

Strata Corporation No _____ Incorporated

Minutes of the Annual General Meeting of the Corporation

held at _____ on _____ commencing at ____ am/pm

PROCEEDINGS

PRESENT: (In person or by proxy)

UNIT

APOLOGIES:

GUEST(s):

CHAIR:

The Presiding Officer welcomed those present & opened the meeting.

The Manager was requested to assist the Presiding Officer in the conduct of the meeting and the Secretary in recording the minutes.

Legislation: Section 34(7) Except where a unanimous resolution is required, a vote is not exercisable in relation to a unit unless all amounts due and payable to the strata corporation in respect of the unit have been paid.

Note: Unfinancial members can form a quorum but have no vote under Section 34(7).

QUORUM:

A quorum was declared with _____ of the _____ Units represented in person or by proxy.

OR

The meeting was declared inquorate after 30 minutes and continued with the following minutes of the meeting subject to ratification at a Reconvened Annual General Meeting as provided for in the Act.

OR

The meeting was declared inquorate after 30 minutes and adjourned to a Reconvened Annual General Meeting to be held on ___/___/____. (must be 7 to 14 days from date of this meeting).

Policy – Meeting Non-Attendance:

It was resolved “that any unit holder unable to attend any AGM or EGM, in person or by proxy or who does not tender an apology shall be deemed to be "absent & silent" and shall have a non attendance levy of \$25 charged to their respective unit, due & payable with the next quarterly contribution following the meeting.”

Moved _____ / Seconded _____ Motion carried

CORPORATION MEMBERS REGISTER:

The members’ register/unit holder list was circulated and updated. It was agreed to forward a copy to all unit owners.

MINUTES:

It was resolved that the minutes of the previous Annual General Meeting held on ##### be taken as read & accepted as a correct record.

Business arising: Any matters that need to be readdressed will be discussed & recorded under common property maintenance, under another relevant agenda item or under other business.

Moved _____ / Seconded _____ Motion carried

CORRESPONDENCE:

The correspondence for the year was reviewed and tabled. It was agreed that any matters arising be deferred for discussion under the relevant agenda item.

FINANCIAL STATEMENT:

The Corporation's financial statement of accounts for the current period as circulated to all members was tabled and reviewed. Owners were encouraged to comment.

It was resolved that the financial statement of accounts be received.

Moved _____ / Seconded _____ Motion carried

Tax: Legislation now requires that monies held in Trust Accounts are to earn interest and as a result an annual tax return is required.

APPOINTMENT OF MANAGERS:

That _____, and/or their nominee, is appointed to assist the Corporation by undertaking all those functions, powers & duties as contained in the Strata Titles Act 1988 at an annual primary remuneration of \$_____ including GST.

Additional recoverable charges may be made for meeting fees and audit, government fees including GST, bank fees, stamp duty, postage and photocopying charges will be debited to the Corporation as actually expended.

Duties of the appointed Managers:

General: To provide so far as is reasonably necessary general advice and assistance to the Corporation and its officers and to assist them in the performance of their responsibilities under the Act.

Meetings: Arrange the General and Management Committee meetings, prepare and distribute notices, including agenda of meetings. Attend General (and Management Committee meetings if needed) and assist the Presiding Officer in the conduct of meetings. Assist the Secretary in the recording & preparation of minutes of meetings and distribute such minutes.

Maintenance: Advise upon and arrange for the maintenance, repair and replacement of the common property in accordance with the Corporation's instructions. Organise emergency maintenance works.

Insurance: Place and renew insurances in accordance with the Corporations instructions and have any claim promptly processed.

Accounting: Collect, bank and account for maintenance contributions, levies, interest accruing or other amounts due to the Corporation. Send notices levying maintenance or other contributions and pay accounts and outgoings. Prepare annual financial statements of accounts of the Corporation and arrange an annual tax return & GST/BAS returns as required by law.

Secretarial: Promptly deal with the Corporation correspondence and requests for Searches (section 41). Ensure that all appropriate and proper records of the Corporation are maintained and keep secure and confidential all books, records, common seal, certificates of title, strata plans, specifications, reports, schedules and the like.

Public Officer: To act as the Corporation's Public Officer for the purpose of signing Tax Returns and other such matters as required by statute.

Commissions: The manager may receive a commission for placing the Corporation's insurance.

Note: A management agreement will be posted to the group's Presiding Officer for signing.

