



17 February 2003

The Council of Owners
Strata Plan 5629
147-159 Charles Street
WEST PERTH WA 6005

Dear Council Member

NOTICE OF MEETING

NOTICE is hereby given in accordance with the provisions of the Strata Titles Act 1985 that a Council of Owners Meeting of Strata Plan 5629, 147-159 Charles Street, West Perth will be held:

DATE: Monday, 17 February 2003

TIME: 4.00 PM

LOCATION: Unit 9/147-159 Charles Street, West Perth

- AGENDA:**
1. Record Attendance
 2. Proxies
 3. Apologies for absence
 4. Quorum
 5. Appointment of Council Chairman, Treasurer & Secretary
 6. Confirmation of Minutes of Meeting held 7/10/02
 7. Business Arising - 7/10/02
 8. Financial report
 9. Correspondence
 10. General business
 11. Next Meeting
 12. Closure

Should you be unable to attend, please contact the undersigned to register your apologies.

Yours faithfully

ROSS BALLARD
STRATA COMPANY MANAGER
For The Owners of Strata Plan 5629

LICENSED REAL ESTATE AGENTS • PROPERTY MANAGERS • STRATA MANAGERS • MEMBER R.E.I.W.A.

Corner Labouchere Road & Preston Street, Como, Western Australia 6152 - P.O. Box 221, Como, W.A. 6952
Licensee: H.U.M. Pty Ltd as Trustee for H.U.M. Unit Trust trading as Quin Ballard - A.C.N. 009 057 103
Fax: (08) 9474 1302 Phone (08) 9474 1533 E-mail: quibal@inet.net.au ABN 85 869 125 509

MINUTES OF A MEETING OF THE COUNCIL OF OWNERS OF "THE MEWS", 147 CHARLES STREET, WEST PERTH, STRATA PLAN 5629, HELD AT UNIT 9 THE MEWS, 147 CHARLES STREET, WEST PERTH ON MONDAY 17 FEBRUARY 2003, COMMENCING AT 4.00 PM.

1. RECORD

ATTENDANCE: Mr A Smith Unit 9
 Mr P Smith Unit 23
 Ms Y Hill Unit 35
 Mr R Ballard representing Quin Ballard

Mr Ballard referred to a meeting of Council of Owners scheduled for the 11/02/03 and as to the attendance at that meeting. He advised that as only two of the councillor's were present including himself, that the meeting was deferred until such time as the full council membership was in attendance. This was due to the need for a full council to make decision regarding the fencing/gates project and to ensure all owners were aware of the full council meeting that had taken place in regards to this matter.

The informal meeting of those in attendance is recorded and various items were discussed in order an understanding be gained as to the full council meeting to be held at a later date. This meeting as at 17/02/03 is in fact a follow on from the earlier meeting date.

2. PROXIES: Nil.

3. APOLOGIES FOR ABSENCE: Nil.

4. QUORUM: A quorum was present.

5. CHAIRPERSON: Mr R Ballard referred to this as the first meeting of Council of Owners for the year 2003 and of the necessity to elect a chairperson, treasurer and secretary to ensure the committee positions are appointed. It was decided that Mr P Smith would be appointed as chairman; Ms Y Hill as treasurer and Mr A Smith as secretary.

6. CONFIRMATION OF MINUTES: Mr P Smith advised that as the former chairman of the Council of Owners he was in a position to confirm that these minutes were true and correct for the meeting held on 07/10/02.

It was **RESOLVED** that the minutes of the council meeting held on 07/10/02 be received and adopted as a true and correct records and these were then signed by the chairperson.

**7. BUSINESS
ARISING:**

7.1 Concrete Spawlings on Walkways

Mr P Smith confirmed that these concrete works were completed. Strata manger advised that Mr Smith had contacted him with the approval for payment of the account and this had been duly carried out.

7.2 Garden and Trees (7.3)

As the previous caretaker Mr D Browne was involved with mulching of gardens and trees it was reported to the meeting by Mr P Smith that the works have been completed satisfactorily.

7.3 (7.4) Fencing/Gate Security

Strata manager confirmed this item was to be discussed under "General Business" and further comments will be made by Mr P Smith as to the progress of the project.

7.4 Fencing gates/By-law

Strata manager advised that the draft of the by-law for security gates and controllers had in fact been drafted by Mr J Angus and that discussion of this draft would be a follow on matter for Council of Owners to consider in due course. Strata manager referred to the instance where he had provided a contact namely Mr J Angus, in order that the draft by law could be formulated.

7.5 Fence - Western Side (7.8)

Strata manger advise action had been taken by the then caretaker (Mr D Browne) for replacement of fencing on the western side of the strata company. It was pointed out that the earlier quote provided by Auswest Fencing and due to the lack of materials had not been awarded to that company and that the works had been carried out by a contractor employed by Mr D Browne. This work has been finalised and the account paid.

7.6 Units 27-32 (10.1)

Upon request of Mr D Browne the strata manager had enquired as to the number of young people seen accessing units 27 and 32 and the property manager of Quin Ballard determined that these persons had been students and they had been actively engaged in studies during the time in question. Mr P Smith advised that these students were no longer in occupancy and there is no need for any further discussion in this matter.

8. FINANCIAL REPORT:

Strata manager distributed to each member present a summary of the financial information as follows :

Balance of trust account at 11/02/03	\$ 780.99
Balance of investment account at 10/01/03	\$40,611.35
Outstanding levies due 31/12/02 (T Carvolth unit 33)	\$ 587.66
Total levies outstanding	\$ 587.66

Strata manager advised for the information of Miss Y Hill, the purpose of the financial information for council meetings and as treasurer it was confirmed that a periodical statement would be issued on behalf of the strata company for any information that may be required as to the finances for the property.

The financial report was accepted by those in attendance.

9. CORRESPONDENCE: 9.1 Town of Vincent - Application for Swimming Pool Exemption

Strata manager advised that Mr D Browne had received a letter whilst caretaker from the Town of Vincent indicating new regulations as to the management of swimming pools, were now in force. He confirmed it was necessary for the strata company to ensure that adequate management provision had been made with the swimming pool and its operations within the strata company. There is for consideration of council a request for exemption for the ongoing full time management of the swimming pool and the application had been received for details to be provided to the Town of Vincent as to the level of operation of the swimming pool. Mr D Browne has assisted the strata company by providing details on the swimming pool as to the pool usage and the area where the swimming pool is located on the strata plan.

Strata manager will ensure this information is included on the application for management exemption and that the Town of Vincent receives this advice by 28/02/03.

9.2 Fire Emergency Authority (FESA) Report

Strata manager advised that he had received a building inspection check list forwarded on by Mr D Browne as to the FESA review of the strata company in regards to the various safety items in regards to the safety of the strata property.

It was noted on the report that a recommendation for smoke alarm installation in all units and procedures be implemented to various safety measures for the building.

Mr P Smith confirmed that a number of units have smoke alarms installed and in his opinion the advice should be issued to owners as a general notice to owners to have smoke alarms installed if necessary. Strata manager will provide a suitably worded advice to owners and this advice will be issued with the levy notices. It is intended that this means

of notifying the owners will convey the information in regards to smoke alarms.

9.3 Estate - C McDougall

Strata manager advised that the Public Trustee has contacted the strata company in regards to the estate of C L McDougall and confirmed action is taking place to establish next of kin in Scotland, as to the estate and issue of probate will be followed up once information has been given as to next of kin.

Strata manager confirmed he had forwarded to the Public Trustee office a copy of the owner debtors card in the name of C McDougall (deceased) and confirmed that once probate has been set and administrator confirmed for the estate, action will be taken to collect the outstanding levies on the property. Ms Y Hill queried as to the follow up action taken in regards to outstanding levies and the strata manager confirmed the legal and recovery processes which take place for outstanding levies.

9.4 Email - Concrete Cancer

Strata manager referred to an email received from Mr P Smith confirming that repair work of the concrete cancer had been completed and was now in a position to ensure the account be finalised. Mr P Smith also referred to the new caretaker, Mr Tim Berry and the strata manager confirmed Mr Berry is now the appointed caretaker for The Mews.

9.5 Letter (24/01/03) - Mr P Smith

Strata manager confirmed this letter referred to draft proposals of the by-laws of the gate controllers from Mr J Angus. He confirmed the action that required input prior to the next meeting to ensure the by-laws and house rules were at a level which could be considered by the Council of Owners. Mention was also made to the account issued by Mr J Angus as to the work of putting forward the drafts and that Mr P Smith had been successful having Mr J Angus reduce the interim account to a figure of \$630.00 which had been approved for payment.

It was noted the rules of the strata company and the draft of the proposed by-laws would be considered by Council of Owners under the item of General Business.

9.5 R & R Pool - Plan of Footing Sizes

Strata manager advised Mr P Smith that he had received a faxed copy of the diagram showing footings and sizes. He handed this fax to Mr P Smith as a record and to assist in regards to the survey work that will be carried out prior to the installation of the gates and fencing.

10. GENERAL BUSINESS:

10.1 Caretaker - Petty cash

Mr P Smith has requested the new caretaker Mr T Berry be provided with a petty cash impress for the purchase of items on behalf of the strata company. Strata manger advised that upon discussion with Mr P Munday, that Council of Owners should consider a limit of \$300.00 in petty cash, and Mr T Berry be issued with a cheque initially for \$300.00 and that he provide documentation ie a statement of expenditure and receipts in order a recoup could be made to ensure the petty cash balance of \$300.00 is maintained.

Council of Owners considered this request of necessity and instructed the strata manager to arrange for the petty cash imprest to be implemented.

10.2 Gates - Fencing Project

Mr P Smith confirmed that R & R Pools quotation for the supply and installation of gates and fencing had been maintained and there would be no variation as to the figures previously provided.

He confirmed that ABA Automatic Gates the providers of gates automation and controller units would need to be followed up in regards to quotation provided at an earlier date. Mr G Catzow is to be contacted by Mr Smith in regards to a re-quotation for the automatic gates to confirm the cost prior to commencement of the works.

Strata manager referred to the need for some confirmation as to the number of control units being issued to owners. Mr P Smith confirmed that the units at the rear would only have access to their parking zone, whilst the front units would be similarly placed in terms of access to the secured car park area. As a result there would be the issue of one controller by the strata company at its cost and additional unit to be issued at the owners cost.

Mr P Smith confirmed that an inventory of controllers would be maintained by himself to ensure that issues of controllers were noted within the strata company records. He confirmed that the initial program was to obtain 100 controllers and in the event of a unit being vacated by a tenant, the resulting hand in of a controller would be for re-issue. He confirmed also that a means to reprogram the controllers to be issued would be provided by an on-site, unit to ensure ease of operation with the issue of all controllers.

By-laws proposed as issued by Mr J Angus required a special meeting of Council of Owners to confirm as to the final by-laws and rules of the strata company prior to the operation of the security measures for the strata property. Strata manager confirmed that Council of Owners were now to review the proposed by-laws and house rules and at their next

meeting in April 2003 should confirm the final issue of by-laws and rules of the strata company. This is to be timed to suit the installation of the gates and fencing at the strata property.

It was agreed that Mr P Smith is to proceed with the confirmation of quotes as previously noted and the Town of Vincent building application fee would require the expenditure of between \$40-\$90 depending on the charges in order that the installation of the gates and fencing may proceed. Mr P Smith is to confirm at the April 2003 meeting the revised quote for the automatic gates as well as the under ground power revised quote as supplied earlier by Western Maintenance Pty Ltd.

