

MINUTES OF ANNUAL GENERAL MEETING

Dear Owner,

MINUTES OF ANNUAL GENERAL MEETING OF STRATA COMPANY 3 Brindley Street, BELMONT, WA, 6104

Please find enclosed a copy of the minutes for the Annual General Meeting held on 21 January 2025 for your record and safe keeping.

Please note, a copy of these minutes have also been made available for downloading from the owners portal for your convenience.

If we may assist further in this or any other matter, please do not hesitate to contact our office on the details below

Sincerely

Neave Kerslake
STRATA COMMUNITY MANAGER
REALMARK STRATA
FOR and on Behalf of SP 64747

Attendance

S/Plan 64747 3 Brindley Street, BELMONT, WA, 6104
Annual General Meeting
21 January 2025 05:00 PM

Attendees

Lot	Name	Status
2 3	Cam-Tu Hine as Proxy for Lot 2	Proxy present
5 6	Paul Jakovich as Proxy for Lot 3	Proxy present
	Adam Lee Haines	Owner present
	The Chairperson as Proxy for Lot 6	Proxy present

Additional Attendees

Gregory Stephen Colin Hine – co-owner of Lot 2

Neave Kerslake representing Realmark Strata

Non-Attendees – Apologies

Quorum

Aquorum was declared with 4 of the 6 persons entitled to vote being present or represented by proxy.

Minutes for the Annual General Meeting

S/Plan3 BrindleyStreet
21January 202505:00PM

1. Appointment of Chairperson for the meeting

Itwas agreed that Neave Kerslake be authorised to act as the Chairperson for the purposes of the meeting

2. Confirmation of minutes of previous meeting

Resolve that the minutes of the previous General Meeting of the Strata Company held on 15/01/2024, as attached to this notice of meeting, be accepted as a true and correct record of that meeting.

Business arising

Nil.

Motion CARRIED - Passed by Simple Majority

Mover: Adam Lee Haines Seconder: Cam-Tu Hine as Proxy for Lot 2

3. Consideration of Accounts

Resolve that the statement of accounts for the period 01/07/2023 to 30/06/2024, as attached to the notice of this meeting, be adopted as a true and correct record.

Motion CARRIED - Passed by Simple Majority

Mover: Cam-Tu Hine as Proxy for Lot 2 Seconder: Paul Jakovich as Proxy for Lot 3

4. Election of Council of Owners

It was resolved that the Council consist of 3 owners.

Two nominations were received, and the owners present nominated Declan Boyle of Lot 6 to be the third Council Member. The Chairperson declared the candidates to be elected as members of the Council. Please refer to the list below for details of the duly elected members of the Council.

Name	Lot
Cam-Tu Hine	2 5
Adam Lee Haines	6
Declan Boyle	

Motion CARRIED - Passed by Simple Majority

Mover: Cam-Tu Hine as Proxy for Lot 2 Seconder: Adam Lee Haines

5. Strata Company Insurance

General Advice Warning: Any advice given by the Strata Manager is general advice only. Owners can inform themselves through reading the Product Disclosure Statement. The Product Disclosure Statement and Financial Services Guide from the Insurer are available from the Strata Manager upon request.

5.1. Confirmation of Strata Company Insurance

Resolve that the presentation of the copies of certificates and schedules for the current insurance, as attached to the notice of this meeting, be accepted.

Motion CARRIED - Passed by Simple Majority

Mover: Adam Lee Haines Seconder: Cam-Tu Hine as Proxy for Lot 2

5.2. Renewal of Strata Company Insurance

Resolve that the Council be instructed to place insurance for the Strata Company at such sums are suggested by the Insurer or in line with an updated replacement cost valuation prior to the expiry date of the current policy on 13/04/2025.

Motion CARRIED - Passed by Simple Majority

Mover: Cam-Tu Hine as Proxy for Lot 2 Seconder: Adam Lee Haines

5.3. Commission on Insurance

Realmark Strata discloses an interest in the business of some insurers and brokers, and may receive a commission based on a percentage of the premium paid. The insurance commission received by Realmark Strata is \$596.79 excluding GST for policy WRSC20001377 covering 13/04/2024 to 13/04/2025.

5.4. Insurance Replacement Cost Valuation

It is noted that there is no replacement cost valuation on file.

Resolve that the Council be instructed to obtain a replacement cost valuation for the purposes of insuring the Strata Company, to be undertaken by a Certified Practicing Valuer.

Motion CARRIED - Passed by Simple Majority

Mover: Adam Lee Haines Seconder: Paul Jakovich as Proxy for Lot 3

6. Council Authority to Sign

Resolve that, pursuant to Section 118 of the Strata Titles Act 1985, one (1) member of the Council of Owners, or the Strata Manager under the direction of the Council of Owners, be authorised to execute documents which are either desirable or necessary for the achievement of the Strata Company's objectives and the performance of the Strata Company; and

If the Strata Company has a common seal, and when desirable or necessary to do so, the common seal may be applied to documents and attested by the signatures of two (2) members of the Council of Owners.

