

# Attachment 4

**Minutes of AGM**  
**The Owners of The Alderney on Hay**  
**Strata Plan 38996**  
**Held via the Zoom App.**  
**Thursday 14 March 2024**

**Attendance:**

Thomas Roberts	Jay Anthony	Tom Engelke
Mat Winter	Chantal Wong	Gordana Spirovski
Aaron Divitini	Keiren Shun	Alex Coraglia
Amy Liu	Greg Satti	

**By Invitation:**

Alastair Cornish representing Strata Matters

**Proprietors Present or Represented by Proxy:**

T. Roberts	2	
M. Winter	7	
A. Hind	15	Proxy to Jay Anthony
T. Engelke	18	
D. Murphy	21	Proxy to Jay Anthony
A. Divitini	23	
M. Kempin	27	Proxy to Jay Anthony
G. & E. Gerginov	28, 76	Proxy to Alastair Cornish
P. Cheng & C. & J. Wong	33	Proxy to Chantal Wong
G. & D. Spirovski	44	
Flying Ducklings Pty Ltd.	57	Proxy to Keiren Shun
A. Coraglia	62	
G. Satti	67	
A. Liu & D. Wong	71	Proxy to Amy Liu
J. Anthony	81, 82, 83, 85	

**Establishing a quorum**

The Strata Manager verified the attendance register and explained that a quorum was not present, and that the AGM would need to wait 30 minutes in accordance with Sect. 130.4 of the Strata Titles Act 1985.

(A total of 81 lot owners were eligible to participate in the meeting, 42 therefore constituted a quorum).

The meeting agreed to proceed immediately and at 6.30pm, after 30 minutes, there would be a quorum when the items discussed prior to 6.30pm would be ratified.

The strata manager informed the meeting of the proxies held.

**1. Chairperson**

It was resolved that Aaron Divitini assume the Chair and the meeting opened at 6.05pm and welcomed and thanked those for attending.

**2. Confirmation of previous minutes**

Mat Winter proposed that the previously circulated minutes of the General Meeting held on the 6 June 2023 be verified as a true record of those proceedings.

Seconded by Keiren Shun representing Flying Ducklings Pty Ltd.

Motion carried unanimously.

No matters arose from those minutes.

### **3. Constitution of Council**

**3.1** Keiren Shun, representing Flying Ducklings Pty Ltd. proposed that the Council of the Strata Company consist of 5 owners and seconded by Mat Winter.

Before the motion was put to a vote the Chair enquired as to the number of nominations received. The strata manager informed the meeting 6 nominations received.

Mat Winter proposed an amendment to the motion as follows:

That the Council of Owners consist of 6 proprietors and seconded by Jay Anthony.

The amendment was put and carried.

The Chair confirmed the amended motion become the substantive motion and put the motion.

The amended motion was carried unanimously.

**3.2** The Chair called for nominations of candidates for election to the Council.

Nominations to Council were received from:

Mat Winter	George Gerginov
Aaron Divitini	Alex Coraglia
Flying Ducklings Pty Ltd (Keiren Shun)	Jay Anthony

The nominees were appointed unopposed, and the Chairperson thanked the nominees for their interest and congratulated the 6 appointed owners.

**3.3** The motion to conduct a ballot to elect members of the Council lapsed.

### **4. Consideration of Statement of Accounts**

It was resolved that the Statement of accounts for the period 1 December 2022 to 30 November 2023, showing an amount of \$487,355.73 net owners' funds, be adopted as presented.

### **5. Insurance**

**5.1** It was resolved that copies of the current certificates and schedules for the insurance required under section 127(3)(c) of the Act, as tabled, be received and incorporated into the records of the strata scheme.

Current Insurance Schedule:

#### **Insurer: Chubb**

Building Cover \$55,958,423  
Workers Compensation As Per Strata Titles Act  
Public Liability Cover \$20,000,000.00  
General Excess \$5,000.00  
Expiry 17 November 2024

5.2 It was resolved that the Financial Services Guide and Product Disclosure Statement, as tabled, be received and incorporated into the records of the strata scheme.