11. NEXT MEETING: It was decided the next Council of Owners meeting, which is a special meeting of council to confirm the gates and fences, installation will be held on Tuesday 8 April 2003 commencing at 7 pm and to be held in unit 9.

12. CLOSURE: Mr Ballard thanked Mr A Smith for his hospitality and the use of his unit. There being no further business the meeting closed at 5.10 pm

CONFIRMED: PAST THIS 15th DAY OF July, 2003



25 March 2003

The Council of Owners
Strata Plan 5629
147-159 Charles Street
WEST PERTH WA 6005

Dear Council Member

NOTICE OF MEETING

NOTICE is hereby given in accordance with the provisions of the Strata Titles Act 1985 that a Council of Owners Meeting of Strata Plan 5629, 147-159 Charles Street, West Perth will be held:

- DATE:** Monday, 7 April 2003
- TIME:** 7.00 PM
- LOCATION:** Unit 9/147-159 Charles Street, West Perth
- AGENDA:**
1. Record Attendance
 2. Proxies
 3. Apologies for absence
 4. Quorum
 5. Appointment of Council Chairman, Treasurer & Secretary
 6. Confirmation of Minutes of Meeting held 17/02/03
 7. Business Arising - 17/02/03
 8. Financial report
 9. Correspondence
 10. General business
 11. Next Meeting
 12. Closure

Should you be unable to attend, please contact the undersigned to register your apologies.

Yours faithfully

ROSS BALLARD
STRATA COMPANY MANAGER
For The Owners of Strata Plan 5629

LICENSED REAL ESTATE AGENTS • PROPERTY MANAGERS • STRATA MANAGERS • MEMBER R.E.I.W.A.

Corner Labouchere Road & Preston Street, Como, Western Australia 6152 - P.O. Box 221, Como, W.A. 6952
Licensee: H.U.M. Pty Ltd as Trustee for H.U.M. Unit Trust trading as Quin Ballard - A.C.N. 009 057 103
Fax: (08) 9474 1302 Phone (08) 9474 1533 E-mail: quibal@inet.net.au ABN 85 869 125 509

MINUTES OF A MEETING OF THE COUNCIL OF OWNERS OF "THE MEWS", 147 CHARLES STREET, WEST PERTH, STRATA PLAN 5629, HELD AT UNIT 9 THE MEWS, 147 CHARLES STREET, WEST PERTH ON MONDAY 7 APRIL 2003, COMMENCING AT 7.00 PM.

1. RECORD

ATTENDANCE:	Mr A Smith	Unit 9
	Mr P Smith	Unit 23
	Ms Y Hill	Unit 35
	Mr R Ballard representing Quin Ballard	

2. PROXIES: Nil.

3. QUORUM: A quorum was present.

4. APPOINTMENT OF CHAIRPERSON:

Mr P Smith, the appointed Chairman presided for the duration of the meeting.

5. CONFIRMATION OF MINUTES:

It was RESOLVED that the minutes of the Council Meeting held on 17 February 2003 be received and accepted as a true and correct record and these were then signed by the Chairman.

6. BUSINESS ARISING:

Mr R Ballard referred to a number of items that had been attended to as to the previous meeting and these are itemised as follows.

6.1 Statements to Treasurer

Mr R Ballard advised that the Treasurer Ms Y Hill had been issued with financial statements. Mr P Smith referred to a copy that had been provided by Mr D Browne, the previous treasurer.

6.2 9.1 Town of Vincent - Application for Swimming Pool Exemption

Strata manager advised that he had attended to the application for management exemption and that the Town of Vincent have been issued with the suitable advice as of 25 February 2003. This was noted by those in attendance. Strata Manger confirmed that the current Caretaker, Mr T Berry will be the manager for actions with regards to the Swimming Pool and that any issues would be referred back to the Strata Council.

6.3 9.2 Fire Emergency Authority (FESA) Report

Mr R Ballard referred to a draft of a letter with regards to smoke alarms being issued to all owners following advice from FESA with the installation of units throughout the strata property. The Chairman, Mr P Smith confirmed that in his view the draft letter was to the level necessary to notify owners and that the Council of Owners approve of this letter being issued to owners. Strata Manager will arrange for this to be issued to owners.

6.4 9.5 Letter (24/01/03 - Mr P Smith)

Mr R Ballard confirmed that action had taken place with the By-laws and that the meeting would discuss the draft proposal put forward by Mr J Angus. It was agreed that this would take the form of a General Business Item.

6.5 10.1 Caretaker - Petty Cash

Strata Manager advised that Mr T Berry as caretaker had been issued with a petty cash imprest of \$300.00. He confirmed that Mr Berry should be reimbursed no later than after two months for any payments or purchases that he had made and that the re-coup would be made for the balance of monies expended.

A Council of Owners confirmed that this proposal is necessary in order that items may be purchased for the strata property.

6.6 Electrical Quote - Town of Vincent Building Application Fee

It was noted by those in attendance that Mr P Smith had obtained a quotation from Scarborough Electrics for electrical fittings to be installed with the automatic gates proposal. Strata manager referred to contact made by Western Maintenance Pty Ltd saying that they were not interested to proceed with their quote with regards to this project. Mr P Smith confirmed that Mr T Berry would be involved with the removal of trees along the route for the laying of electric cables and that he had provided a quote of \$850.00 for this work to be done. Strata Manager advised that Mr T Berry should place in writing this quotation as a record of his work and that a tax invoice would need to be issued quoting an ABN for payment when works are completed.

Mr P Smith advised that he would notify Mr T Berry of this requirement.

With regards to the Town of Vincent building application fee, it was noted by Council members that this had been attended to in order that all approvals are in place for the project to proceed.

7. FINANCIAL REPORT:

Mr R Ballard distributed to each member present a summary of the financial information as follows:

Balance of General Trust account as at 7 March 2003	\$ 6,240.41
Balance of Investment account as at 11 March 2003	\$42,228.84
<u>Outstanding Levies</u>	
Due 01/04/03 unit 15	\$ 1,208.88
Extra ordinary levy	\$ 112.90
Interest	\$ 81.20
Estate of C L McDougall	
Due 01/01/03 to 01/03/03 Unit 39	\$ 316.01
Extraordinary Levy	<u>\$ 150.54</u>
Total	<u>\$ 466.55</u>

Owner Mya Kay Khaing Nyunt

- 8. CORRESPONDENCE:** 02/04/03 A fax transmission from Clarkin and Co, with regards to Unit 50/147 Charles Street, West Perth was noted, as to the front door peeling and wearing away with a request for this to be repaired.

Copy of this fax transmission was handed to Mr P Smith who will arrange with the caretaker to inspect and report on this doorway. Strata manager is to be notified on the outcome.

- 15/03/03 Email from Mrs B Holland on behalf of R & B Holland as to their email address whilst in England. This was noted by those in attendance and Mr P Smith confirmed that this should remain as a record for the strata property in order that future communications may be maintained.

9. GENERAL BUSINESS:

9.1 Gates/Security Fencing Project

Strata Manager confirmed that Mr P Munday had viewed the drafted By-laws, submitted by Mr J Angus and that in his view there was certain sections that required consideration towards amendments.

It was decided that the By-laws draft should be reviewed line by line in order that the Council of Owners can arrange for suitable terminology and outcomes to be reached with regards to these by-laws.

Mr R Ballard confirmed that in the instance where a bond or deposit is required, that this as an inclusion in the by-laws, is not recommended due to the confusion and additional work load that will be required on the strata council and the management for on-going control of the security keys. It was confirmed that two examples provided by Mr P Munday assist the council in order that a simple point by-point By-laws

may be drafted and that this would assist the strata property to ensure that security of all entry's into the property by vehicles is maintained.

It was resolved that with information to hand that Mr P Smith and Ms Y Hill will confirm and prepare a suitable amendment to the by-laws (draft) and that this will serve as the document for consideration by owners at a time when the gates/fencing project is completed.

Strata manager advised that the Council of Owners will need to issue the final draft of the by-laws to all owners with a view that these may be approved prior to the forwarding onto DOLA for registration and acceptance as to the strata plan. He further advised that it may be possible subject to a check for a letter to be issued to all owners in order that their agreement may be reached and that this may obviate the need for a special meeting of owners to confirm their approval for the by-laws to be incorporated

As the gates/fencing project is to be commenced during May 2003, there is sufficient time up to June 2003 for the By-laws to be redrafted and action taken for these to be endorsed on the strata plan.

Strata manager advised that in his view the rules for application as to the security of the strata property would be set by Council of Owners and that these need not to be included as word for word within the proposed by-laws.

Mr P Smith confirmed that there are a number of issues that need to be discussed with regards to the ongoing operation as to loss of a security key and the council will need to closely monitor the issue of a replacement key which will be subject to the owner being responsible for payment of this device. It was agreed by those in attendance that this action will be a follow on from the review of the current by-laws and that proper procedures will be in place to ensure that the gates/fencing security is supported by all parties.

10. NEXT MEETING: The next meeting will be at a time to be decided.

11. CLOSURE: Mr Ballard thanked Mr A Smith for the kind use of his unit for the meeting and for his hospitality and he thanked all members present for their attendance and input at the meeting. There being no further business the closed at 8.20 pm.

CONFIRMED: PKH THIS 15 DAY OF Sept 2003

27 May 2003



The Owners "The Mews"
Strata Plan 5629
147-159 Charles Street
WEST PERTH WA 6005

Dear Owner

NOTICE OF MEETING

NOTICE is hereby given in accordance with the provisions of the Strata Titles Act 1985 that an Extraordinary General Meeting of the Owners of "The Mews", 147-159 Charles Street, West Perth, Strata Plan 5629 will be held: -

DATE: Monday 23/06/03 **TIME:** 6.00 pm

LOCATION: At the Office of Quin Ballard, 175 Labouchere Road, Como (Corner Labouchere Road & Preston Street, upstairs on 1st Floor)

AGENDA:

1. Welcome
2. Record Attendance
3. Proxies verified
4. Apologies for absence
5. Quorum
6. Appointment of meeting Chairperson
7. Special Business See Annexure "A"
8. Closure

Where you cannot attend, please complete the attached proxy form and return it as soon as possible. It is **IMPORTANT** to have this proxy as without your support, we may not be able to hold this meeting. Furthermore, your levy contribution must be paid to entitle you to vote, (Strata Titles Act 1985, By-laws 1 (14-6)).

Please note that if your unit (lot) is in joint names, only one person can vote, when voting on a show of hands, provided a form of proxy has been completed and signed by all co-proprietors nominating the party entitled to vote. The person entitled to vote may be one of the co-proprietors or any other person as nominated on the form of proxy.

Completed forms of proxy may be returned to this office at any time before the meeting, or handed in before commencement of the meeting.

Yours faithfully


ROSS BALLARD

STRATA COMPANY MANAGER
For the Owners of Strata Plan 5629

**OWNERS OF "THE MEWS", 147-159 CHARLES STREET, WEST PERTH,
STRATA PLAN 5629
EXTRAORDINARY GENERAL MEETING 23/06/03**

AGENDA ITEM: SPECIAL BUSINESS - ANNEXURE "A"

7.1 FENCING AND SECURITY PROJECT

Further to decisions made at the last Annual General Meeting, the strata council has progressed the fence installation project together with preparation of a draft proposal by-law to address security controller devices.