Motion CARRIED - Passed by Simple Majority

Mover: Cam-Tu Hine as Proxy for Lot 2 Seconder: Adam Lee Haines

7. Work, Health & Safety Report

Resolve to engage a suitably qualified contractor to carry out a Compliance Report of the common property in accordance with the Work Health and Safety Act 2020.

Motion DEFERRED – to be revisited at the next Annual General Meeting

Mover: Cam-Tu Hine as Proxy for Lot 2 Seconder: Adam Lee Haines

8. By-Law Consolidation

The by-laws were discussed, and it was agreed by the meeting that the by-law motions be deferred until the next AGM with more information being provided to owners in preparation of this.

9. Cost Recovery By-Law

The strata company resolves by a resolution without dissent to add the following schedule 1 governance by-law to the by-laws that apply to the scheme:

11 Costs Recovery

11.1 For the purpose of this by-law:

11.1.1 Act means the

11.1.2 Costs include, without limitation, the Strata Titles Act 1985 (WA) .

- (a) the strata manager's costs;
- (b) debt recovery costs;
- (c) legal costs and disbursements on a solicitor and client full indemnity basis, including the fees and disbursements of barristers, process servers, witnesses and experts engaged by the solicitor that has been engaged by the Strata Company for any steps taken by the strata company in the Legal Proceedings;
- (d) costs of any consultants and experts;
- (e) costs of any security guards or other contractors engaged by the strata company to:
 - (i) respond to any breach of the by-laws or the Act; or
 - (ii) attempt to prevent any further breaches of the by-laws or the Act;
- (f) costs of any employees of and contractors to the strata company preparing for or being involved in the Legal Proceedings;
- (g) additional insurance premium charges incurred by the strata company attributable to the use of or activity within a lot; and
- (h) damage, harm, injury, destruction or vandalism to any part of the common property or personal property of the strata company.

11.1.3 Legal Proceedings include, without limitation:

- (a) the issuing of a notice alleging a breach of the Act or by-laws that could lead to an application to the State Administrative Tribunal (SAT), a tribunal or any court;
- (b) an application to a court, or any other tribunal:
 - (i) to recover any amount of money owing to the strata company by an owner; or
 - (ii) for any other matter;
- (c) an application to SAT for relief under the Act, which includes without limitation any order, interim order or declaration made by SAT;

- (d) litigation commenced by an owner or occupier of a lot against the strata company in SAT, a tribunal or a court; and
- (e) an application for leave to appeal to the Supreme Court or the Court of Appeal from an order of SAT or another court order and any further appeals related to that appeal.

11.2 An owner will indemnify the strata company and each of its employees, agents, contractors, sub-contractors and authorised representatives against any injury, harm, loss or damage suffered or incurred by them as a result of any breach of these by-laws or the Act by the owner or any of the occupiers of the owner's lot (Owner Indemnity).

11.3 Without limiting the Owner Indemnity, an owner (Specified Owner) will pay on demand the whole of the strata company's Costs reasonably incurred in relation to any or all of the following:

11.3.1 recovering outstanding contributions levied by the strata company on that Specified Owner pursuant to either or both section 43 or 100 of the Act;

11.3.2 recovering any outstanding amounts otherwise owing from the Specified Owner to the strata company under either or both the Act or these by-laws;

11.3.3 making good any damage to the common property or personal property of the strata company caused by:

- (a) the Specified Owner or an occupier of the Specified Owner's lot;

- (b) an invitee of the Specified Owner; or

- (c) an invitee of the occupier of the Specified Owner's lot;

11.3.4 remedying a breach of the by-laws or the Act committed by:

- (a) the Specified Owner; or

- (b) an occupier of the Specified Owner's lot;

11.3.5 rectifying any unauthorised works on common property undertaken as a result of an instruction or action of the Specified Owner or occupier of the Specified Owner's lot;

11.3.6 all Legal Proceedings taken by the strata company against the Specified Owner or an occupier of the Specified Owner's lot;

11.3.7 all Legal Proceedings taken by the Specified Owner against the strata company or in which the strata company becomes involved and the:

- (a) Specified Owner is not successful or is only partly successful in those Legal Proceedings; or

- (b) Legal Proceedings are withdrawn or dismissed; and

11.3.8 all Legal Proceedings taken by:

- (a) an occupier of the Specified Owner's lot; or

- (b) a mortgagee of the Specified Owner's lot,

against the strata company or in which the strata company becomes involved and that occupier or mortgagee (as the case may be) is not successful or is only partly successful in those Legal Proceedings or those Legal Proceedings are withdrawn or dismissed.

11.4 The council of the strata company is empowered:

11.4.1 to include the amount of the Costs in the amounts to be raised for the purposes of section 100(1)(a) of the Act; and

11.4.2 to raise the amount of the Costs by levying a contribution for those Costs solely on that Specified Owner in accordance with section 100(1)(c)(ii) of the Act.

11.5 If any Costs remain outstanding for more than fourteen (14) days, the strata company may also recover the Costs from the Specified Owner as a liquidated debt in a court of competent jurisdiction.

Motion DEFERRED.

