

**The Owners of 147- 159 Charles Street,  
West Perth  
Strata Plan 5629**

**MINUTES OF THE ANNUAL GENERAL MEETING**

**Held at the office of Exclusive Strata Management,  
Suite 15, 443 Albany Highway, Victoria Park  
on Thursday 20<sup>th</sup> November 2014 at 5.30pm**

**PRESENT**

Ian Heath	Maree Heath	Sekularac Tanasceva
Jennifer Milligan	Sean Saunders	Saxon Mailey
Roger Holland	Kate Bingham	Richard Kosovich
Joanne Armstrong		

**BY INVITATION**

Emily Clark	representing Exclusive Strata Management (ESM)
Jake Kneebone	representing Exclusive Strata Management (ESM)

**APOLOGIES**

Nil

**PROPRIETORS PRESENT OR REPRESENTED BY PROXY**

<b>Lot</b>	<b>Proprietor</b>	<b>Represented by</b>	<b>Proxy and/or Proprietor</b>
1	Mr S Mailey	Saxon Mailey	Proprietor
3	Mr D & Mr T Browne	Sekularac Tanasceva	Proxy
4	Ms J Milligan	Jennifer Milligan	Proprietor
7	Mrs C Chapman	Chairman	Proxy
8	Mr B Mahoney	Saxon Mailey	Proxy
9	Mr A Smith	Sekularac Tanasceva	Proxy
11	Mr J Sloan	Chairman	Proxy
12	State Housing Commission	Chairman	Proxy
13	Mr S & Ms Tanasceva	Sekularac Tanasceva	Proprietor / Proxy
14	Mr I & Mrs M Heath	Ian Heath	Proprietor / Proxy
15	Ms K Bingham	Kate Bingham	Proprietor
18	State Housing Commission	Chairman	Proxy
19	Mr R Holland	Roger Holland	Proprietor
21	Mr S Allam & Ms S Saleh	Chairman	Proxy
23	Mr P & Mrs J Smith	Sekularac Tanasceva	Proxy
25	Mr L Chan	Chairperson	Proxy
26	Mr R Kanter	Saxon Mailey	Proxy
28	Mr R Holland	Roger Holland	Proprietor
29	Mr S Allam & Mrs S Saleh	Chairman	Proxy
32	Mr B Hobson	Chairman	Proxy
33	Ms Y Berman	Chairman	Proxy
36	Mr S Clarkin	Saxon Mailey	Proxy

37	Ms N Browne	Sekularac Tanasceva	Proxy
39	Mr R Kosovich & Ms Nyunt	Richard Kosovich	Proprietor / Proxy
40	Ms J Armstrong	Joanne Armstrong	Proprietor
41	Mr T Woods	Chairman	Proxy
42	Ms E Foston	Saxon Mailey	Proxy
43	Mr K Thongkam & Ms C Connery	Saxon Mailey	Proxy
46	Mrs D Gilbert	Saxon Mailey	Proxy
47	Mr D & Mrs T Browne	Sekularac Tanasceva	Proxy
48	Mr S Saunders	Sean Saunders	Proprietor
49	Ms D Wilson	Saxon Mailey	Proxy
51	Mr S Allam & Mrs Salma Selah	Chairman	Proxy
52	Ms G Lawson	Saxon Mailey	Proxy
54	Mr J Jurkov	Saxon Mailey	Proxy

It being confirmed by the strata company manager of an enabling quorum being present, the meeting is properly constituted and may proceed to the conduct of business.

**1. Appointment of chairman for the meeting**

On a motion moved by Saxon Mailey it was resolved that Jake Kneebone be authorised to act as chairman of the strata company for the purpose of the meeting. The chairman declared the meeting open at 5.35pm.

**2. Confirmation of previous minutes**

On a motion moved by Joanne Armstrong and seconded by Jennifer Milligan it was resolved that the previously circulated minutes of the general meeting held on 12<sup>th</sup> November 2013 be confirmed as a true record of those proceedings.