7.1.1 SECURITY GATE CONTROLLERS

Council of Owners have determined that an additional 50 security gate controllers are required in support to the operation of the security service. It is anticipated that funding of \$2,750.00 as additional costs are needed for this purpose.

Motion:

To raise a special levy of \$55.00 per unit to enable the issue of two controllers per unit owner. This levy is due and payable on 28/07/03.

7.1.2 ADDITIONAL SCHEDULE 2 BY-LAWS No 15 & 16

To resolve by special resolution that the proposed by-law numbered 15 and 16 as per attached Annexure "B" be added as additional strata company by-laws to be schedule 2 by-laws numbered 15 and 16.

7.2 ADDITIONAL MEMBERS ONTO COUNCIL

As a large strata company it is important that a Council of Owners body should be represented by a number of persons - not exceeding 7 in total.

There is currently only 3 Council of Owners and the chairman is seeking nominations from other owners to increase owner representations. Nomination form is enclosed.

NOTE: The by-laws provide that only the items of business on the agenda can be resolved at this meeting.

It is not appropriate for other matters to be raised.

ANNEXURE "B"

Proposed BY-LAWS.

ADDITIONAL SCHEDULE 2 BY-LAW NUMBERED 15

15. SECURITY

15.1 Security gate and access.

Proprietors, tenants or other occupiers shall ensure that any gate affixed at the entrance to the common property lot is closed and properly secured at all times when not in use.

15.2 Security key devices

1. A proprietor, occupiers or other resident of a lot shall remain responsible at all times for security controller devices (controller) supplied to him by the strata company and must take all reasonable steps to ensure that the controller is not lost or handed to any person other than another proprietor, occupier or other resident, and is not disposed of otherwise than by returning it to the proprietor or the strata company.
2. Supply of any controller shall only be made to a proprietor, occupier or other resident during the hours of 9.00 am to 5.00 pm weekdays or such other times as may be decided from time to time by the council of the strata company.
3. A proprietor must exercise a high degree of caution and responsibility in making a controller available for use by an occupier or resident of the lot and must take all reasonable steps including, without limitation, an appropriate agreement in any lease or license of a lot to an occupier, to ensure the return of the controller to that proprietor or the strata company.
4. A proprietor, occupier or other residents of the lot shall within fourteen days of demand reimburse the strata company for all costs of replacing a controller and the recoding of the security system, if a controller is lost or damaged, however that occurs.
5. A proprietor, occupier or other resident of a lot must promptly notify the strata company if a controller is lost or destroyed.
6. If the loss or damage is covered by a policy of insurance effected by the strata company, the strata company shall remit to the proprietor, occupier or other resident of a lot (as the case may be) such amount as the strata company receives under the policy of insurance.
7. The Strata company may recover all amounts payable pursuant to this by-law as a liquidated debt in any Court of competent jurisdiction and interest shall be paid on such amounts due but not paid, as if such monies were an unpaid levy raised pursuant to section 36 of the Strata Titles Act 1985.
8. The strata company is to provide to each proprietor two original controllers together with any further controllers that the strata council may approve to enable a proprietor, occupier or other resident of a lot to operate the security gates. The cost of supply of any additional controllers is to be determined from time to time by the council and is to be the expense of the proprietor, occupier or other resident who requests the additional controller.
9. The council of the strata company may appoint a proprietor, occupier or other resident as a key-caretaker (referred to as 'key caretaker') of the controller as it sees fit. The appointee shall maintain a register of all proprietors, tenants or other occupiers who have been given any controllers. Upon sale of a lot or upon cessation of residence of tenant or other occupier within the parcel, any controllers issued to them shall be returned forthwith to the key-caretaker or other nominated person.

ADDITIONAL SCHEDULE 2 BY-LAW NUMBERED 16

16. Strata Company may make rules.

The council of the strata company shall be entitled from time to time to make and prescribe rules and regulations relating to the use of the common property (not inconsistent with any of the Schedule 1 or Schedule 2 by-laws or these by-laws), for the proper management of the strata scheme or any improvements thereon and may display signs or circularise these rules as council thinks fit. Without limiting the generality of this clause the council of the strata company may make regulations.

**"THE MEWS"
STRATA PLAN 5629
147-159 CHARLES STREET, WEST PERTH**

NOMINATION FOR ELECTION TO COUNCIL

1. I wish to nominate myself for election to the Council of Owners at the forthcoming Annual General Meeting of Strata Plan 5629.

NAME (PRINT): _____

UNIT NO: _____

SIGNATURE: _____

- * Where a company is the nominee, the person authorised by the company to act on its behalf on council is... ..

DATE: _____

2. I wish to nominate the following party for election to the Council of Owners at the forthcoming Annual General Meeting of Strata Plan 5629.

NAME OF NOMINEE: (PRINT) _____

UNIT NO: _____

I ACCEPT NOMINATION: _____

(Signature of Nominee)

- * Where a company is the nominee, the person authorised by the company to act on its behalf on council is... ..

NAME OF NOMINATOR (PRINT) _____

UNIT NO: _____

DATE: _____

NOTE: *

Where a Company is the lot proprietor then in accordance with Section 45 of the Strata Titles Act 1985, the Company is eligible to be a member of the Council. The Company may then authorise an individual to act on its behalf on Council and may later revoke that authority. Nomination by the Company for its election to Council together with advice of details of the authorised individual should be completed by the signing/sealing procedures of the Company as may be appropriate.

- # Please forward completed nomination forms to Managers prior to the meeting date.

NOTE: If unable to attend meeting please return completed proxy to fax No. 9474 1302 or post to Quin Ballard, PO Box 221, Como WA 6152

FORM OF PROXY

I/We being the Owner/s of unit number/s (or lot number/s) _____ in Strata Plan Number 5629 hereby appoint:

* A representative from Quin Ballard

OR _____

* Other person

to be my/our proxy to vote on my/our behalf at the Extra Ordinary General Meeting of the Owners of "The Mews", 147-159 Charles Street, West Perth, Strata Plan 5629 to be held on 23/06/03 or any adjournment thereof.

**SIGNATURES OF ALL CO-
PROPRIETORS:** _____

**SIGNATURE OF
PROXY:** _____ **DATE:** _____

In the case of a Company:

The Common Seal of:

was hereunto affixed by
order of the Board in
the presence of:

NOTE

1. Only one co-proprietor of a unit (lot) can vote at a general meeting on a show of hands provided a form of proxy has been completed and signed by all co-proprietors nominating the party entitled to vote.
2. A Company may appoint a nominee as its Proxy and the Form of Proxy should, where applicable, have the Company Seal affixed.
3. A Proxy need not be a member of the Strata Company. The Strata Manager, the Chairman or any other person may act as proxy.

EXTRA ORDINARY

MINUTES OF THE ADJOURNED ANNUAL GENERAL MEETING OF THE OWNERS OF 147-159 CHARLES STREET, WEST PERTH, STRATA PLAN 5629, KNOWN AS "THE MEWS" HELD AT THE OFFICE OF QUIN BALLARD, 175 LABOUCHERE ROAD, COMO, ON MONDAY 30 JUNE 2003, COMMENCING AT 6.00 PM. THIS MEETING WAS THE ADJOURNMENT OF THE MEETING SCHEDULED FOR MONDAY 23 JUNE, 2003 AT WHICH A QUORUM WAS NOT PRESENT.

1. WELCOME,**ATTENDANCE :**

Mr Ross Ballard of Quin Ballard, Strata Manager of the property was the only person present at this adjourned meeting.

He noted that at the meeting scheduled for 23 June, Mr P Smith, chairman of Council of Owners expressed his disappointment at the lack of interest by many owners to attend the meeting and also noted the low number of proxy forms submitted for the meeting.

It was stated at that time by the strata manager that upon a count of unit entitlements (ue) for "The Mews" and based upon persons present and proxies held, the voting on strata by-laws as a Special Business Item could not proceed.

It was agreed by those owners present on 23 June, that this adjourned meeting be re scheduled to Monday 25 August 2003 commencing at 6.00 pm. to deal with all items of business on the original agenda. All owners are to be requested to attend and consider all items of business as listed on the agenda. Strata manager is to forward a Notice of Meeting to owners at least sixteen days prior to 25 August 2003.

In the interim period, a letter is to be sent to owners conveying Council of Owners concerns as to the general apathy of some owners and a need for their input to achieve strata company business issues. Strata manager is to prepare a draft letter in consultation with chairman Mr P Smith.

2. PROXIES :

D & T & C & E Browne to David Browne	Unit 3
J Dennis & D Zappavigna	Unit 4
Mr J Daebritz	Unit 6
Ms C Chapman	Unit 7
Ms N Godwin	Unit 8
all to Mr R Ballard from Quin Ballard	
Mr & Mrs d & P Browne to Mr D Browne	Unit 10
Mr & Mrs S & B Tanascena	Unit 13
Mrs K Ballard & Mr M Quin	Unit 14
Mr G Beale	Unit 16
all to Mr R Ballard representing Quin Ballard	
Mr & Mrs R & B Holland	Unit 17

Mr & Mrs R & B Holland enduring proxy	Unit 19
Mr T Mackin	Unit 24
Ms S Dwyer	Unit 27
Mr M Skully	Unit 32
all to Mr R Ballard representing Quin Ballard	
Ms N Browne	Unit 37
to Mr D Browne	
Ms E Foston	Unit 42
Ms G Hourigan	Unit 43
both to Mr R Ballard representing Quin Ballard	
Mr D Gilbert	Unit 46
Mr & Mrs D & P Browne	Unit 47
to Mr D Browne	
Mr & Mrs D & J Ponnam Balam	Unit 48
all to Mr D Browne	
Mr & Mrs K & J Von Knoll	Unit 50
to Mr R Ballard representing Quin Ballard	

3. CLOSURE:

The meeting closed at 6.05 pm.

CONFIRMED: 

THIS

24 November

DAY OF

2003



29 July 2003

The Owners of Strata Plan 5629
"The Mews"
147-159 Charles Street
WEST PERTH WA 6005

Dear Owner

RE: NOTICE OF ADJOURNED MEETING

NOTICE is hereby given that the ADJOURNED Extraordinary General Meeting of the Owners of "The Mews", 147-159 Charles Street, West Perth, Strata Plan 5629 will be held:-

DATE: Monday 25 August 2003

TIME: 6.00 pm

**LOCATION: At the office of Quin Ballard, 175 Labouchere Road, Como
(Corner Labouchere Road & Preston Street, upstairs on 1st
Floor)**

This adjournment results from a quorum not being present for the meeting which was scheduled for 23/06/03.

Please note: For this meeting to proceed, you are requested to **COMPLETE AND SEND YOUR PROXY FORM.** (Thank you to those owners who have already forwarded their Proxy form.)

Yours faithfully

Ross Ballard
For and behalf of the
Owners of Strata Plan 5629

LICENSED REAL ESTATE AGENTS • PROPERTY MANAGERS • STRATA MANAGERS • MEMBER R.E.I.W.A.

