

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 Tuesday 12th November 2013 at 5.30pm**

PRESENT

Saxon Mailey	Sean Saunders	Jan Blaszczyk
Edna Foston	Richard Kosovich	Tony Green
Jennifer Argyle	Ian Heath	Maree Heath
Jennifer Millington	Nipaporn Browne	Kate Bingham
Sekularac Tanasceva	Joanne Armstrong	

BY INVITATION

Jake Kneebone	representing Exclusive Strata Management (ESM)
Olivia Hampton	representing Exclusive Strata Management (ESM)
Bethany Harrower	representing Exclusive Strata Management (ESM)

APOLOGIES

Nil

PROPRIETORS PRESENT OR REPRESENTED BY PROXY

Lot	Proprietor	Represented by	Proxy and/or Proprietor
1	Mr S Mailey	Saxon Mailey	Proprietor
3	D, T, G & E Browne	Nipaporn Browne	Proxy
4	Ms J Millington	Jennifer Millington	Proprietor
6	Mr J Daebritz	Chairman	Proxy
7	Mrs C Chapman	Chairman	Proxy
8	Mr B Mahoney	Saxon Mailey	Proxy
9	Mr A Smith	Chairman	Proxy
10	Ms S Mao	Saxon Mailey	Proxy
11	Mr J Sloan	Chairman	Proxy
12	State Housing Commission	Tony Green	Proxy
13	Mr S & Mrs K Tanasceva	Sekularac Tanasceva	Proprietor/ Proxy
14	Mr I & Mrs M Heath	Maree Heath	Proprietor/ Proxy
15	Ms K Bingham	Kate Bingham	Proprietor
17	Ms R waters	Jennifer Argyle	Proxy
18	State Housing Commission	Tony Green	Proxy
19	Mr R Holland	Chairman	Proxy
20	Ms R Riley	Saxon Mailey	Proxy
21	Mr S Allam & Mrs S Saleh	Chairman	Proxy
22	Mr S Saunders	Sean Saunders	Proprietor
23	Mr P & Mrs J Smith	Chairman	Proxy
24	Mr D Hawkins	Saxon Mailey	Proxy

Lot	Proprietor	Represented by	Proxy and/or Proprietor
25	Mr L Chan	Chairman	Proxy
26	Mr R Kanter	Saxon Mailey	Proxy
29	Mr S Allam & Mrs S Saleh	Chairman	Proxy
31	Mr J Blaszczyk	Jan Blaszczyk	Proprietor
32	Ms B Hobson	Saxon Mailey	Proxy
33	Mr Y Berman	Chairman	Proxy
34	Mr S Allam & Mrs S Saleh	Chairman	Proxy
36	Mr S Clarkin	Saxon Mailey	Proxy
37	Ms N Browne	Nipaporn Browne	Proprietor
40	Ms J Armstrong	Joanne Armstrong	Proprietor
41	Mr T Woods	Chairman	Proxy
42	Ms E Foston	Edna Foston	Proprietor
43	Mr K Thongkam & Ms C Connery	Saxon Mailey	Proxy
45	Mr M Kearns	Chairman	Proxy
46	Mrs D Gilbert	Saxon Mailey	Proxy
47	Mr D & Mrs T Browne	Nipaporn Browne	Proxy
48	Mr S Saunders	Sean Saunders	Proprietor
49	Ms D Wilson	Saxon Mailey	Proxy
51	Mr S Allam & Mrs S Saleh	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. The meeting is declared open at 5.40pm.

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.

2. Confirmation of previous minutes

On a motion moved by Saxon Mailey and seconded by Sean Saunders it was resolved that the previously circulated minutes of the general meeting held on 13th November 2012 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 Tony Green it was resolved that the statement of accounts for the period 01/10/2012 to 30/09/2013 showing an amount of \$30,064.91 net owners' funds, be adopted as presented.

4. Constitution of the council

4.1 On a motion moved by Saxon Mailey and seconded by Sean Saunders 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
- Daniel Hawkins
- Nipaporn Browne
- Sekularac Tanasceva
- David Browne
- Jennifer Millington
- Joanne Armstrong
- Jan Blaszczyk

and after a ballot was conducted, the following proprietors were duly elected to the council.

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

5. Annual report of the council

On a motion moved by Sean Saunders and seconded by Tony Green it was resolved that the annual report of the council be received.

6. Changes to Schedule 1 by-laws

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 by-laws.

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, 8, 10, 12, 13, 14, 15, 17, 18, 20, 22, 24, 26, 32, 36, 37, 39, 40, 42, 43, 46, 47, 49, 52, 54

The following lot voted against the resolution: 31

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

6.1 Penalty for breach of by-law

A motion was moved by Sean Saunders and seconded by Saxon Mailey 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 16

16. Penalty for breach of by-law

Pursuant to Section 42A(1) and subject to section 42A(2) of the Act, the penalty for a breach of any provision of any Schedule 1 by-law or any Schedule 2 by-law shall be \$500 or such greater amount as may from time to time be prescribed as the maximum amount for the purposes of section 42A or section 103I.

