

MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS – STRATA PLAN 37079, CECIL APARTMENTS, 20 GERRALE STREET, CRONULLA HELD ON SATURDAY 25 AUGUST 2018 AT CLUB CRONULLA, 41 CROYDON STREET, CRONULLA.

PRESENT: The proprietors of units 101, 102, 104, 106, 202, 203, 204, 303, 304, 306, 401, 402, 404, 502, 506, 601, 605, 606, 701, 702, 703, 704, 706, 801, 802, 804, 805 (LOT 100), 805 (LOT 116), 901, 902, 1001, 1002, 1004, 1104, 1106, 1201, 1202, 1203, 1204, 1302.

PRESENT BY PROXY: The proprietors of units 2, 9, 301, 1205 to the Chair.
Units 201, 905, 1102 to unit 204.
Unit 305 to unit 805.
Unit 406 to unit 605.
Unit 501 to unit 1202.
Units 503, 1005, 1105 to unit 502.
Unit 604 to unit John Croker.
Unit 1003 to unit 1001.
Units 1006, 1303 to unit 601.
Unit 1306 to unit 401.

APOLOGIES: The proprietors of units 2, 3, 9, 1006.

IN ATTENDANCE: John Stevens, Building Manager (part)
Jenni Trevillion & Chris Wilson from Strata Management Services – NSW
Helen Lynch, McRae & Lynch Interior Design (part). John Croker.

AGM CHAIRPERSON: Chris Wilson

COMMENCEMENT: There being a quorum the meeting commenced at 10.05am. The Chairperson apologised for the printing standard of the Notice to the meeting and said the strata would not be charged for printing.

STRATA COMMITTEE CHAIRMAN'S REPORT: Chairman, Paul Heeks reported on the activities of the strata committee over the last twelve months.

IT WAS RESOLVED THAT:

1. Minutes

That the minutes of the general meeting held on 21 July 2018 be confirmed as a true record of the proceedings of that meeting.

MOTION CARRIED

2. Financial Statements

That the financial statement for the year ending 30 June 2018 be adopted.

Note: Queries received prior to the meeting were answered prior to the meeting.

MOTION CARRIED

3. Budget & Contributions

That the statement of estimated receipts and payments (budget) for the twelve-month period from 1 July 2018 be adopted.

- (a) That contributions to the administration fund estimated in accordance with Section 79(1) of the Strata Management Act 2015 and determined in accordance with Section 81(1) of the Strata Management Act 2015.

ADMINISTRATION FUND - \$400,704.00 plus GST

- (b) That contributions to the capital works fund estimated in accordance with Section 79(2) of the Strata Management Act 2015 and determined in accordance with Section 81(1) of the Strata Management Act 2015.

CAPITAL WORKS FUND - \$271.801.00 plus GST

- (c) That both contributions be paid in equal quarterly instalments, the first such instalment being due on 01/10/2018 and subsequent instalments being due on the first days of 01/01/2019, 01/04/2019 and 01/07/2019.

Note 1: The increase in the administrative fund was higher than the percentage stated in the Notice as the increase was applied in error to the 2017/18 "proposed" rather than the "actual" budget.

Note 2: A request was made for a review of management, cleaning and gardening expenses.

MOTION CARRIED

4. Auditor

The Strata Manager presented the audit certificate and it was RESOLVED that Camphin Boston be re-appointed as auditor to audit the accounts of the Owners Corporation.

5. Honoraria

That no honoraria be paid.

MOTION CARRIED

6. Insurances

RESOLVED that the Strata Manager get three quotes for insurance for the twelve-month period commencing on 1 October 2018 based on current values.

7. Annual Fire Safety Statement

RESOLVED to note the annual fire certificate attached to the Notice.

8. Capital Works Plan

RESOLVED to note the 2018 update of the 10-year Capital Works Plan attached to the Notice and assessed as likely to be necessary to maintain the building and its engineering systems in the next 10 years.

Note: Major projects scheduled for the next 2 years have been costed by a quantity surveyor.

9. Interior Refurbishment

That a determination be made on the basic or enhanced refurbishment option following a presentation by Helen Lynch of McRae & Lynch Interior Design.

Note: Lot owners are encouraged to provide written feedback to the strata committee.

MOTION DEFERRED

10. Fire Stair Pressurisation

RESOLVED to note the progress made on the submission of a development application to Sutherland Shire Council for the installation of a new kitchen exhaust system discharging through the loading dock and the installation of a new lift lobby exhaust system in the former kitchen exhaust duct.

11. Amendment to Special By-law 25 – Grease Trap

That the Owners Corporation SPECIALLY RESOLVES pursuant to section 136 of the Strata Management Act 2015 to amend special by-law 25 in the following terms:

Special By- Law 25 - Grease Trap

1. Introduction

This by-law gives the owner of lots 101, 107, 108 in Strata Plan 40365 and Lots 7, 8 in Strata Plan 37079 exclusive use and special privileges to connect to and use the common property grease trap.