Corner Labouchere Road & Preston Street, Como, Western Australia 6152 - P.O. Box 221, Como, W.A. 6952
Licensee: H.U.M. Pty Ltd as Trustee for H.U.M. Unit Trust trading as Quin Ballard - A.C.N. 009 057 103
Fax: (08) 9474 1302 Phone (08) 9474 1533 E-mail: quibal@iinet.net.au ABN 85 869 125 509

**NOTE: If unable to attend meeting please return completed proxy to fax No. 9474 1302
or post to Quin Ballard, PO Box 221, Como WA 6952**

FORM OF PROXY

I/We being the Owner/s of unit number/s (or lot number/s) _____ in Strata Plan Number 5629 hereby appoint:

* A representative from Quin Ballard

OR

* Other person

to be my/our proxy to vote on my/our behalf at the Extraordinary General Meeting of the Owners of "The Mews", 147-159 Charles Street, West Perth, Strata Plan 5629 to be held on 25/08/03 or any adjournment thereof.

Where the nominated proxy has a financial interest in a management contract or arrangement with the Strata Company I/We expressly authorise the proxy to vote on the motion under notice relative to that appointment and I/We specify herewith that the proxy is to vote for that motion.

SIGNATURES OF ALL CO-PROPRIETORS: _____

SIGNATURE OF PROXY: _____ **DATE:** _____

In the case of a Company:

The Common Seal of:

was hereunto affixed by
order of the Board in
the presence of:

NOTE

1. Only one co-proprietor of a unit (lot) can vote at a general meeting on a show of hands provided a form of proxy has been completed and signed by all co-proprietors nominating the party entitled to vote.
2. A Company may appoint a nominee as its Proxy and the Form of Proxy should, where applicable, have the company seal affixed.
3. A Proxy need not be a member of the Strata Company. The Strata Manager, the Chairman or any other person may act as proxy.

MINUTES OF THE ADJOURNED EXTRA ORDINARY GENERAL MEETING OF THE OWNERS OF "THE MEWS", 147-159 CHARLES STREET, WEST PERTH, STRATA PLAN 5629, HELD AT THE OFFICE OF QUIN BALLARD, 175 LABOUCHERE ROAD, COMO, ON MONDAY 25 AUGUST 2003 COMMENCING AT 6.00 PM.

1. WELCOME:

Mr Ross Ballard of Quin Ballard, Strata Manager of the property welcomed all persons present. He enquired if everyone was recorded on to the Attendance Register and requested that any written proxies held, be handed in. He requested that in the matter of voting, a clear indication be given by the raising of one hand, and he requested that in the course of the meeting, there be no cross current of conversation and that all comments be directed through the Chair.

2. RECORD

ATTENDANCE:

Mr A Smith	Unit 9
Mr S Tanascev	Unit 13
Mr A MacDonald	Unit 20
Mr S Allam	Units 21, 29, 34 & 51
Mr P & Mrs J Smith	Unit 23
Mr T Machin	Unit 24
Mr S Knight	Unit 25
Mr M Caplin	Unit 30
Mrs Y Hill	Unit 35
Ms N Browne	Unit 37
Mr G Peter	Unit 46
Mr D Browne	Unit 47
Mr R Ballard representing Quin Ballard	

3. PROXIES:

A J Fraser	Unit 1
D Zappavigna & J Dennis	Unit 4
J Daebritz	Unit 6
C Chapman	Unit 7
N Godwin	Unit 8
J Sloan	Unit 11
S & K Tanascev	Unit 13
K Ballard & Mr M Quin	Unit 14
S Beale	Unit 16
J McDonald	Unit 20
R Jones	Unit 22
T Machin	Unit 24
R Kanter	Unit 26
S Dwyer	Unit 27
Prof. M Skully	Unit 32
T Carvolth	Unit 33
A Legge	Unit 40

E Foston	Unit 42
G Hourigan	Unit 43
M Thompson & S Sams	Unit 44
D & J Ponnambalam	Unit 48
D Wilson	Unit 49
K J Von Knoll	Unit 50
all to Ross Ballard representing Quin Ballard	
C May	Unit 2
D,T G & E Browne	Unit 3
D & T Browne	Unit 10
J Blazcenjek	Unit 31
N Browne	Unit 37
D & T Browne	Unit 47
all to D Browne	
R Holland	Unit 17, 19 & 28
to P Smith	
T & G Knight	Unit 25
to S Knight	
D Gilbert	Unit 46
to G Peter	

**4. APOLOGIES
FOR ABSENCE:**

Nil.

5. QUORUM:

The strata manager referred to the numbers as recorded on the attendance register, together with the proxy register and it was noted by those in attendance that there was sufficient proxies in hand to ensure that the meeting was able to commence and also that the unit entitlement ie; more than 93 UE was present for the decisions and voting to be carried out as per the Special Business items.

In addition Mr R Ballard referred to the minute notes which had been prepared with regards to the adjourned meeting scheduled for 23 June 2003 and that a copy had been provided by hand to the chairman Mr P Smith. He also advised that the minutes will be recorded in the minutes file.

6. CHAIRPERSON:

It was **RESOLVED** that Mr R Ballard be appointed to the Chair. Moved Mr P Smith, seconded Mr A Smith. Carried.

**7. SPECIAL BUSINESS
ANNEXURE A:**

7.1 Fencing and Security Project

Mr R Ballard referred to the item as being a matter which required those in attendance to review and to proceed with the action following the fence and

gates and also for the preparation of the draft proposal by-law to address security controlling devices.

The chairman of Council of Owners, Mr P Smith, commented upon the various matters with regards to the draft proposal and answered a number of questions that were raised with regards to the ongoing security needs and for the issue of security controlling devices.

7.1.1 Security Gate Control

Mr P Smith referred to the need for an additional 50 security gate controllers in order to support the operation of the security service for the strata property. In doing so it was noted by owners that additional funds amounting to \$2,750 are required as further costs to ensure that there are adequate security gate controllers for issue as and when necessary.

Mr S Allam owner of 4 units requested that further information be provided as to the issue of two controllers per unit owner. Mr P Smith advised that this was necessary due to the need for more than one person to operate the gates within the strata property and also to ensure that for ease of operation a controller is available without having to proceed with a request for replacement controller in numerous instances.

The meeting was advised with regards to the reasons and support for the issue of two controllers and it was accepted that in the interim period ie: 6 months the operation of the automatic gates, that it would be in the interest to ensure that owners receive two controllers as planned.

7.1.2 Security Gate Controllers

The strata manager referred to the need for 50 security gate controllers and referred to the motion on notice ie: to raise a special levy of \$55.00 per unit to enable the issue of two controllers per unit owner. It was agreed that the date the levy is due and payable 30/09/03.

It was **RESOLVED** that the motion as proposed be passed. Moved Mr D Browne, seconded Mr T Machin. Carried.

7.1.3 Additional Schedule 2 By-Laws Numbers 15 & 16

The strata manager referred to the need by special resolution that the proposed Schedule 2 by-law number 15 & 16 as per the attached annexure B to the Notice of Meeting be added as additional strata company by-laws and for the meeting to consider and approve for these particular additional by-laws.

The strata manager advised the background as to the registration of the schedule 2 by-laws numbers 15 & 16 and as to the need for the strata properties to be governed with regards to the matters as pertained with the security gate and fencing project.

It was confirmed that at this time of the meeting a sufficient quorum as defined by section 3C of the Strata Titles Act 1985 was present.

After some discussion it was **RESOLVED** that the additional by-laws as proposed, be made. Moved Mr A Smith, seconded Mr P Smith. Carried. All persons present and all proxies except for one, voted in favour of the motion.

Strata Manager advised that on the show of hands for both item 7.1.1 - security Gate Controllers and 7.1.3 Additional schedule 2 by-laws numbers 15 & 16 that this had been passed by a majority, based on both the proxy and show of hands for those attending the meeting. The strata manager referred to the position as pointed out to Mr P Smith, Chairman of the Council of Owners that the Act requires a waiting period of 28 days. On completion of the 28 day period action will be taken by the strata manager to raise the levies of \$55 per unit for the issue of two controllers and to ensure that this levy is due and payable as of 30/09/03, prior to the issue of controllers to owners. It is proposed that a register of controllers be held and also the care taker is to have responsibility for the recording of issue of any replacement controllers and only to arrange so on authority of Council of Owners.

The strata manager further advised that on the completion of the 28 day period action will be taken to submit the additional schedule 2 by-laws numbers 15 & 16 to the Department of Land Information to be recorded on the strata plan.

7.2 Additional Members Onto Council

The following nominations for election of additional members to council were recorded:

Mr A McDonald - Unit 20, Ms G Hourigan - Unit 43, Mr S Allam - Units 21, 29, 34 & 51.

The presentation of the nominations were considered by those in attendance and support was provided for the three additional members to be on council. The strata manager advised that the additional members will assist the chairman and the two other council members in order to make decisions based on ongoing actions with regards to this strata property.

He congratulated the new members and look forward to them working towards the interest of the strata company.

8. CLOSURE:

The meeting closed at 7.00 pm.

Mr R Ballard thanked those owners for their attendance and commented on the position with regards to the numbers that had attended this evenings meeting and this is an encouragement for ongoing actions of the strata company.

CONFIRMED:

  THIS 24th DAY OF Nov 2003

9 September 2003



The Council of Owners
Strata Plan 5629
147-159 Charles Street
WEST PERTH WA 6005

Dear Council Member

NOTICE OF MEETING

NOTICE is hereby given in accordance with the provisions of the Strata Titles Act 1985 that a Council of Owners Meeting of Strata Plan 5629, 147-159 Charles Street, West Perth will be held:

DATE: Monday 15 September 2003

TIME: 7.00 PM

LOCATION: Unit 9/147-159 Charles Street, West Perth

AGENDA:

1. Record Attendance
2. Proxies
3. Apologies for absence
4. Quorum
5. Appointment of meeting Chairman
6. Confirmation of Minutes of Meeting held 07/04/03
7. Business Arising - 07/04/03
8. Financial report
9. Correspondence
10. General business
11. Next Meeting
12. Closure

Should you be unable to attend, please contact the undersigned to register your apologies.

Yours faithfully

ROSS BALLARD
STRATA COMPANY MANAGER
For The Owners of Strata Plan 5629

MINUTES OF A MEETING OF THE COUNCIL OF OWNERS OF "THE MEWS" 147-159 CHARLES STREET, WEST PERTH, STRATA PLAN 5629, HELD AT UNIT 9 THE MEWS, ON MONDAY 15 SEPTEMBER 2003, COMMENCING AT 7.00 PM.

1. RECORD

ATTENDANCE:

Mr A Smith	Unit 9
Mr A MacDonald	Unit 20
Mr P Smith	Unit 23
Mrs Y Hill	Unit 35
Ms H Hourigan	Unit 43
Mr R Ballard representing Quin Ballard	

2. PROXIES: Nil.

3. APOLOGIES

FOR ABSENCE: Mr S Allam Units 21,29, 34 & 51

4. QUORUM: A quorum was present

5. CHAIRPERSON: Mr R Ballard referred to the appointment of chairman for the meeting and it was agreed by those in attendance that he would proceed as chairman.

6. CONFIRMATION OF MINUTES:

It was **RESOLVED** that the minutes of the council meeting held on 7 April 2003 be received and accepted as a true and correct record and these were then signed by the chairman. Moved Mr P Smith, seconded Mr A Smith. Carried.

