider whether those insurances taken out are deemed appropriate. |
| Motion 3 | Annual Fire Safety Statements | The owners corporation <b>ACKNOWLEDGED</b> that in accordance with the <i>Environmental Planning and Assessment Act 1979</i> arrangement for obtaining the first annual fire safety statement are to be made.  |
| Motion 4 | Form of Records               | It was <b>RESOLVED</b> that the strata roll and any other record required to be made and/or stored by the owners corporation may be made and/or stored in electronic form.   |

*Peter Marantos joined the meeting at 6:13pm.*

|          |                                |  |
|----------|--------------------------------|--|
| Motion 5 | Other Forms of Voting          | <p>It was <b>RESOLVED</b> that the owners corporation resolve to adopt the following alternative means of voting for future meetings of the owners corporation, as is considered appropriate by the strata committee and strata managing agent.</p> <ol style="list-style-type: none"><li>a. Voting by teleconference from a remote location</li><li>b. Voting by means of video-conferencing from a remote location</li><li>c. Voting by other electronic means (including pre-meeting voting) from a remote location</li></ol>   |
| Motion 6 | Utility Agreements             | The owners corporation considered and noted the utility agreements currently in place.   |
| Motion 7 | Building Manager – Appointment | <p>It was <b>RESOLVED TO AMEND</b> the motion from a three (3) year term to a one plus one plus one (1+1+1) year term.</p> <p>It was therefore <b>RESOLVED AS AMENDED</b> that in accordance with section 66 of <i>the Act</i>;</p> <ol style="list-style-type: none"><li>a. Waterpoint Building Management (ACN 142 508 594) be appointed as the building manager of the owners corporation for a one plus one plus one (1+1+1) year term to provide building management services for \$54,600.00 (\$49,636.36 plus GST) per annum;</li><li>b. The owners corporation execute the enclosed Agreement to give effect to this appointment and delegation; and</li><li>c. Authority be given for the common seal of the owners corporation to be affixed to the Agreement by two members of the strata committee OR strata managing agent.</li></ol> |

Motion 8      Strata Managing Agent Disclosure      The owners corporation **ACKNOWLEDGED** that the strata managing agent received a commission of \$13,830.02 for the placement of insurances in the first instance, however NIL commissions are expected to be received in the next twelve months.

*Andrew Wang left the meeting at 6:39pm.*

*Strata Sense left at 7:04pm and re-entered at 7:22pm.*

Motion 9      Appointment of Strata Managing Agent      It was **RESOLVED TO AMEND** the motion to amend the agreement to include a credit of \$2,500 towards additional fees charged by Strata Sense for additional work required from time to time.

It was therefore **RESOLVED AS AMENDED** that in accordance with sections 49, and 50 of the Act, Strata Sense Pty Limited ACN 150 576 766 (Agent) be re-appointed as strata managing agent for the period of twelve (12) month for the owners – strata plan 102714; and that;

- a. the owners corporation delegate to the Agent all of the functions of:
  - i. the owners corporation (other than those listed in section 52(2) of *the Act*); and
  - ii. its chairperson, treasurer, secretary, and strata committee, necessary to enable the Agent to carry out the 'agreed services' and the 'additional services' as defined in the written agreement, a copy of which is attached to this notice of the meeting (Agreement);
- b. the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and
- c. the owners corporation execute the Agreement to give effect to this appointment and delegation; and
- d. authority be given for the common seal of the owners corporation to be affixed to the Agreement by two members of the strata committee.

Motion 10      Strata Committee      a. The number of written nominations received were six (6) and those nominations were:

Alison Douglas (Lot 5)

Kate Mifsud (Lot 10)

Madeleine Warren (Lot 11)

Antonio Chen (Lot 19)

Steve Kelly (Lot 42)

Karen Palmer (Lot 54)

b. There were no further nominations received from the floor.

c. There were no disclosure made by the nominated owners.

d. Upon the chairperson declaring that nominations had closed it was **RESOLVED** that the number of strata committee members be determined at six (6).

e. Those nominated were duly elected.

Motion 11      Restricted Matters      It was **RESOLVED** that no additional matter or class of matter is to be determined by the owners corporation in general meeting other than in accordance with the provisions of *the Act*.

Motion 12      Building Management Committee Representative      It was **RESOLVED** that the owners corporation delegate to the strata committee to appoint a representative and a substitute representative to the Miranda Central Building Management Committee (DP 1236291) to represent the interests of the owners corporation.

*Aaron McKinnon left the meeting at 7.22pm.*

Motion 13      Financial Statements      a. It was **RESOLVED** that the financial statements for the period ending **31 May 2021** be adopted;  
b. It was **RESOLVED** that the financial statements for the period ending **31 May 2021** for the Building Management Committee – DP 1236291 be acknowledged.

Motion 14      Capital Works Fund Plan      It was **RESOLVED** that in accordance with Section 80 of *the Act* the owners corporation instruct the strata managing agent to obtain a Capital Works Fund plan.

Motion 15      Budget & Levy Contributions      It was **RESOLVED TO AMEND** the table in part c of the motion to amend the due date of 1 August 2021 to 20 August 2021.