**Matters arising from the previous minutes**

Nil.

**3. Consideration of statement of accounts**

On a motion moved by Sean Saunders and seconded by Saxon Mailey it was resolved that the statement of accounts for the period 01/10/2013 to 30/09/2014, showing an amount of \$14,741.77 net owners' funds, be adopted as presented.

**4. Constitution of the council**

**4.1** On a motion moved by Saxon Mailey and seconded by Jennifer Milligan it was resolved that the council of the strata company consist of 5 proprietors.

**4.2** The following candidates were nominated:

- Saxon Mailey
- Sean Saunders
- Sekularac Tanasceva
- Jennifer Milligan
- Joanne Armstrong

The above 5 candidates were duly elected to the council.

**5. Insurance**

On a motion moved by Ian Heath and seconded by Saxon Mailey it was resolved that the council be directed to renew the current insurance policy prior to its expiry date in such sums as are suggested by the insurer or as are recommended by qualified professional advisors.

**6. Items of business proposed by council**

**6.1 Gas Supply Upgrade**

On a motion moved by Joanne Armstrong and seconded by Roger Holland it was resolved that the Council be authorised to proceed with gas supply works as proposed by Atco Gas Australia.

**6.2 Pool Area – Shade Sail**

On a motion moved by Jennifer Milligan and seconded by Saxon Mailey it was resolved that the council be authorised to proceed with the installation of a shade sail to the pool area to an amount not exceeding \$4,000.00 GST inclusive.

**6.3 Investigation of common Lighting Issues**

On a motion moved by Joanne Armstrong and seconded by Sean Saunders it was resolved that the council be authorised to proceed with the investigation of lighting tripping issues during heavy rains to an amount not exceeding \$5,000.00 GST inclusive.

**6.4 New Bore / Pump**

On a motion moved by Saxon Mailey and seconded by Sean Saunders it was resolved that the council be authorised to proceed with the purchase and installation of a new bore and pump (only valid if bore fails and requires replacement) to an amount not exceeding \$6,000.00 GST inclusive.

**6.5 Security**

On a motion moved by Jennifer Milligan and seconded by Sean Saunders that the strata company be permitted to conduct video surveillance on main entry/exit points of the complex.

*Note: Cameras will NOT face private areas or balconies.*

**7. Changes to Schedule 1 by-laws**

**7.1 Electronic Council Meetings**

A motion was moved by Sean Saunders and seconded by Joanne Armstrong that by Resolution Without Dissent the by-laws in Schedule 1 to the Act as they apply to the strata company be added to as follows:

**New Schedule 1 by-law 8 (2)(d)**

8(2)(d) The Council may, by agreement of an absolute majority of its members, conduct a meeting of the Council by telephone, audio-visual or other agreed electronic means or any combination of these by which continuous communication is maintained between such of its members as constitutes a quorum under the bylaws.

The chairman confirmed that sufficient notice of the motion had been given and that a sufficient quorum was present at the time of voting.

The following lots voted **in favour** of the resolution: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54.

The following lots voted **against** the resolution: 19, 28.

The following lot **abstained**: 39.

The chairman declared the resolution to have **failed as a resolution without dissent**.

**Note:** A discussion took place with the dissenting parties, which was not successful.

## **7.2 Power of strata company regarding submeters**

On a motion moved by Ian Heath and seconded by Saxon Saunders it was resolved that by Resolution Without Dissent the by-laws in Schedule 1 to the Act as they apply to the strata company be repealed and added to as follows:

Schedule 1 By-law 3 is repealed and the following new Schedule 1 By-law 3 is inserted in its place:

- (1) Where the supply of gas, water or electricity to a lot is regulated by means of a submeter, the strata company may require the proprietor or other occupier of the lot to pay the strata company by way of security for the payment of charges arising through the submeter an amount not exceeding \$500 and, if any amount so paid is applied by the strata company under sub-by-law (2), to pay such further amount or amounts by way of such security as may be necessary to maintain the amount of the security as, subject to this sub-by-law, the strata company may require.
- (2) The strata company shall lodge every sum received under this by-law to the credit of an interest bearing account with an ADI (authorised deposit taking institution) as defined in section 5 of the Banking Act 1959 of the Commonwealth and all interest accruing in respect of amounts so received shall, subject to this by-law, be held on trust for the proprietor or occupier who made the payment.
- (3) If the proprietor or other occupier of a lot in respect of which a submeter is used for the supply of gas, water or electricity refuses or fails to pay any charges due for the supply of gas, water or electricity to that lot, the strata company may apply in payment of those charges all, or such part as is necessary, of any amount paid to the strata company by that proprietor or occupier under this by-law, including any interest that may have accrued in respect of that amount.
- (4) Where a person who has paid an amount under this by-law to a strata company satisfies the strata company that he is no longer the proprietor or occupier of a lot and that the strata company no longer has any liability or contingent liability for the supply of gas, water or electricity to that lot during the period when that person was a proprietor or occupier of the lot, the strata company shall refund to that person the amount then held on his behalf under this by-law.

The chairman confirmed that sufficient notice of the motion had been given and that a sufficient quorum was present at the time of voting.

The following lots voted **in favour** of the resolution: 1, 3, 4, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 21, 23, 25, 26, 28, 29, 32, 33, 36, 37, 39, 40, 41, 42, 43, 46, 47, 48, 49, 51, 52, 53, 54 ,

There were no opposing votes.

The chairman declared the resolution to have **passed as a resolution without dissent.**

**8. Transfer of reserve funds**

A motion was moved by Sekularac Tanasceva and seconded by Joanne Armstrong it was resolved that the council be authorised to transfer funds to a maximum of \$6,000.00 from the reserve fund to the administrative fund as may be required to meet the cost of the new bore and pump.

**1<sup>st</sup> Amendment**

An amended motion was moved by Sekularac Tanasceva and seconded by Joanne Armstrong that the council be authorised to transfer funds to a maximum of \$6,000.00 from the reserve fund to the administrative fund as may be required to meet the cost of the new bore and pump. This authority to remain until rescinded at a general meeting.

**MOTION CARRIED**

**The chairman then put the substantive motion to the meeting and it was resolved that** the council be authorised to transfer funds to a maximum of \$6,000.00 from the reserve fund to the administrative fund as may be required to meet the cost of the new bore and pump. This authority to remain until rescinded at a general meeting.

**9. Consideration of budget of estimated expenditure from the administrative fund**

A motion was moved by Ian Heath and seconded by Jennifer Milligan that the budget of estimated expenditure from the administrative fund GST inclusive for the period 01/10/2014 to 30/09/2015 amounting to \$105,820.00 be adopted.

**1<sup>st</sup> Amendment**

An amended motion was moved by Ian Heath and seconded by Jennifer Milligan that the budget of estimated expenditure from the administrative fund GST inclusive for the period 01/10/2014 to 30/09/2015 amounting to \$116,820.00 be adopted.

**MOTION CARRIED**

**The chairman then put the substantive motion to the meeting and it was resolved that** the budget of estimated expenditure from the administrative fund GST inclusive for the period 01/10/2014 to 30/09/2015 amounting to \$116,820.00 be adopted.