7. BUSINESS ARISING:

Mr R Ballard referred to a number of items that had been attended to as to the previous meeting as these are itemised as follows:

7.1 Statements to Treasurer

The chairman confirmed that statements had been issued as requested.

7.2 Town of Vincent - Application for Swimming Pool Exemption

It was confirmed by the strata manager that the application for management exemption to the Town of Vincent had been carried out. Mr P Smith referred to the caretaker Mr T Berry as the manager

responsible for the swimming pool and that any issue will be referred back to the strata council.

7.3 Fire Emergency Authority (FESA) Report

Strata Manager advised letter had been issued to owners indicating the outcome of the FESA report. Mr P Smith confirmed that this is necessary in order for Council of Owners to ensure all owners were notified of the report.

7.4 Letter 24/01/03 - Mr P Smith

Mr P Smith confirmed that the by-laws had been presented based on a draft proposal put forward by Mr J Angus. The Extraordinary General Meeting recently had noted that the final copy of the by-laws draft had been past at that meeting.

7.5 Caretaker - Petty Cash

Strata manager advised that a petty cash impressed of \$300 had been set up and that Mr T Berry was operating this for the benefit of the strata property.

7.6 Electrical Quote

Strata manager advised that the caretaker Mr T Berry had forwarded a quotation for electrical works to proceed in that he would be involved with the trenches for laying of electrical cables to the various areas of the fence/gates project. Mr P Smith confirmed the work had been done and the quotation of \$850 provided by Mr T Berry had since been paid.

7.7 Unit 50 - Front Door Deterioration

Strata manager advised that a new door had been fitted to the front entrance of unit 50. It was confirmed that the deterioration of the existing door could not be repaired and a new door was necessary at approximately \$200.00.

7.8 Gates - Security Fencing Project

Strata manager advised that the Council of Owners had proceeded with the drafted by-laws as submitted by Mr J Angus and that adjustments by Mr P Munday as to the final draft had in fact been presented to the Extraordinary General Meeting and approved.

8. FINANCIAL REPORT:

Strata manager advised there was only one copy of the financial report available and that he would read from this one report but also ensure that each council member received a copy with these minutes.

Balance of general trust a/c as at 15/09/03 \$ 101.15

Balance of investment a/c as at 11/08/03 statement \$22,355.20

Outstanding Levies

Due 01/04/03 to 30/06/03 - unit 12	\$ 316.01
01/07/03 to 30/09/03	\$ 316.01
Interest	\$ 40.07
Overdue days - 164	\$ <u>672.09</u>
Due 01/04/03 to 30/06/03 - unit 18	\$ 316.01
01/07/03 to 30/09/03	\$ 316.01
Interest	\$ 40.07
Overdue days	\$ <u>672.09</u>

S Nguhen - as owner

END OF REPORT**9. CORRESPONDENCE:** 11/09/03Letter to strata manager from Mr D Browne

1. Enquiries in regards to the issues of invoices to unit 3 and a request that advice be forwarded regarding the position of levy payments. Strata manager confirmed arrangements are being made through the accounts officer for a response to this request.
2. Reference by Mr D Browne as to a split system air conditioner having been installed on the outside wall of unit 31. Mr Browne requests Council of Owners review and ensure that permission has been granted for this installation, in accordance with the guide lines as set. Mr P Smith confirmed he was unaware that the owner of unit 31 Mr A Blazcenjek having made application for installation of an air conditioner and the strata manager confirmed there were no requests received in terms of an application for this to be carried through. Mr P Smith confirmed the owner of unit 31 should place information in writing to Council of Owners to ensure proper procedure has been followed regarding the installation, as the only permission been granted is to install split system air conditioners on the balconies of units.
3. Reference was made by Mr D Browne as to a nomination put forward by Mr A MacDonald as being a member of the Council of Owners. Mr Brown has queried Mr A MacDonald as being a non owner on the record and as such requests that advice be forwarded regarding the legality on Mr MacDonald's position on the Council of Owners. Strata manager requested Mr A MacDonald to forward in writing information in support of his management of the affairs of his late wife in regards to the property, this was agreed to. Strata manager will ensure that proper practice is followed in terms of membership to council.

12/09/03

Facsimile transmission forwarded by Clarkin & Co in regards to a damaged door at unit 36/147 Charles Street, West Perth. Request has been received for the replacement of the damaged door due to weather

and it was noted similar action was taken with unit 50 recently. A copy of this facsimile transmission from Clarkin & Co was handed to Mr P Smith who in turn will request the caretaker Mr T Berry to inspect and report back to the council in regards to replacement of this door. Strata manager confirmed that only on the receipt of this information will action be taken to repair/replace the door.

12/09/03

Message received from Mr T Clarkin in regard to the issue of controllers to owners for the operation of the automatic gates. It was noted the payment for the additional controller is yet to be received; this will be due and payable by 30 September 2003. Until such time as the controllers and processes are in place and collection of monies is available the issue of controllers to owners/tenants will not proceed. Information has been passed to Mr T Clarkin to indicate that at this point in time the matter is held pending.

27/08/03 & 30/07/03

Mr P Smith handed to the strata manager tax invoices for Midwaste and requested that a check be made in terms of payment. Strata manager advised that it seemed one amount may have been paid however, he would check the accounts to ensure that only outstanding Midwaste accounts are paid.

10. GENERAL BUSINESS:

10.1 Gates/Security Fencing Project

Mr P Smith confirmed that as per the listing of all units there is a requirement for 75 controllers to operate the rear strata company complex and 75 controllers to operate the front units facing Charles Street. Upon discussion as to the issue of controllers it was noted that until such time as funds are available a letter will need to accompany information to all owners in regards to the authority for property ownerships that involve agents, to be aware of their responsibility of the authority to act on owners behalf. Issue of a second controller will not be issued until such time as the authority process has been formalised.

Ms G Hourigan confirmed that there may well arise a problem with tenants leaving the property and removing controllers and as such the owner/agent will need to be made aware and to ensure a bond to cover the controller issue is in place for reimbursement for controllers that go astray. This is an owner/agent matter and not a strata company concern. Mr P Smith advised it was most important that owners and agents take responsibility to ensure that all controls are managed to the level necessary. Mr A MacDonald advised that a section of the letter for the owner/agent to sign agreeing to the proposal as outlined is required and the strata manager should ensure that this information is made available to the caretaker who will be responsible for issue of the controllers.

Mrs Y Hill asked as to the ongoing maintenance of the controllers, ie battery replacement and as to the responsibility for this matter. Strata manager confirmed that as a maintenance issue owners will be required

to ensure that the batteries are supplied and in the order of \$3.00 - \$5.00 for a replacement battery is likely for the ongoing use of the controllers. The caretaker will have a small holding of batteries for emergency consideration for tenants and owners to utilise, however the issue and replacement of any battery becomes a cost for the unit owner.

Mr P Smith confirmed that the house rules - regulations as prepared by Council of Owners will set out all matters pertaining to the operation of the automatic gates together with the use of controllers and as to the responsibility of owners to ensure satisfactory service operations.

Strata manager is to prepare a letter to owners/agents for Mr P Smith to review and it was noted that the issue of the controllers is to be made around 15 October 2003 to ensure that the operation of the gates is to take place soon after. Owners are to be advised that failure on their part not to adhere to the conditions as set will result in the non issue of controllers.

10.2 Gas Hot Water Units

Mr P Smith confirmed previous action had taken place with Council of Owners on the basis of replacement of gas hot water units as and when necessary and this information is in the Annual General Meeting minutes of 26 November 2002.

Upon discussion it was decided the Council of Owners are to review all hot water services that require attention by the strata company as and when necessary and that owners will be responsible to ensure a request is issued for any gas hot water unit replacement.

10.3 Concrete Cancer

Mr P Smith advised that urgent works were completed in various areas where concrete had deteriorated throughout the strata property and it is to be noted that non urgent works are to be listed for further attention as and when required. It was agreed that this would be a matter for ongoing attention of Council of Owners.

10.4 Unit Keys

Ms G Hourigan asked as to the whereabouts of the key board as held by the then caretaker Mr D Browne. Strata manager advised he was unaware of any transfer of keys on a board to the current caretaker Mr T Berry and that he would notify Mr D Browne in order to ascertain if the keys are still available and of there whereabouts.

- 11. NEXT MEETING:** Mr P Smith confirmed the next meeting will be the Annual General Meeting is to be held in November 2003.
- 12. CLOSURE:** Mr R Ballard thanked Mr A Smith for the use of his unit. There being no further business the meeting closed at 8.30 pm.

CONFIRMED: M J Cyplis THIS 4-3-2004 DAY OF _____ 200__

147 - 159 CHARLES STREET, WEST PERTH

" THE MEWS" STRATA PLAN 5629

FINANCIAL INFORMATION FOR COUNCIL MEETING ON MONDAY 15 SEPT 2003

Balance of general trust account as at 15 September 2003 \$ 101.15

Balance of investment account as at statement to 11 August 2003 \$ 22,355.20

Outstanding levies :

Due 1.04.03 to 30.06.03 Unit 12	\$ 316.01
1.07.03 to 30.09.03	316.01
Interest	<u>40.07</u>
overdue days 164	<u>672.09</u>

Due 1.04.03 to 30.06.03 Unit 18	\$ 316.01
1.07.03 to 30.09.03	316.01
Interest	<u>40.07</u>
overdue days 164	<u>672.09</u>

S Nguhen - as owner

END OF REPORT

20 October 2003



The Owners of "The Mews"
Strata Plan 5629
147-149 Charles Street
WEST PERTH WA 6005

Dear Owner

NOTICE OF MEETING

NOTICE is hereby given in accordance with provisions of the Strata Titles Act 1985 that an Annual General Meeting of the Owners of "The Mews", Strata Plan 5629 will be held:-

DATE: Monday 24/11/03
TIME: 6.00 pm
LOCATION: At the office of Quin Ballard, 175 Labouchere Road, Como (Corner Labouchere Road & Preston Street, upstairs on 1st Floor)
AGENDA: As per attached page.

If you cannot attend, please complete the attached Proxy Form and return it as soon as possible. It is important to have the proxy as without your support, we may not be able to hold this meeting. Furthermore, your levy contribution must be paid to entitle you to vote. (Strata Titles Act 1985, Schedule 1, By-Law 14-6).

Please note that if your unit (lot) is in joint names, only one person can vote, when voting on a show of hands, provided a form of proxy has been completed and signed by all co-proprietors nominating the party entitled to vote. The person entitled to vote may be one of the co-proprietors or any other person as nominated on the form of proxy.

Completed forms of proxy may be returned to this office at any time before the meeting, or handed in before commencement of the meeting.

If you have any general enquiries about the annual accounts, please contact the undersigned at least **72 HOURS** before the meeting so that an appropriate response can be prepared.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ross Ballard', written over a horizontal line.

ROSS BALLARD
STRATA COMPANY MANAGER
For the Owners of Strata Plan 5629

LICENSED REAL ESTATE AGENTS • PROPERTY MANAGERS • STRATA MANAGERS • MEMBER R.E.I.W.A.