Moved _____ / Seconded _____ Motion carried

ELECTION OF OFFICE BEARERS: [Section 23]

Following discussion about the various duties of officer bearers the following appointments were made:

Presiding Officer: _____
Secretary: _____
Treasurer: _____

Moved _____ / Seconded _____ Motion carried

MANAGEMENT COMMITTEE: [Section 35]

It was resolved that the Management Committee shall consist of the appointed officers along with

_____.

Moved _____ / Seconded _____ Motion carried

Limitations imposed:

Please Note: The Management Committee and Officers of the Corporation do not have the power: -

- (i) To authorise any dealing with or any variation of the common/community property or to grant exclusive rights in respect of the enjoyment and use of any part thereof of the common/community property;
- (ii) To authorise installations or additions (appearance changes) relating to unit properties.

The functions of the Management Committee and Officers of the Corporation are by and large confined to authorising and overseeing the routine maintenance responsibilities of the Corporation, and ensuring that the provisions of the Articles are adhered to by the Corporation, unit owners and unit occupiers.

INSURANCE:

Section 30 of the Act imposes a duty on the Corporation to insure all building and building improvements for their full replacement value, including all costs incidental to and associated with their replacement.

General Advice Warning: Any advice given by the manager is general advice. Owners can inform themselves through reading the Product Disclosure Statement. These are available from the office of the manager.

The Corporation is further required to keep itself insured against liability for negligence/bodily injury (\$10,000,000 minimum) and against any other liabilities [eg: flood, office bearer liability, catastrophe] determined by a special resolution of the Corporation.

The Corporation's current policy details are as follows:

Underwriter: _____

Renewal Date:	_____
Building:	\$ _____
Excesses:	\$ _____
Loss of Rent/Alternative Accommodation	\$ _____
Common Contents:	\$ _____
Legal Liability/Public Liability:	\$10,000,000 / 20,000,000
Volunteers:	\$ _____
Fidelity Guarantee:	\$ _____
Office Bearers Liability:	\$ _____
Catastrophe:	\$ _____

Cover to Remain the same: It was agreed that the insurance covers remain the same.

OR

Renewal to Management Committee: It was agreed that the insurance renewal be forwarded to the Management Committee for consideration. .

OR

As Suggested by Insurance Company: It was agreed that the insurance cover be increased at renewal by the amount suggested by the insurance company.

OR

Obtain Quotations: It was agreed that quotations be obtained for cover of \$_____ before the renewal and sent to the Management Committee for a decision.

OR

Cover to be Changed: It was agreed that property cover be \$_____ and that legal liability cover of \$10,000,000 / \$20,000,000 be retained.

Moved _____ / Seconded _____ Motion carried

Insurance Valuation: It was noted that there was no valuation on file.

OR

It was noted that the most recent valuation was on _____ for \$_____

It was resolved to engage the services of a certified practicing valuer to prepare an insurance valuation report (replacement value) that shall be forwarded to the Management Committee for a decision.

OR

Insurance Valuation: It was noted that there was no valuation on file.

OR

It was agreed to defer engaging the services of a certified practicing valuer.

Policy - Insurance Excess Payments: It was resolved that any insurance claim that is to do with the property of the owners, the owner will pay the insurance excess. Any claim related to the common property, the Corporation will pay the excess.

The unit owner has a right of written appeal to the Management Committee.

Moved _____ / Seconded _____ Motion carried

Commissions: It was noted that the manager receives a commission if the Corporation's insurance is placed with _____

Home/Contents Insurance: It was noted that it is necessary for unit owners to arrange individually for adequate insurance for any buildings erected upon respective units as well as the contents of their homes inclusive of carpets, drapes, light fittings, etc., whether or not the home is occupied by the unit owner or a tenant, as such items are not included in the Corporation's insurance policy.

MAINTENANCE:

Painting: Owners agreed that painting was not needed at this stage and that any decision to paint the previously painted common/community surfaces can be deferred.

OR

Painting: The Management Committee is to obtain and consider a Solver Painting Specification and schedule of items to paint and then obtain quotations for the work. The Management Committee is given the power to act to accept a suitable quotation. The work is to be funded from the Sinking/Reserve Fund.

If the Fund is insufficient then the Management Committee is authorised to raise a special levy.

Levy: The levy is to be chargeable equally rather than in accordance with unit entitlement to those persons registered as proprietors of a unit at the time a decision to proceed is made.

OR

Levy: The levy is to be chargeable in accordance with unit entitlement to those persons registered as proprietors of a unit at the time a decision to proceed is made.

Grounds Care/Lawn Care:

Communal/Security Lighting:

Termite Responsibility: The Presiding Officer/Manager advised that any termite damages within a unit would be a strata responsibility unless the entry of termites had resulted from negligence on the part of an owner, agent or their tenant. It was also noted that damage caused by termites was not an insured event in terms of the building insurance policy.

It is recommended that termite inspections should occur annually.

Termite Inspections: Owners agreed to have the units inspected by the Corporation for termite activity & for the report to be circulated to each owner.