**10. Determination of the levy of contributions for the period 01/01/2015 to 31/12/2015**

A motion was moved by Ian Heath and seconded by Kate Bingham it was resolved that the levy of contributions on proprietors for the administrative fund be payable in advance, inclusive of GST, by instalments due and payable in the amounts and on the dates as shown below:

\$132.00	per unit entitlement	1 <sup>st</sup> January	2015,
\$132.00	per unit entitlement	1 <sup>st</sup> April	2015,
\$132.00	per unit entitlement	1 <sup>st</sup> July	2015,
\$132.00	per unit entitlement	1 <sup>st</sup> October	2015,

to raise a total of \$97,650.00 in the financial year,

and,

that the levy of contributions on proprietors for the reserve fund be payable in advance, inclusive of GST, by instalments due and payable in the amounts and on the dates as shown below:

\$6.00	per unit entitlement	1 <sup>st</sup> January	2015,
\$6.00	per unit entitlement	1 <sup>st</sup> April	2015,
<u>\$6.00</u>	<u>per unit entitlement</u>	<u>1<sup>st</sup> July</u>	<u>2015,</u>
\$6.00	per unit entitlement	1 <sup>st</sup> October	2015,

to raise a total of \$3,306.00 in the financial year.

### **1<sup>st</sup> Amendment**

An amended motion was moved by Ian Heath and seconded by Kate Bingham that the levy of contributions on proprietors for the administrative fund be payable in advance, inclusive of GST, by instalments due and payable in the amounts and on the dates as shown below:

\$154.00	per unit entitlement	1 <sup>st</sup> January	2015,
\$154.00	per unit entitlement	1 <sup>st</sup> April	2015,
<u>\$154.00</u>	<u>per unit entitlement</u>	<u>1<sup>st</sup> July</u>	<u>2015,</u>
\$154.00	per unit entitlement	1 <sup>st</sup> October	2015,

to raise a total of \$109,926.00 in the financial year,

and,

that the levy of contributions on proprietors for the reserve fund be payable in advance, inclusive of GST, by instalments due and payable in the amounts and on the dates as shown below:

\$10.00	per unit entitlement	1 <sup>st</sup> January	2015,
\$10.00	per unit entitlement	1 <sup>st</sup> April	2015,
<u>\$10.00</u>	<u>per unit entitlement</u>	<u>1<sup>st</sup> July</u>	<u>2015,</u>
\$10.00	per unit entitlement	1 <sup>st</sup> October	2015,

to raise a total of \$6,510.00 in the financial year.

**MOTION CARRIED**

**The chairman then put the substantive motion to the meeting and it was resolved that** the levy of contributions on proprietors for the administrative fund be payable in advance, inclusive of GST, by instalments due and payable in the amounts and on the dates as shown below:

\$154.00	per unit entitlement	1 <sup>st</sup> January	2015,
\$154.00	per unit entitlement	1 <sup>st</sup> April	2015,
<u>\$154.00</u>	<u>per unit entitlement</u>	<u>1<sup>st</sup> July</u>	<u>2015,</u>
\$154.00	per unit entitlement	1 <sup>st</sup> October	2015,

to raise a total of \$109,926.00 in the financial year,

and,

that the levy of contributions on proprietors for the reserve fund be payable in advance, inclusive of GST, by instalments due and payable in the amounts and on the dates as shown below:

\$10.00	per unit entitlement	1 <sup>st</sup> January	2015,
\$10.00	per unit entitlement	1 <sup>st</sup> April	2015,
<u>\$10.00</u>	<u>per unit entitlement</u>	<u>1<sup>st</sup> July</u>	<u>2015,</u>
\$10.00	per unit entitlement	1 <sup>st</sup> October	2015,

to raise a total of \$6,510.00 in the financial year.

**11. Matters without notice for discussion and referral to the council**

- (a) **Pool Cleaning:** ESM to check if current cleaning arrangements comply with regulations.
- (b) **Visitors Parking:** Council of Owners to review parking management.

**12. Close of meeting**

There being no further business the meeting closed at 7.05pm.

Signed as a true and correct record of this meeting:-

\_\_\_\_\_  
**CHAIRMAN**

\_\_\_\_\_  
**DATE**

**Addenda to minutes:**

Following the meeting, there were no further expressions of support or opposition to the resolutions passed in respect of items 7.1 and 7.2. Item 7.2 became unconditional on 17<sup>th</sup> December 2014.