Corner Labouchere Road & Preston Street, Como, Western Australia 6152 - P.O. Box 221, Como, W.A. 6952
Licensee: H.U.M. Pty Ltd as Trustee for H.U.M. Unit Trust trading as Quin Ballard - A.C.N. 009 057 103
Fax: (08) 9474 1302 Phone (08) 9474 1533 E-mail: quibal@inet.net.au ABN 85 869 125 509

STRATA PLAN 5629

**ANNUAL GENERAL MEETING OF THE OWNERS OF THE MEWS
147-159 CHARLES STREET, WEST PERTH WA 6005**

24/11/03

AGENDA

1. Welcome
2. Record Attendance
3. Proxies verified
4. Apologies for absence
5. Quorum
6. Appointment of Meeting Chairperson
7. Confirmation of Minutes - AGM 26/11/02 & EGM 25/08/03
8. Business Arising - AGM 26/11/02 & EGM 25/08/03
9. Chairman Report
- 9 a. Report from Manager
10. Financial Report
11. Election of Council of Owners
12. Re-appointment of Managers
- Refer attached proposal from Quin Ballard
13. Insurance Covers - Refer attached Item 13
14. Special Business - Nil. No resolutions sought.
15. General Business
16. Budget/Levy (Periodic Contributions)
17. Next Meeting
18. Closure

The Mews Strata council report for 2003.

147-159, Charles Street, West Perth.

Strata Plan 5629.

This year your council has been predominately occupied with the security fence project, which has now been finally completed. The feed back from owners and residents has been in the main most favourable. Beside the normal maintenance of the complex your council has seen various items Completed:

- (1) The security fencing of the complex for vehicle parking.
- (2) The concrete cancer at the bottom stumps of the Fencing on the walkways.
- (3) Garden Improvements.
- (4) The resurfacing of the roadways in the complex.
- (5) The asbestos flueing of the hot water systems.
- (6) The water damage in units from the leaking roofs

1. Security Fencing.

The council arranged a licensed surveyor to check the front boundary before commencement of building the fencing, as advised by the West Australian Planning Commission. The council also had to get the by-laws drawn up for your approval and registered with D.L.I. Also the rules for the issue of the controllers to owners/residents and ongoing maintenance.

2. Concrete Cancer.

Work was finalised in repairing the damage and sealing the walkways in the worst effected areas. The rest of the work (which is not urgent) will be done as and when the need arises.

3. Garden Improvements

A special thanks to our previous caretaker David Browne for the mammoth task in getting large pine chip mulch delivered, laying it around all of the garden beds. The subcommittee's report on upgrading the gardens has been passed on to the new caretaker Tim Berry.

4. Resurfacing the roadways.

Several quotes were obtained from roadway sealing contractors also to remove the speed humps from the roadways, now that the security road gates are fitted. (a) Spray emulsion and to cover with 10mm stones. (b) Resurface with 20mm asphalt. The quotes ranged from \$5,000 to \$15,000. To have a good surface that will last 15 to 20 years we will be recommending option (b) when we get sufficient Funds.

5. Asbestos gas flueing in the ducting.

The committee is in consultation with plumbers and Alinta Gas about the removal and replacement of the old asbestos flueing as and when it becomes necessary.

6. Water damage in some units.

The roof of the complex has had some more repairs because of leaks during this years winter rains. In consequence some units have had to have a great deal of repairs.

Conclusion

The Committee believes the security gates and fencing has been very worthwhile in this day and age. In the year 2004 the incoming committee should prioritise the maintenance and upgrading issues of the complex. Owners must realise that in order to fund these expenses it may be necessary to use a special levy from time to time to complete major tasks on a timely basis.

I would like to thank the members of the committee for all their efforts in the past twelve months. I would like to take this opportunity to especially thank our former caretaker David Browne for all the work he has performed over the last twelve years for the benefit of us all.

I would also like to welcome to the community of the Mews, our new caretaker Mr Tim Berry. Also I will thank Ross Ballard of Quin Ballard Real Estate for his professional assistance during the course of this year.

On behalf of your council of owners I wish all owners " The compliments of the Season and a very happy and prosperous 2004"

STRATA PLAN 5629
OWNERS OF "THE MEWS"
147-159 CHARLES STREET, WEST PERTH
STATEMENT OF INCOME & EXPENDITURE - 01/10/02 TO 31/09/03

INCOME

Maintenance Levies to 30/09/03	48350.00
Special Levy	6516.34
Funds from investment account	2200.00
GST in	6282.00
Interest on overdue levy	73.82
Reimbursement on maintenance cost	200
Reimbursement for security cards keys	1400.00
TOTAL INCOME	\$65,022.16

EXPENDITURE

GENERAL ADMINISTRATION

Management Fees	4830.45	
Additional Fees - Special Services	68.18	
Postage, petties and storage of records	540.00	
AGM Fee	471.60	
Adjourned Meeting Fee	438.10	
Council Meeting Fees	831.35	
Extraordinary General Meeting	222.90	
Advertising	113.10	
Application fee	186.41	
BAS payment	4097.00	
Bin handling - Put out and bring in	51.25	
Caretaker expenses	765.45	
Caretaker - Income tax instalments	64.00	
Caretaker - Superannuation fund	1360.80	
Caretaker - PAYG- tax on caretaker wages	2808.00	
Caretaker wages	17621.00	
Caretaker - workers compensation	392.85	
Consultant fee	572.73	
Govt. Charges - BAD	106.60	
GST - Management fee/ Postage petties	3064.41	
Insurance premiums	4997.61	
Legal fees	20.00	
Petty cash	300.00	
Stamp duty	454.94	\$44,378.73

GROUNDS MAINTENANCE

Gardens - Fertiliser	705.91
Garden equipment & supplies	1234.63
Garden rubbish bag	461.25
Lawns	11.82
Lawn supplies & fertiliser	13.73

Reticulation	803.04	
Repairs to lawn mower	89.05	
Rubbish removal	18.18	\$3,337.61

REPAIRS AND MAINTENANCE

Building	5330.32	
Concrete repairs	418.18	
Door	242.00	
Electrical	337.19	
Fencing	803.64	
Globes & tubes	15.00	
Hardware	53.27	
Pest control service	235.00	
Plumbing	390.00	
Roof	719.09	
Security gate	2000.00	
Swimming pool - supplies and chemicals	463.09	\$11,006.78

ELECTRICITY - common areas	2233.95	\$2,233.95
WATER CONSUMPTION	2662.65	\$2,662.65

TOTAL EXPENDITURE FOR THE PERIOD	\$63,619.72
SURPLUS OF INCOME OVER EXPENDITURE	\$1,403.60
PLUS PRE-PAID LEVIES TO 31/12/02	\$5,530.00
PLUS BALANCE AS AT 30/09/03	\$4,925.03
LESS FUNDS TO INVESTMENT A/C	\$6,161.00

BALANCE OF TRUST A/C AT 30/09/03	\$5,697.63
-----------------------------------------	-------------------

Levies in arrears at 30/09/03 U12, 18, 49 & 53 \$1,113.48

INVESTED FUNDS - Commonwealth Bank \$22,374.09



**ITEM 12
RE-APPOINTMENT OF MANAGERS**

**PROPOSAL FROM QUIN BALLARD TO THE OWNERS OF "THE MEWS"
147-149 CHARLES STREET, WEST PERTH, STRATA PLAN 5629**

Our proposal is for us to continue to act as Strata Managers from the date of the Annual General Meeting until the date of the following Annual General Meeting.

We request that the Strata Company gives an expressed direction to the Strata Council to re-appoint us for that period or in the absence of an elected Council, that the proprietors in general meeting re-appoint us for that period.

As agent managers of your Strata Company our role is to provide a financial, accounting and secretarial management service, and to assist the elected Council to carry out its decisions. Our regular management service is designed to assist the Strata Council to abide by the statutory obligations of the Strata Company in line with the Strata Titles Act 1985. During our term of re-appointment we shall perform all Regular Services and in addition when directed by the Strata Company or Council, perform Special Services as instructed.

REGULAR SERVICES INCLUDE:

Assisting Council to effect routine property maintenance and repairs, payment of accounts, keeping record of accounts, invoicing and collection of periodic contributions (levies), arranging insurance covers, preparing an annual statement of receipts and payments, attendance to correspondence and instructing a registered taxation agent in relation to lodgement of Income Tax Returns (Tax agent fee is an additional fee). Preparing and issuing notices of the Annual General Meeting and attending and preparing and distributing minutes of that meeting. (Additional fees apply - refer note under Management Fees). Under Section 43 (1) of the Act, preparing and issuing certificates, furnishing information and supervising inspections of records (applicable costs are to be payable to Managers by the initiating party).

SPECIAL SERVICES INCLUDE:

Preparing and issuing notices of Extraordinary General Meetings and Council Meetings and attending, and preparing and distributing minutes of those meetings, attending at the property for any purpose which is not a Regular Service, arranging non-routine maintenance, repair and replacement of the Common Property and liaising with consultants and builders. Preparing and serving notices levying Special Contributions and collecting and banking Special Contributions, Lodgement of documentation at the Titles Office relative to changes to by-laws. Documents relative to amendment, repeal or addition to existing by-laws should be prepared by a legal practitioner on instructions from the Strata Council. Instructing and attending conferences with lawyers; this includes legal actions on instruction from Council, relative to outstanding contributions; where appropriate, complying with requirements relative to The New Tax System; implementing the decisions of the Strata Company and Council which the Agent is not required to do as part of the Regular Services as listed.

LICENSED REAL ESTATE AGENTS • PROPERTY MANAGERS • STRATA MANAGERS • MEMBER R.E.I.W.A.

Corner Labouchere Road & Preston Street, Como, Western Australia 6152 - P.O. Box 221, Como, W.A. 6952
Licensee: H.U.M. Pty Ltd as Trustee for H.U.M. Unit Trust trading as Quin Ballard - A.C.N. 009 057 103
Fax: (08) 9474 1302 Phone (08) 9474 1533 E-mail: quibal@inet.net.au ABN 85 869 125 509



MANAGEMENT FEES

PLEASE NOTE THAT ALL FEES QUOTED IN THIS PROPOSAL INCLUDE GST

Where the strata company is registered for GST, Quin Ballard will supply accounts for fees in a TAX INVOICE format, to assist the strata company to claim the GST included, as an INPUT TAX CREDIT.

FEES FOR REGULAR SERVICES

Our Annual fee for Regular Services will be \$5400.00 plus postage, petties and storage of records \$924.00 Total \$6,324.00 payable \$527.00 monthly in advance.

FEES FOR SPECIAL SERVICES AND ANNUAL GENERAL MEETING

To prepare and issue notices, attend the meeting and prepare and distribute minutes of the Annual General Meeting, and to provide Special Services hourly rates apply as follows:

- during the hours of 9.00 a.m. to 5.00 p.m. \$82.50 per hour
- outside the hours of 9.00 a.m. to 5.00 p.m. \$115.50 per hour

Adjourned meeting fee \$82.50 9.00 a.m. to 5.00 p.m. \$115.50 otherwise

FEES FOR EXTERNAL SERVICES

Fees payable for external services such as Tax Agents and Auditors are separate fees payable by the Strata Company. Other external services involving Strata Managers such as purchase of Common Seals and title searches at the Land Titles Office will be performed on the basis of cost price plus a nominal \$11.00 per item for Managers time.

APPLICATION FOR ALTERATION TO LOTS OR COMMON PROPERTY

Any applications for alterations to the lot or to common property should be made in writing to the Strata Company.