OR

Termite Inspections: Owners agreed not to have the units inspected for termite activity this year but to monitor the situation instead.

Residents are strongly requested not to facilitate the entry of termites through the storage of newspapers or wood against the building or by putting soil against the exterior of the buildings.

Gutter Clean: The Manager is to arrange for the gutters, downpipes and stormwater drains to be cleaned before next winter.

OR

Gutter Clean: The Management Committee accepts responsibility to advise the Manager if they wish a gutter clean to be undertaken.

OR

Gutter Clean: The Management Committee accepts responsibility for a gutter clean as needed..

Driveways/Paving:

Roofing:

Fencing:

Rubbish Removal:

Other: (i.e. tree management, drain blockages, surface water disposal, etc.)

WATER USAGE:

Policy Water Usage Equal: It was resolved that the Corporation have its water usage charge divided amongst all the unit holders equally rather than in accordance with the schedule of unit entitlement and included on every alternative SA Water account already received by unit holders.

OR

Policy Water Usage Entitlement: It was resolved that the Corporation have its six monthly water usage charge divided amongst all the unit holders in accordance with the schedule of unit entitlement and included on every alternative SA Water account already received by unit holders.

OR

Policy Water Usage - Corporation Pays: It was resolved that the Corporation pays the six monthly water use account.

Moved _____ / Seconded _____ Motion carried

OR

It was noted that each unit has their own separate water meter & were billed directly by SA Water for water usage.

BUDGET:

The Chair/Treasurer/Manager circulated and presented the budget estimates proposal and pointed out that there were various philosophies that could be adopted to establish a budget.

1. A balanced budget which does not accrue any funds for future known or unknown however predictable expenditures; or
2. An accrued budget which sets aside a proportion of regular contributions for the specific purpose of providing for future expenditure eg. driveway maintenance, repainting (known as a Reserve Fund or Sinking Fund).

It was resolved following discussion that the following recommended Budget Estimates be adopted.

Moved _____ / Seconded _____ Motion carried

***** insert budget here *****

CONTRIBUTIONS:

Administration Fund: In accordance with this resolution, the total quarterly contribution to the Administration Fund will increase to \$ _____ from ___/___/___ or remain at \$ _____ .

Sinking/Reserve Fund: In accordance with this resolution, the total quarterly contribution to the Sinking/Reserve Fund will increase to \$ _____ from ___/___/___ or remain at \$ _____ .

Contributions are divisible by unit entitlement as defined upon the deposited plan.

OR

Contributions are divisible equally rather than by unit entitlement as defined upon the deposited strata plan. (requires a unanimous resolution if a change in how owners currently pay)

OVERDUE CONTRIBUTIONS INTEREST & FEES:

Policy - Overdue Contributions Interest & Fees: That the payment of the Corporation Account Notice is the responsibility of each unit holder, and accounts must be paid within twenty-eight (28) days of the due date for payment. If any account is not paid within 28 days of the due date, unit owners are required to pay interest on the overdue amount at the rate of twelve (12%) per annum calculated from the due date until payment. They must pay all expenses incurred in pursuing recovery of overdue amounts including: but not limited to, legal fees, administrative costs, location and service fees and any commission payable to debt recovery consultants or solicitors. If the account is not paid by the due date a reminder notice will be sent with a late payment charge of \$11, including GST.

Moved _____ / Seconded _____ Motion carried

SPECIAL LEVY:

(unit entitlement)

Resolved that a levy totalling \$# be charged in accordance with unit entitlement in respect of each unit, to those persons registered as proprietors of a unit at the date of this meeting. This is due on ___/___/___ for the purpose of _____.

Moved _____ / Seconded _____ Motion carried

OR (equally)

Resolved that a levy totalling \$ _____ be charged equally, in respect of each unit, to those persons registered as proprietors of a unit at the date of this meeting and be due on ___/___/___ for the purpose of _____. (requires a unanimous resolution if owners currently pay by unit entitlement)

Moved _____ / Seconded _____ Motion carried

POLICIES & APPROVALS:

Animals:

No Animals: It was agreed that the Corporation's policy is not to approve applications to keep an animal. (note – this may be unsupportable at law and we recommend that the Corporation treat each case on its merits)

OR

May Apply: It was agreed that owners may apply for approval on an individual basis in accordance with the requirements of the Article 4 of the Strata Corporation's articles (Schedule 3).

OR

To Management Committee: The Corporation delegates authority to the Management Committee to approve any applications for animals.

Land Agents Signs:

Allowed: A Land Agent instructed to offer any unit "For Sale" be permitted to erect one vertical (portrait) sign only, of dimensions not greater than two (2) metres square. This sign must indicate the number of the unit, and is to be installed as near as practicable to the front boundary of the premises. Approval is subject to the sign being removed not later than 48 hours after a contract for sale of the unit has been signed.