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 lot voted in favour of the resolution: 14

The following lots voted against the resolution: 1, 3, 4, 8, 10, 12, 13, 15, 17, 18, 20, 22, 24, 26, 31, 32, 36, 37, 39, 40, 42, 43, 46, 47, 49, 52, 54

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

6.2 Consent or approval of Strata Company or council

On a motion moved by Jan Blaszczyk and seconded by Joanne Armstrong 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 added to as follows:

New Schedule 1 By-law 18

18. Consent or approval of strata company or council

18.1 If the consent or approval of the Strata Company or council is requested pursuant to the Act or the by-laws, the strata company or the council, as the case may be, may refuse that request, grant that request or grant that request on such terms as it shall reasonably determine.

18.2 If the consent or approval of the Strata Company or council is required pursuant to the Act or the by-laws, that consent or approval shall only be taken to have been given if it is given in writing.

The following lots voted in favour of the resolution: 1, 3, 4, 8, 10, 12, 13, 14, 15, 17, 18, 20, 22, 24, 26, 31, 32, 36, 37, 39, 40, 42, 43, 46, 47, 49, 52, 54

There were no opposing votes.

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

7. Insurance

On a motion moved by Saxon Mailey and seconded by Sean Saunders it was resolved that the council be directed to obtain a building replacement valuation and amend the sum insured to the amount of that valuation.

8. Items of business notified by council

Please note:

Removal of Personal TV Aerials:

The remainder of the units will be connected to new digital TV reception equipment over the next 6 months. After a unit has been connected, owners are required to remove any personal TV aerials installed in (or attached to) common property. If this is not done within 2 months of installation of the new system, the strata company will arrange removal and will pass charges on to the owner of the associated lot.

Note: The Chairman of the Strata Company requested the above note be removed.

Modifications to Common Property:

Owners are reminded that ANY modifications to common property must be approved in writing by the Strata Council, this includes any modifications to the plumbing ducts or hot water systems. Owners are also reminded that if approvals have been granted for modifications in the past, any replacement or upgrades of modified items must be re-approved. Note that common property includes: external walls/windows/doors, the entire balcony area, walkways and the entire plumbing duct.

Electric Hot Water Systems:

Due to limitations in the electrical supply to the building electrical hot water systems are not permitted to be installed, if electrical systems have been approved by the strata company in the past, they may not be replaced and must be converted to gas. The strata company has investigated the option of upgrading the power supply to the complex and all units and found this to be extremely expensive and cost prohibitive.

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

On a motion moved by Saxon Mailey and seconded by Sean Saunders it was resolved that the budget of estimated expenditure from the administrative fund GST inclusive for the period 01/10/2013 to 30/09/2014 amounting to \$110,440.00 be adopted.

10. Determination of the levy of contributions for the period 01/01/2014 to 31/12/2014

On a motion moved by Sean Saunders and seconded by Edna Foston 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:

\$129.00	per unit entitlement	1 st January	2014,
\$129.00	per unit entitlement	1 st April	2014,
\$129.00	per unit entitlement	1 st July	2014,
\$129.00	per unit entitlement	1 st October	2014,

to raise a total of \$95,232.00 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:

\$5.00	per unit entitlement	1 st January	2014,
\$5.00	per unit entitlement	1 st April	2014,
\$5.00	per unit entitlement	1 st July	2014,
\$5.00	per unit entitlement	1 st October	2014,

to raise a total of \$3,720.00 in the financial year.

11. Strata company management

On a motion moved by Jennifer Argyle and seconded by Tony Green it was resolved that Exclusive Strata Management be re-appointed as strata company manager for a term of 24 months and the council be directed to execute a management agreement on such other terms as it deems appropriate.

12. Next annual general meeting

On a motion moved by Tony Green and seconded by Joanne Armstrong it was resolved that the next annual general meeting of the strata company be held on Wednesday 12th November 2014 at ESM commencing at 5.30pm.

13. Matters without notice for discussion and referral to the council

- (a) **Improving Communication with Residents** – The Council of Owners are to investigate ways to improve the communication and feedback from residents.
- (b) **Pruning of Shrubs** – The Council of Owners are to assess the current pruning of shrubs around the complex and advise ESM if any additional pruning is required.
- (c) **Lighting in Complex too Strong** – The Council of Owners will assess the brightness of the current lighting in the complex and advise ESM if any lighting is to be removed.
- (d) **Dirty Pool** – The Council of Owners are to investigate the state of the swimming pool and arrange repairs.
- (e) **Reducing the frequency of the gardening services** – The Council of Owners are to assess the frequency of gardening services and consider reducing the servicing to 6-8 weeks and advise ESM if any changes are to be made.
- (f) **The Condition of Recycling bin area** – The Council of Owners were advised of the poor condition the recycling area was constantly left in by residents. It was resolved that the Council of Owners will investigate ways to stop the dumping of rubbish and will advise ESM where any action is required.
- (g) **Scope of Works for painting** – Kate Bingham requested that the Council of Owners prepare a scope of works including quotes for the painting at the complex and have them included in the 2014 budget and Notice & Agenda.

14. Close of meeting

There being no further business the meeting closed at 7.20pm.

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

CHAIRPERSON

DATE

Addenda to minutes:

Following the meeting, there were no further expressions of support or opposition to the resolution passed in respect of item 6.2, and this became unconditional on Tuesday 10th December 2013.