5.3 It was resolved that the Strata Scheme defer the matter of obtaining a valuation for insurance purposes until the next Annual General Meeting  
(Last valuation completed by Reserve Fund Plans in August 2023 indicating an insured value of \$57,159,300)

5.4 It was resolved that the Strata Manager is to present quotations to the Council for their review and instructions and that the Council have authority to renew the policy as suggested by the insurer or as recommended by the insurance valuation and that if no placement instructions are received from the Council prior to the policy expiration, the strata manager will proceed with renewing cover using the insurance broker's recommendation to ensure no lapse in insurance cover for the Strata Company.

## **6. Execution of documents and use of common seal**

6.1 It was resolved that in accordance with Section 118(2) of the Act, the Strata Scheme authorises the strata manager and two duly appointed members of the Council of the Strata Scheme to execute documents on its behalf, including the issuance of work orders, subject to the individual adhering to their legislative obligations and in the case of the strata manager, their contractual obligations.

In accordance with s. 118(2)(c), the strata manager of the Strata Scheme may accept this authority, providing the authorisation is an agreed contractual service, is not an excluded function as listed under Section 143(5) of the Act and the strata manager has no conflict when executing the documents that has not already be disclosed in writing to the Strata Scheme.

6.2 It was resolved that in accordance with Section 118(1)(b) of the Act, the common seal of the Strata Scheme must be attested by the signatures of two duly appointed members of the Council of the Strata Scheme (Council); and, that unless amended at a General Meeting, the Strata Scheme resolves to adopt the further requirement that a motion must be passed by the Strata Scheme before the common seal is authorised to be affixed, and that this motion may be conducted outside of a general meeting, in accordance with s. 120(3)(b)

## **7. Ten Year Plan**

Mat Winter proposed that the copy of the 10 Year Plan and Reserve Fund Annual Levy Estimate completed 25 November 2020 by Houspect Building Inspections as received, approved, and incorporated into the records of the Strata Scheme at the 2021 AGM was tabled and seconded by Jay Anthony.

Motion carried unanimously.

In accordance with Regulation 77 and the requirements of Section 100(2A), the specifics of the report are as follows:

Name of person who prepared the plan (company/author) Houspect Building Inspections – Brian Gray  
Qualification/s of Person/s: Builder's Registration Number 11504

Period Covered by the Plan: To 2030

Date of Inspection: 25 November 2020

Gordana Spirovski suggested more information be provided to owners informing them as to what works have been addressed/completed and how the funds are being spent.

The strata manager informed the meeting this occasionally forms part of the Chair's Report to owners which several Strata Schemes include.

This was referred to the Council of Owners.

(As it was now 6.30pm, the Chairperson declared there to be a quorum present per the Strata Titles Act. The discussion and decisions made prior to this time were ratified and included into the minutes.)

**8. Consideration of budget of estimated expenditure from the Administrative Fund.**

Mat Winter proposed that the budget of estimated expenditure from the Administrative Fund for the period 1 December 2023 to 30 November 2024 amounting to \$462,600 be adopted.

Seconded by Keiren Shun representing Flying Ducklings Pty Ltd.

Motion carried unanimously.

**9. Determination of the levy of contributions for the period 1 December to 30 November 2024**

Mat Winter proposed that the levy of contributions on owners for the Administrative Fund be payable in advance by instalments due and payable in the amounts and on the dates as shown below:

\$ 96.15 per unit entitlement	1st December 2023,
\$ 96.15 per unit entitlement	1st March 2024,
\$ 100.00 per unit entitlement	1st June 2024,
<u>\$ 100.00 per unit entitlement</u>	<u>1st September 2024,</u>
\$ 98.10 per unit entitlement	1st December 2024

to raise a total of \$392,260 in the financial year, and,

that the levy of contributions on owners for the Reserve Fund be payable in advance by instalments due and payable in the amounts and on the dates as shown below:

\$ 16.50 per unit entitlement	1st December 2023,
\$ 16.50 per unit entitlement	1st March 2024,
\$ 16.50 per unit entitlement	1st June 2024,
<u>\$ 16.50 per unit entitlement</u>	<u>1st September 2024,</u>
\$ 16.50 per unit entitlement	1st December 2024

to raise a total of \$66,000 in the financial year and that in each case those contributions be continued on a quarterly basis until otherwise determined by the strata company in a general meeting and seconded by Jay Anthony.

Motion carried unanimously.

**10. Debt Recovery**

It was resolved that the debt recovery procedure be as follows:

Penalty interest charges (11%) waived for levies up to 30 days in arrears.

After 30 Days in arrears a reminder notice sent - no cost to lot owner/s.

60 Days in arrears Final Notice letter sent - cost imposed on lot owner/s \$22.

90 Days in arrears Legal Action letter sent - cost imposed on lot owner/s \$88

120 Days in arrears matter referred to the Strata Company's lawyers.

**11. Appointment of strata manager**

Mat Winter proposed that the Strata Scheme considers options for the management of the Alderney on Hay and the Council of Owners to obtain quotes from strata management companies and be empowered to sign a contract on behalf of the Strata Scheme for a term of 12 months.

Seconded by Keiren Shun representing Flying Ducklings Pty Ltd.

Before putting the motion to a vote discussion ensued regards the management and the need to seek other options. The quotes received by the Council of Owners and companies approached last year were mentioned and Mat Winter proposed an amendment to the motion as follows:

That the Strata Scheme re-appoint Strata Matters for a further term of 12 months, or until the next AGM and the Council of Owners be empowered to sign a contract on behalf of the Strata Scheme and seconded by Tom Engelke.

The amendment was put and carried.

The Chair confirmed the amended motion become the substantive motion and put the motion.

The amended motion was carried unanimously.

## **12. Matters without notice for discussion and referral to the council:**

### **12.1 Information to Owners**

Gordana Spirovski recommended a detailed report be provided to inform owners what works are being completed/undertaken.

The meeting discussed this and believed posting this information on the Owner's Facebook page to assist and for the Council of Owners to consider compiling a Newsletter to be distributed with levy notices.

Referred to the Council of Owners.

### **12.2 Lift Ceiling**

Gordana Spirovski indicated the lift ceiling was frequently missed by the cleaners and this should be addressed.

Referred to the Council of Owners.

### **12.3 Mezzanine Wall**

Gordana Spirovski expressed concern with the marks/damage being caused to the mezzanine floor panels.

Referred to the Council of Owners.

### **12.4 Lift Programming**

Alex Coraglia highlighted the possible waste of electricity and damage to the lifts being caused with their current programming.

Referred to the Council of Owners.

## **13 Date of next meeting**

The next AGM was scheduled for Thursday 13<sup>th</sup> February 2025 from 6pm.

## **14. Close of Meeting**

There being no further discussion the Chair closed the meeting at 6.50pm.

**Minutes of Council Meeting 2024**  
**Held directly after the AGM**  
**14 March 2024**

**Attendance:**

Jay Anthony  
Alex Coraglia  
Aaron Divitini  
Keiren Shun – representative of Flying Ducklings Pty Ltd  
Mat Winter

**Apology:**

George Gerginov

**By Invitation:**

Alastair Cornish

Meeting opened at 6.55pm

**1. Appointment of Council Positions:**

The positions were discussed and those present agreed:

Chairperson	Aaron Divitini
Secretary	Aaron Divitini
Treasurer	Keiren Shun

It was agreed to distribute this information on the Facebook page.

**2. Council Meetings**

The meeting discussed the date of the next Council meeting and future meetings.

It was agreed to have the next meeting 18 April 2024.

**3. Close of Meeting**

Meeting closed 7.00pm