OR

Prohibited: It was agreed that a total prohibition be imposed on the erection on any portion of the common property any Land Agent's sign advertising that a unit is "For Sale" or "To Let".

OR

No Restrictions: No restriction be imposed on the erection on any portion of the common property Land Agents' signs which advertises that a unit is "For Sale" or "To Let", save and except that any such sign must indicate the number of the unit. Approval is subject to the sign being removed not later than 48 hours after a contract for sale or letting of the unit has been signed.

APPROVALS: (Requiring Special Resolution)

Airconditioners: Wall Mounted & Split System: Unit holders may install a wall mounted or split system airconditioner to the unit, provided it is not mounted on the frontage of the unit or impedes any common walkway, and is a low noise rotary compressor model which creates no more than 45db of noise. It must be in accordance with EPA requirements current, at time of installation.

AND / OR

Airconditioners: Roof Mounted: Unit holders may install a roof mounted airconditioner to the unit, provided it is mounted below the ridgeline at the rear of the building and is similar in colour to the roof and creates no more than 45db of noise. it must be in accordance with EPA requirements current at time of installation.

Awnings/Blinds: Unit holders may install external awnings / blinds on windows, provided the colour, design and location are approved by the Management Committee

OR

Awnings/Blinds: Unit holders may install external awnings / blinds on windows provided they are similar in colour and design to those installed at Unit _____.

Heaters: Unit holders may install a space heater in their unit with a flue that protrudes through the roof, providing, the flue is installed by a qualified tradesperson and complies with the relevant Acts.

Pay Cable TV: Unit holders may connect to cable TV subject to all wiring being hidden, and any damage caused to common property to be made good by the respective owner.

Pay Satellite TV: Unit holders may connect to pay TV via satellite dish on the gutter fascia/roof above their unit subject to the dish being installed below the ridgeline at the rear of the unit. The Management Committee must approve the exact location of the dish.

Pergolas/Verandas/Shade Sails: Unit holders may erect a pergola/veranda/shade sails in their rear unit yard subsidiary subject to local Council approval where necessary, and that it be erected using first grade materials to a trade standard.

Rain Water Tanks: Unit holders may install a modular rainwater tank on their own rear unit yard subsidiary providing adequate measures are taken for the discharge of overflow water to the satisfaction of the Corporation.

Roller Doors/Remote Control: Unit holders may install remote controls on their roller doors to their carports, provided the colour and design are approved by the Management Committee.

OR

Roller Doors: Unit holders may install roller doors to their carports provided the colour and, design are similar in to that installed at Unit number _____.

Security Screens: Unit holders may install security screens to the doors provided they are similar in colour and in design to those already installed.

Security Shutters: Unit holders may install security shutters to the windows provided the colour, design and location are approved by the Management Committee.

OR

Security Shutters: Unit holders may install security shutters to the windows provided they are similar in colour and design to that installed at Unit number _____.

Sheds: Unit holders may erect one small garden shed in their rear unit yard subsidiary.

Skylights: Unit holders may install one skylight to their unit provided it is fitted by a qualified tradesperson, and is installed at the rear of the unit below the ridge line.

Solar Heating: Unit holders may install solar heating equipment to the roof of their unit provided it is fitted by a qualified tradesperson, and is installed, if possible, at the rear of the unit below the ridgeline.

TV Antenna: Roof Mounted: Unit holders may install one roof mounted television antenna for each unit, subject to all wiring being hidden.

OR

TV Antenna: Roof Space: Unit holders may install one television antenna in the Corporation's roof space, above their unit and below the roof tiles.

OR

TV Antenna: Roof mounted television antennae are not approved.

Roof Insulation: Unit holders may install insulation in the roof space above their unit, subject to the work being undertaken to a trade standard, and that no insulation be installed on or above down lights, transformers and other equipment used for heating.

In accordance with the provisions of the Strata Titles Act 1988, and pursuant to the Notices of Motion included in the "Notice of Meeting", it was resolved by Special Resolution that the Corporation grant consent for the previous standard approvals. This is subject to the unit holder and their successors in title agreeing, without any further notice, that the costs of and incidental to installation, maintenance, repairs and replacement, shall be at all times be at the expense of that unit holder, from time to time.

Moved _____ / _____ agree / ___ disagree (requires at least 2/3ds of all units to agree)

RESIDENT MATTERS:

OTHER BUSINESS:

_____ was/were thanked for her/his/their hospitality in hosting the meeting. The meeting was closed at _____am/pm with a note of appreciation to those who attended.