The matter of dealing with such applications falls outside the scope of both Regular and Special Services. Separate management fees for time and disbursements will apply and are payable by the lot proprietor and not by the Strata Company. Enquiries in this regard should be made direct to Managers, in the first instance.

PRE-AGM INSPECTION

A pre-AGM inspection of Common Property grounds and buildings is available and is designed to give owners the opportunity to view the Common Property together in readiness for possible decision-making at the Annual General Meeting. Attendance by us at this inspection is an additional service which we are happy to perform on an ex-gratia basis, but is available only at the discretion of the assigned Strata Manager.

PLEASE NOTE

Except in an emergency such as plumbing or electrical faults, we do require that all comments, complaints or basic maintenance items should be **IN WRITING** to this office.

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Fax: (08) 9474 1302 Phone (08) 9474 1533 E-mail: quibal@iinet.net.au ABN 85 869 125 509



RESOLUTION SOUGHT

"The Strata Company resolves that the Council be directed to re-appoint Quin Ballard as Strata Company Agent Managers from 24/11/03 to the date of the next Annual General Meeting in accordance with their proposal as attached to the notice of meeting".

or

"In the absence of an elected Council, the proprietors in general meeting resolve that Quin Ballard be re-appointed as Strata Company Agent Managers from 24/11/03 to the date of the next Annual General Meeting in accordance with their proposal as attached to the Notice of Meeting".

STRATA PLAN 5629
"THE MEWS"
147-159 CHARLES STREET, WEST PERTH WA 6005

ITEM 13 - INSURANCE COVERS

To consider current levels of Insurance cover and if considered appropriate, to determine any increase in building sum insured.

Insurance covers for the property are (via Broker if applicable) with CHU Underwriting Agencies Pty Ltd (Insurance company details).

Period of Insurance : 29/09/02 to 26/09/03 Policy No : 860638
Insured : Owners of

Levels of Cover

Building	\$ 4,270,000.00
Common area contents	\$ 18,000.00
Legal Liability	\$10,000,000.00
Office Bearers Liability	\$ 2,000,000.00
Workers compensation	\$ As per the Act
Excess to building cover	\$ 50.00 Per Claim

As agents of CHU, Managers advise that we receive a commission on volume business, however this does not affect the Strata Company Insurance premium.

Increase in Building Sum Insured

Managers advise that when the insurance renewal was received the suggested level of cover for building of \$4,270,000.00 was adopted. The previous level of cover was \$3,955,000.00.

Motions On Notice

- That the current level of building sum insured be retained

OR

- That the level of building sum insured be increased from the current level to a figure as determined at this meeting.

OR

- That the strata council be directed to arrange a valuation for insurance purposes and if that valuation is higher than the current sum insured, managers are to arrange increase in insurance to that level.

Fire Services Levies and Charges in Western Australia

As you may already be aware the WA State Government has passed legislation to introduce a new system to fund the fire services and the State Emergency Service.

At the present time, 75% of the cost of operating the career fire services (Perth metropolitan area and major WA regional centres) is financed by the insurance industry, which raises this amount through levies and other charges placed on the premiums paid by policy holders. Under the new Emergency Services Levy, these charges will terminate on 30 December 2003.

The removal of the insurance-based fire service levies and charges will occur gradually during 2003. Policies that are issued after 1 January 2003 will include the fire service levies and charges only to the portion of the premium covering the period up to 30 December 2003. Any cover from 1 January 2004 onwards will not be subject to these changes.

**STRATA PLAN 5629
OWNERS OF "THE MEWS"
147-159 CHARLES STREET, WEST PERTH
PROPOSED BUDGET - 2003/2004**

Management fees	5400
Postage, petties and storage of records	600
Provision for attendance @ Council Meeting	1,100
Provision for income tax on investment	100
Annual General Meeting fee	480
Govt. charges - BAD	110
Insurance premiums (Inc. Workers Compensation)	5,500
Common lighting and power	2,300
Caretaker - remuneration	19,000
Caretaker - Superannuation @ 9.0%	1,500
Caretaker - telephone, petrol, petties	600
Caretaker - relief caretaker (4 weeks @ 50%)	600
Caretaker - PAYG Tax on Wages	2,900
Pool - chemical and supplies	500
Lawns & Gardens	2,000
Water consumption	2,700
Tree management	800
Garden rubbish collection	650
Concrete cancer repairs	1,000
General repairs and maintenance	3,270
SUBTOTAL	51,110
Funds for future major maintenance (15% of sub total)	7,666
TOTAL (Inclusive of GST where applicable)	\$58,776

\$58,776.00 = \$316.00 per unit entitlement per annum (186 total unit entitlement) quarterly in advance to commence from 01/01/04.

24 units @ UE 4 = \$316.00 per quarter

30 units @ UE 3 = \$237.00 per quarter

NOTES:

1. This budget includes provision for GST were application and it is recommended in the interest of prudent management
2. Council recommends inclusion in the above budget a provision for concrete cancer repairs, rather than use existing reserve funds which will be needed for other major works.

**"THE MEWS"
STRATA PLAN 5629
147-159 CHARLES STREET, WEST PERTH WA 6005**

NOMINATION FOR ELECTION TO COUNCIL

1. I wish to nominate myself for election to the Council of Owners at the forthcoming Annual General Meeting of Strata Plan 5629.

NAME (PRINT): _____

UNIT NO: _____

SIGNATURE: _____

- * Where a company is the nominee, the person authorised by the company to act on its behalf on council is... ..

DATE: _____

2. I wish to nominate the following party for election to the Council of Owners at the forthcoming Annual General Meeting of Strata Plan 5629.

NAME OF NOMINEE: (PRINT) _____

UNIT NO: _____

I ACCEPT NOMINATION: _____

(Signature of Nominee)

- * Where a company is the nominee, the person authorised by the company to act on its behalf on council is... ..

NAME OF NOMINATOR (PRINT) _____

UNIT NO: _____

DATE: _____

NOTE: *
Where a Company is the lot proprietor then in accordance with Section 45 of the Strata Titles Act 1985, the Company is eligible to be a member of the Council. The Company may then authorise an individual to act on its behalf on Council and may later revoke that authority. Nomination by the Company for its election to Council together with advice of details of the authorised individual should be completed by the signing/sealing procedures of the Company as may be appropriate.

Please forward completed nomination forms to Managers prior to the meeting date.

**NOTE: If unable to attend meeting please return completed proxy to fax No. 9474 1302
or post to Quin Ballard, PO Box 221, Como WA 6952**

FORM OF PROXY

I/We being the Owner/s of unit number/s (or lot number/s) _____ in Strata Plan Number 5629 hereby appoint:

* A representative from Quin Ballard

OR

* Other person

to be my/our proxy to vote on my/our behalf at the Annual General Meeting of the Owners of "The Mews" 147-159 Charles Street, West Perth, Strata Plan 5629 to be held on Monday 24 November 2003 or any adjournment thereof.

Where the nominated proxy has a financial interest in a management contract or arrangement with the Strata Company I/We expressly authorise the proxy to vote on the motion under notice relative to that appointment and I/We specify herewith that the proxy is to vote for that motion.

SIGNATURES OF ALL CO-PROPRIETORS: _____

SIGNATURE OF PROXY: _____ **DATE:** _____

In the case of a Company:

The Common Seal of:

was hereunto affixed by
order of the Board in
the presence of:

NOTE

1. Only one co-proprietor of a unit (lot) can vote at a general meeting on a show of hands provided a form of proxy has been completed and signed by all co-proprietors nominating the party entitled to vote.
2. A Company may appoint a nominee as its Proxy and the Form of Proxy should, where applicable, have the company seal affixed.
3. A Proxy need not be a member of the Strata Company. The Strata Manager, the Chairman or any other person may act as proxy.

MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS OF "THE MEWS", 147-159 CHARLES STREET, WEST PERTH, STRATA PLAN 5629, HELD AT THE OFFICE OF QUIN BALLARD, 175 LABOUCHERE ROAD, COMO, ON 24 NOVEMBER 2003 COMMENCING AT 6.00 PM.

1. WELCOME:

Mr Ross Ballard of Quin Ballard, Strata Manager of the property welcomed all persons present. He enquired if everyone was recorded on to the Attendance Register and requested that any written proxies held, be handed in. He requested that in the matter of voting, a clear indication be given by the raising of one hand, and he requested that in the course of the meeting, there be no cross current of conversation and that all comments be directed through the Chair.

2. RECORD

ATTENDANCE:

Mr D Browne	Unit 3, 10 & 47
Mr A Smith	Unit 9
Mr A MacDonald	Unit 20
representing The Estate of J A MacDonald	
Mr P Smith	Unit 23
Ms Y Hill	Unit 35
Mr R Ballard representing Quin Ballard	

3. PROXIES:

Mr A Fraser	Unit 1
Mr J Dennis & Ms D Zappavigna	Unit 4
Mr J Debraez	Unit 6
Ms C Chapman	Unit 7
Mr S & Mrs K Tanasceva	Unit 13
Mr M Quin & Mrs K Ballard	Unit 14
Ms S Beale	Unit 16
Mr J Kantor	Unit 26
Ms S Dwyer	Unit 27
Mr M Caplin	Unit 30
Mr J Blaszczyic	Unit 31
Professor M Skully	Unit 32
Mr T Carvolth	Unit 33
Ms J Legge	Unit 40
Ms E Foston	Unit 42
Ms G Hourigan	Unit 43
Mr M Thomson & Ms L Sams	Unit 44
Mr Ponnambalam	Unit 48
Mr D Wilson	Unit 49
all to Mr R Ballard representing Quin Ballard	
Mr R Holland	Unit 17, 19 & 28
to Mr P Smith	
Mr T & Mrs G Knight	Unit 25

to Mr S Knight (not in attendance)
 Ms C Ryan Unit 38
 Ms D Gilbert Unit 46
 to Mr D Browne

It was noted that units 38 and unit 48 were in arrears hence there was no voting rights for the owners of these two units or on behalf of the owners of these two units.

**4. APOLOGIES
 FOR ABSENCE:**

Mr M Caplin Unit 30
 Ms G Hourigan Unit 43

5. QUORUM:

A quorum was present.

6. CHAIRPERSON:

It was unanimously **RESOLVED** that Mr R Ballard be appointed to the Chair for the duration of the meeting.

**7. CONFIRMATION
 OF MINUTES:**

It was noted by Mr R Ballard that an adjourned Annual General Meeting of the owners of "The Mews" had been held on 26 November 2002 together with an Extraordinary General Meeting held on 25/08/03.

It was **RESOLVED** that the minutes of the Adjourned Annual General Meeting held on 26 November 2002 be received and accepted as a true and correct record and were signed by the chairperson. It was also **RESOLVED** that the minutes of the Extraordinary General Meeting held on the 25/08/03 be received and accepted as a true and correct and were signed by the chairperson.

**8. BUSINESS
 ARISING:**

The minutes of both the adjourned Annual General Meeting and the Extraordinary General Meeting were accepted without comment. Moved Mr P Smith, seconded Ms Y Hill. Carried.

**9. REPORT FROM
 CHAIRMAN:**

The strata manager referred to the chairmans report attached to the notice of meeting and enquired as to any matter that required discussion by owners, Mr P Smith indicated that the report contained all the main items of business that had been discussed by the Council of Owners during the past 12 months and that all owners had been kept informed with matters that relate to the strata property. It was agreed that Mr P Smith and the Council of Owners had

worked well with regards to the security gates project and that Mr Smith is to be congratulated for the effort provided towards the provision of the project.