2. The Owners Corporation Obligations

The Owners Corporation must:

- 2.1 Maintain, repair and where necessary, replace the grease trap,
- 2.2 Arrange for regular pump outs of the grease trap,
- 2.3 Comply with the requirements of Government Agencies for grease traps,
- 2.4 Repair damage to common property caused by exercising rights under this By-Law, and
- 2.5 Give Owners regular accounts for their costs under this By-Law.

3. The Owners Obligations

The Owners of Lots which are connected to the grease trap must:

- 3.1 Give the Owners Corporation access to the grease trap and their Lot so that the Owners Corporation may comply with its obligations under this By-Law,
- 3.2 Pay their costs under this By-Law on time,
- 3.3 Comply with the requirements of Government Agencies for users of grease traps, and
- 3.4 Indemnify the Owners Corporation against all claims and liability caused by exercising rights under this By-Law or using the grease trap.

4. Paying for the Grease Trap

The owners of Lots which are connected to the grease trap must reimburse the Owners Corporation for its costs under this By-Law in the following ratios:

SHOP NUMBER	LOT	%
1	101 in SP43065	26
7 and 8	7, 8 in SP37079	26
9	107 in SP43065	22
10	108 in SP43065	26
	TOTAL	100.00

Note: The by-law is amended by deleting Shop 4/5/6 and recalculating costs based on the original formula. Lot 9 proposed a new formula based on usable space including courtyards and verandah areas as bigger trading areas generate more sales. This approach would be considered by the strata committee but, as other Shops had no notice of this amendment, the original motion was put.

MOTION CARRIED

12. Access Tag Audit

RESOLVED that tags that do not comply with Special By-Law 29 by 24 November 2018 be voided.

13. Garden & Landscape Committee Monthly Newsletter

That the Owners Corporation of Strata Plan 37079 permit the Cecil Apartments Garden and Landscaping Committee to continue to publish their monthly Newsletter in its current form and allow it to be displayed on the basement notice boards.

MOTION DEFEATED

14. Garden & Landscaping Committee Monthly Newsletter

That the Owners Corporation of Strata Plan 37079 authorise the Garden & Landscaping Committee continue to publish and display on the basement level community notice boards a Monthly Newsletter informing Cecil lot owners and residents of the condition of all Level 1, Garden Terrace and ground floor streetscapes and any relevant news relating to the management of these areas together with general community information.

MOTION WITHDRAWN

15. Review of Building Management Service Contract, under Division 4-Building Managers, Strata Schemes Management Act 2015 No. 50

That the Owners of Strata Plan 37079 direct the Strata Committee, to reduce the terms of appointment under Section 68 (2) of Strata Schemes Management Act 2015 No 50, by the hours worked by Onsite Building Manager - Premier Contract Cleaning Pty Ltd to 4 hrs a day, five days per week, as suggested by Chairperson- Paul Heeks, (per his email dated 25th January 2018). The new contract will commence on 1st September 2018 for a period of twelve months at the current hourly rate.

MOTION DEFEATED

16. Limitations on Strata Committee

That the decision making powers granted at the AGM on 9th September 2017, be rescinded from this date.

From this date the following will apply.

- (a) That expenditure on repairs to be limited to \$5000 (five thousand dollars) on any one claim and that normal monthly expenditure be duly maintained.

- (b) That additions and / or removal of common property be carried out in accordance to the provisions of the Strata Schemes Management Act 2015 No 50. That the Strata Committee provide, when suggesting additions to common property or removal of same and that such recommendations be accompanied by a detailed description of the actual addition and / or removal with quotations from three contractors and / or a quantity surveyor. The Strata Committee will also advise at the time the person who is responsible to oversee the completion of those works.

MOTION DEFEATED

- 17. Time to be allocated to General Business at the close of each General Meeting**
That at the end of each and every General Meeting, time be allocated for general discussion, starting from this meeting.

MOTION DEFEATED

- 18. BUILDING MANAGER'S CONTRACT**
That a one year contract be negotiated with Premier Contract Cleaning Pty Ltd.

MOTION CARRIED

- 19. CLEANING CONTRACT**
That a one year contract be negotiated with Pickford Group.

MOTION CARRIED

- 20. STRATA MANAGER'S REPORT**
RESOLVED to accept the Strata Manager's report.

- 21. STRATA COMMITTEE NOMINATIONS**
(a) The number of members for the Strata Committee was determined at five and the following members were elected for the ensuing twelve months:
(b) James Flaherty, Peter Lord, Diane Raisin with two vacancies to be filled.
Note: Paul Heeks & Alan Walsh were encouraged to re-consider their retirement.

- 22. LIMITATION ON STRATA COMMITTEE**
There is no limitation placed on the decision making powers of the Strata Committee for the next 12 months.

CLOSURE: There being no further business the meeting was declared closed at 12:15pm.