It was therefore **RESOLVED AS AMENDED** that:

- a. the proposed budget of estimated receipts and payments for the administrative fund and the capital works fund be adopted by the owners corporation;
- b. contributions be determined in accordance with section 81 of *the Act* for the 12 month period from 1 May 2021 as follows:
  - ii. to the administrative fund \$236,995.33 (\$215,450.30 plus GST); and
  - iii. to the capital works fund \$50,600.00. (\$46,000.00 plus GST)
- c. the contributions be paid in four (4) instalments as detailed in the following table:

| Due Date                         | Administration Fund (Including GST) | Capital Works Fund (Including GST) | Total (Including GST) |
|----------------------------------|-------------------------------------|------------------------------------|-----------------------|
| 1 May 2021<br>(already invoiced) | \$59,262.48                         | \$14,850.04                        | \$74,112.52           |
| 20 August 2021                   | \$59,244.29                         | \$11,916.66                        | \$71,160.95           |
| 1 November 2021                  | \$59,244.28                         | \$11,916.65                        | \$71,160.93           |
| 1 February 2022                  | \$59,244.28                         | \$11,916.65                        | \$71,160.93           |
| <b>Total</b>                     | <b>\$236,995.33</b>                 | <b>\$50,600.00</b>                 | <b>\$287,595.33</b>   |

- d. the first levy for the **2022-2023** financial year be due and payable to the administration fund and capital works fund in accordance with the table below and

that these amounts continue to fall due and payable on a quarterly basis until re-determined at the next general meeting of owners:

| Due Date   | Administration Fund (Including GST) | Capital Fund (Including GST) | Works Total (Including GST) |
|------------|-------------------------------------|------------------------------|-----------------------------|
| 1 May 2022 | \$60,429.17                         | \$12,154.98                  | \$72,584.15                 |

Motion 16 Auditor It was **RESOLVED** that an auditor be appointed for the financial year ending **30 April 2022**.

Motion 17 Instalment Arrangements It was **RESOLVED** that the owners corporation enter into instalment arrangements in respect of outstanding strata levies generally and RESOLVE to defer the decision in respect of specific cases to the strata manager and strata committee.

Motion 18 Debt Collection It was **RESOLVED** that for the purposes of collecting or recovering levy contributions, interest and any expenses incurred the owners corporation authorise the strata managing agency and/or strata committee to do any one or more of the following:

- set up and monitor payment plans for unpaid contributions in accordance with section 85 (6) of *the Act*
- engage or appoint the services of a debt collection agency;
- 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 or levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy or winding up proceedings;
- file an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- liaise, instruct and prepare all matters with the owners corporation's lawyers in relation to any levy recovery proceedings.

*Richard Noble left the meeting at 8pm.*

Motion 19 Building Defects It was **RESOLVED** that:

- The owners corporation instruct the strata committee to engage the services of a building consultant to conduct an independent assessment of the common property areas; and
- The owners corporation acknowledge that statutory warranties are provided for a period of time as defined in the *Home Building Act*, and any amendment of that Act. Proceedings in relation to warranty claims must be commenced in accordance with warranty period defined within the *Home Building Act*.

*Anita Harris left the meeting at 8:18pm.*

Motion 21      Embedded Network -  
Electricity

The Owners Corporation of Strata Plan 102714, **RESOLVED:**

- a. To permit the services of selling and supplying electricity within the embedded network by The Embedded Networks Company Pty Ltd ABN 32 119 677 431 ("**TENC**");
- b. That the provision of services for distributing, selling and supplying electricity within the embedded network and the agreement attached to this motion for the provision of such services by TENC is by way of an exclusive, perpetual license to the embedded network to distribute, sell and supply the common property (Owners Corporation) within the embedded network;
- c. Any provision of the services of distribution, selling and supply of electricity within the embedded network and the agreement for the provision of such services attached to the motion be ratified, accepted and approved;
- d. The strata managing agent be authorised to execute and seal the agreement on behalf of the owners corporation.

Closure

There being no additional matters, the chairperson declared the meeting closed at 8:27pm.

# Minutes of Strata Committee Meeting

*Strata Schemes Management Act 2015 (NSW) (The Act)*

The Owners – Strata Plan No 102714

Date of this notice: 29 July 2021

## *Miranda Central*

14-16 Wandella Road

MIRANDA NSW 2228

## **Date, Place and Time**

The meeting was held on **Thursday, 15 July 2021** via **Zoom videoconferencing** and commenced at **8.28pm**.

## **Attendees**

### *Present*

Alison Douglas  
Kate Mifsud  
Madeleine Warren  
Antonio Chen  
Steve Kelly  
Karen Palmer

### *In Attendance*

Jaydon Lee-Hodder  
Daniel Holt  
Esther Lee

Waterpoint  
Strata Sense Pty Ltd  
Strata Sense Pty Ltd

### *Chairperson*

Esther Lee (By Invitation)

## **Minutes**

|          |                                  |  |
|----------|----------------------------------|--|
| Motion 1 | Disclosure of Pecuniary Interest | It was <b>NOTED</b> that no disclosures were made by committee members and <b>FURTHER NOTED</b> that all the duly elected committee members are not connected with the original owner.   |
| Motion 2 | Office Bearers                   | It was <b>RESOLVED</b> that the following office bearers be elected:<br>Chairperson: Steve Kelly<br>Secretary: Kate Mifsud<br>Treasurer: Madeliene Warren<br>Building Management Committee:<br>Antonio Chan – Representative<br>Alison Douglas – Substitute Representative |
| Motion 3 | Agreement Signatures             | <b>That</b> the strata committee provide signatures and affix the common seal, as previously resolved, to the:<br>a. Strata Managing Agency Agreement<br>b. Facilities Management Agreement  |

The meeting was adjourned at 8.37pm by the Chairperson to be reconvened on 30 July 2021 at 12.00pm.