The strata manager indicated to those in attendance that Mr Smiths efforts had been very well received and that he is to be congratulated for the effort towards ensuring that all matters were properly documented and that the by-laws had been instituted for the proper management of the security for the strata property. Mr A MacDonald confirmed that in his view Mr Smith had acted in a very appropriate manner towards all items.

9A. MANAGERS REPORT:

Mr Ballard gave his report and it contained the following :

1. Strata Titles Act 1985

The Strata Titles Act 1985 continues to govern the property.

2. Change of Owners

There have been no change of owners since the last Annual General Meeting.

3. Gutters & Downpipes

Managers recommend that all gutters and downpipes should be checked and cleaned as may be appropriate at least once per annum, before the heavy winter rains.

4. On-Site Inspection

The strata manager advised that he had been in attendance at the Council of Owners meetings and as such an inspection of the property at the times of the visits were undertaken to ensure that all matters of management were attended to. Mr Ballard referred to the meeting with the caretaker, Mr T Berry in regards to the garden and other facilities that operate within the strata property.

5. Strata Council

The strata council met on a number of occasions during the year to deal with various items of property and grounds maintenance. This had been recorded with the chairman and as such all matters had been attended to.

Managers extend their thanks on behalf of all owners to the council members who gave their time with special thanks to Mr P Smith who attended to the actions with regards the property and generally acted as the liaison person with the managers.

6. Prearranged Visits To Strata Management Office

In order to avoid disappointment or delays if you wish to visit our office to see your strata manager, we request owners prearrange the visit and make an appointment.

Many strata meetings are now being held during the day and strata managers are often out of the office at meetings or inspections.

7. Email Communications.

With the growth of email as an important form of written communication, there is a possible expectation by owners that an instant response will be received. By way of courtesy we advise that all correspondence is dealt with in order of receipt, unless the matter is a genuine emergency. We confirm that your business is important to us and your correspondence will be attended to as promptly as possible.

END OF REPORT

10. FINANCIAL REPORT:

It was **RESOLVED** that the financial report for the period ending 31/09/03 be received and adopted as a true and correct record.

Moved Mr A MacDonald, seconded Mr D Browne. Carried.

Mr Ballard referred to the costs associated with the gates security project and that an additional amount for costs was required to be taken from the investment account due to insufficient funds being available to meet 1 or 2 items within the budget. He explained to Mr P Smith that on receipt of additional levies into the trust account an adjustment will be made in order to recoup the investment account to a figure required and as approved by Council of Owners at the Extraordinary General Meeting for approved funding for the project. Mr Ballard will notify the incoming Council of Owners as to the position with regards to both the investment account and trust account.

11. ELECTION OF COUNCIL OF OWNERS:

Mr Ballard gave a brief description of the responsibilities of the Council of Owners and it was **RESOLVED** that the following owners be elected to the Council.

Mr M Caplin - Unit 30, Ms Y Hill - Unit 35 and Ms G Hourigan - Unit 43.

In addition to the three nominations, Mr A MacDonald presented to the chairman a letter indicating his intention to transfer the property of his late wife ie : Unit 20 into his name and would then enable himself to be considered for council nomination. On discussion by those in attendance it was agreed that Mr MacDonald should provide assistance to the council in the interim period and that on transfer of property into his name that he be considered as a council member for ongoing business for the strata company.

Positions of Chairman, Treasurer and Secretary to be appointed at the first Council Meeting.

12. APPOINTMENT OF MANAGERS:

It was **RESOLVED** that the Council be directed to appoint Quin Ballard as Strata Company Agent Managers from 24 November 2003 to the date of the next Annual General Meeting in accordance with their proposal as attached to the Notice of Meeting.

Annual Management fee \$5,400 (\$450 charged monthly in advance) plus Annual General Meeting fee charged at hourly rate. Adjourned Meeting fee \$82.50 - 9.00 a.m. - 5.00 p.m. and \$115.50 otherwise, cost of postage, petties and storage of records \$77.00 per month.

Extra duties which are performed at the rate of \$82.50 per hour during office hours and \$115.50 per hour otherwise, include compliance with The New Tax System, attendance at Extraordinary and Council Meetings, and registration of By-laws, collection of Special Levies, legal actions as required and property inspections. Fees collected in accordance with Section 43 of the Act are payable to Managers, being for preparation of Certificates providing information or arranging inspection of Strata Company records.

13. INSURANCE COVERS:

The chairman referred to the information included in the Notice of Meeting under this item number.

It was noted that the following levels of cover apply, via CHU Underwriting Agencies Pty Ltd to expire on 01/10/04.

Levels of Cover:

Building	\$ 4,270,000
Common Area Contents	\$ 18,000
Legal Liability	\$10,000,000
Office Bearers Liability	\$ 2,000,000
Workers Compensation	As Per Act
Excess to Building Cover	\$50.00 per claim

It was **RESOLVED** that the level of Building Sum Insured be maintained at the increased figure of \$4,270,000.00 as determined at this meeting. Mr D Browne indicated that the renewal of insurance cover for the year 2004/2005 should be increased by 5% and this would ensure that adequate building cover is maintained for the strata company. Mr A MacDonald referred to the invitation to renew insurance and indicated that the insurer CHU would increase the level of cover for adequate protection for owners of the strata company.

Mr R Ballard indicated that when the invitation to renew insurance was received in September 2004 he will refer the matter to Council of Owners for their review and approval for insurance cover.

Mr P Smith referred to the damage caused to the controller unit, machinery and of a quotation that been provided by AB gates in order to secure the area from further vandalism. On discussion it was decided that the strata manager should contract CHU Insurers in order that a claim may be presented for damage caused. It was further mentioned that action to proceed with the covers for the machinery units should take place and that approval to proceed is granted. Mr R Ballard will notify Council of Owners as to the outcome for the insurance claim.

Acceptance of the insurance cover moved by Mr D Browne, seconded Mr A MacDonald carried.

**14. SPECIAL
BUSINESS:**

Nil. No resolutions sought.

**15. GENERAL
BUSINESS:**

15.1 Electric Motors - Sliding Gates Covers

As referred to under the item of insurance it was agreed that expenditure of \$500 be undertaken to vandal proof the motors. As referred to also, the strata manager will be notifying AB Gates to determine the gates involved.

15.2 Swimming Pool - Chemical Equipment

Mr D Browne expressed his concern with the cost of repairs and indicated that action with regards to the maintenance of the pool is one that requires close attendance.

Mr R Ballard indicated that he had enquired as to the labour cost of \$130 and a figure of \$82.00, thereby noting that the total of \$872.00 was the figure provided by Pool Spa Wembley in order to effect repairs to the equipment. On discussion it was agreed that subject to the \$82.00 cost of chemicals and also the component of GST that the repairs are to proceed following advice to the Council of Owners, as to the outcome of enquiries with Pool Spa Wembley. As Ms Y Hill had left the meeting prior to the discussion of this item of General Business the strata manager will contact Ms Hill to ensure that Council of Owners are aware of the overall costs for repairs for equipment.

15.3 Roofing Report

It was noted that the number of complaints with regards to leaking roofing has increased over the past 12 months. Mr D Browne requested that action proceed to prune back a number of trees from the roof line of various units within the strata property, in his view the trees were providing leaf and other debris to the

roof area and this is partly the cause of the problems relating to the leaking roofing within various areas.

Mr D Browne indicated that Council of Owners should review quotations and he suggested that Riverside Tree Services be one contractor to provide a quote and strata manager indicated that All Suburbs Tree Surgeons be requested to provide a quote for Council of Owners consideration.

The quotations will involve the trimming of three trees only and as such funding will be kept to a minimum with regards to the tree lopping required within the strata property.

15.4 Controllers - Charles Street Frontage

Mr D Browne indicated a concern expressed as to the access to the carports at the rear of the strata company now that a separate security coding has been allocated for the units facing Charles Street. Mr D Browne indicated that as the owner of unit 10, he will request in writing the issue of an additional controller to provide access through the front of the strata property and that as such the owner will be required to meet the cost of this additional unit. It was agreed that on the receipt of a written request for the issue of the control unit that the payment of the controller is to be received and that the caretaker will need to record on at the register a suitable note to an additional controller. Further issues of controllers to other owners upon request will be recorded in a similar manner on the register.

15.5 Air Conditioner Installation - Unit 31

Mr D Browne referred to the position with regards to the owner of unit 31, installing a air conditioner unit outside of the approval for installation of air conditioners at the strata property. It was advised that all owners were required to abide by the conditions of installation as this required consideration towards the noise and aesthetics, with regards to the problem on the location of air conditioners throughout the strata property.

It was agreed by those in attendance that Mr J Blaszczyic is to be notified in writing to relocate the position of the air conditioner to the balcony area in accordance with those that have been installed previously. All owners were advised that this is a requirement for the air conditioner installation. Mr R Ballard indicated that he would respond to Mr Blaszczyic letter and as a result of this meeting indicate to him that he is to take action as recorded. Mr D Browne did indicate that the current position of the air conditioner is above a dining room located below the unit and as such during the summer months the noise of the air conditioner will cause the occupants concern.

15.6 Security Gates - By-Laws

The strata manager referred to the registration of the by-laws with Department of Information and Land Authority and as to action that is to be taken for this to be registered on the strata plan. He will ensure that urgent attention is given to the registration and this is to apply to ongoing operation of the gates and

security within the strata property. Mr P Smith indicated that he had been in contact with the Town of Vincent and as such all requirements were now satisfied as to the registration and approval for the security gates project. He indicated that with the registration of the by-laws he had provided copies to the caretaker to ensure that on issue, owners and tenants are made aware as to the conditions with the operation of the security within the complex. This was noted by those in attendance.

15.7 Driveway - Pot Holes

Mr P Smith indicated that the caretaker, Mr T Berry had requested a quotation from Mr Pot Hole as to the repairs to driveway off Charles Street and other areas within the strata property. He indicated to the strata manager that a quotation would be received in due course and that action to issue onto Council of Owners for approval to proceed with the works would be required.

Mr R Ballard indicated that on receipt of the quotation he will issue this onto Council of Owners for their consideration.

16. BUDGET/LEVY:

After discussion, it was **RESOLVED** that the proposed Budget of \$58,776.00 for the period 2003/2004 as per unit entitlement (\$186.00 Unit Entitlement) payable quarterly in advance commencing from 01/01/04 -24 units at unit entitlement, 4 = \$316.00 per quarter. 30 Units at unit entitlement 3 is equal to \$237.00 per quarter be adopted payable quarterly in advance commencing from 01/01/04.

17. NEXT MEETING:

The next Council meeting is to be at a date to be decided.

The next General Meeting will be in approximately twelve months. Details to be advised by Managers at least fourteen days prior.

The strata manager referred to the need for the incoming council to meet and to determine the various positions of office bearers.

All proprietors are notified herewith that if any proprietor wishes for an item to be included onto the agenda for the next Annual General Meeting, details should be submitted in writing to Quin Ballard by 30/09/04.

18. CLOSURE:

Mr Ballard thanked those present for their attendance and input at the meeting. There being no further business the meeting closed at 7.20 pm.

CONFIRMED: _____



THIS

6th

DAY OF

Dec

2003