10. Damage to Common Property By-Law

The strata company resolves by a resolution without dissent to add the following schedule 1 governance by-law to the by-laws that apply to the scheme:

12 Damage to common property

12.1 In this by-law:

12.1.1 Act means the Strata Titles Act 1985.

12.1.2 Council means the council of the Strata Company.

12.1.3 Guest means a person invited onto a lot or the Common Property within the Scheme by an owner or occupier.

12.1.4 Lot means a lot in the Scheme.

12.1.5 Owner means the owner of a Lot as defined under section 3(1) of the Act.

12.1.6 Occupier means any tenant, occupier, employee, agent or contractor of an Owner who occupies:

(a) the Owner's Lot; or

(b) the common property.

12.1.7 Scheme means this strata scheme or survey-strata scheme.

12.2 If:

12.2.1 an Owner; or

12.2.2 an Occupier; or

12.2.3 any Guest of the Owner or Occupier,

causes any damage, harm, injury, destruction or vandalism to any part of the common property or personal property of the strata company (Damage), that Owner (Specific Owner) must remedy the Damage and reinstate the common property or personal property to a standard acceptable to the council of the strata company (Rectify) at the Specific Owner's expense.

12.3 Should a Specific Owner fail or refuse to Rectify the Damage within fourteen (14) days of a written request from the strata company, the strata company may engage any contractor, tradesperson or professional service provider as it deems appropriate to Rectify the Damage (Remedial Works).

12.4 The council of the strata company may:

12.4.1 include any amount incurred by the strata company for the purposes of performing the Remedial Works (Rectification Costs) in the amounts to be raised for the purposes of section 100(1)(a) of the Strata Titles Act 1985 (WA) (Act); and

12.4.2 raise the amount of the Rectification Costs by levying a contribution for an amount equal to the sum of the Rectification Costs solely on the Specific Owner in accordance with section 100(1)(c)(ii) of the Act.

12.5 If any Rectification Costs remain outstanding for more than fourteen (14) days, the strata company may also recover the Rectification Costs from the Specific Owner as a liquidated debt in a court of competent jurisdiction.

Motion DEFERRED.

11. Incorrect Disposal of Garbage or Waste By-Law

The strata company resolves by a resolution without dissent to add the following schedule 1 governance by-law to the by-laws that apply to the scheme:

13 Incorrect disposal of garbage or waste

13.1 In this by-law:

13.1.1 **Act** means the **Strata Titles Act 1985**.

13.1.2 **Council** means the **council of the Strata Company**.

13.1.3 **Lot** means a lot in the **Scheme**.

13.1. Owner means the owner of a **Lot** as defined under section 3(1) of the **Act**.

13.1.4 **Occupier** means any tenant, occupier, employee, agent or contractor of an **Owner** who occupies that **Owner's Lot**.

13.1.6 **Scheme** means this strata scheme or survey-strata scheme.

13.2 An Owner is responsible for:

13.2.1 any item abandoned or incorrectly disposed of whatsoever (Waste) on any part of the common property by that **Owner**, an **Occupier** of that **Owner's Lot** or any invitee of that **Owner** or **Occupier**; and

13.2.2 taking all steps to promptly remove the Waste from the Scheme.

13.3 If an Owner breaches this by-law (Responsible Owner), the strata company may, after giving written notice to the Responsible Owner:

13.3.1 carry out all works required to rectify that breach to remove, relocate and or dispose of the Waste (Disposal Works) as permitted by any written law; and

13.3.2 the Council is empowered:

(a) to include the amount of the costs incurred by the strata company in performing the Disposal Works (Disposal Costs) in the amounts to be raised for the purposes of section 100(1)(a) of the **Act**; and

(b) to raise the amount of Disposal Costs incurred by levying a contribution for those costs solely on the Responsible Owner in accordance with section 100(1)(c)(ii) of the **Act**.

Motion FAILED - Defeated by Simple Majority

12. Administrative Fund Budget & Contributions

12.1. Budget

Resolve to adopt the Administrative Fund budget of expenditure totalling \$22,283.00 inclusive of GST, as attached to this notice of meeting, for the period 01/07/2024 to 30/06/2025.

- The Council is to review the Administrative Fund budget and financials in preparation of the next Annual General Meeting.

Motion CARRIED - Passed by Simple Majority

Mover: Adam Lee Haines Seconder: Cam-Tu Hine as Proxy for Lot 2

12.2. Determination of Levy Contributions

Resolve that the contributions to the Administrative Fund to raise a total of \$22,283.00 inclusive of GST for the period 01/07/2024 to 30/06/2025 be met by the raising of levies calculated in accordance with the unit entitlement, due and payable in instalments in the amounts and on the dates outlined below:

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Entitlement
Already Issued	01/07/2024 to 30/09/2024	01 Jul 2024	30 Sep 2024	01 Jul 2024	\$5,792.50	\$5.79250
Already Issued	01/10/2024 to 31/12/2024	01 Oct 2024	31 Dec 2024	01 Oct 2024	\$5,792.50	\$5.79250
	01/01/2025 to 31/03/2025	01 Jan 2025	31 Mar 2025	20 Feb 2025	\$5,349.00	\$5.34900
	01/04/2025 to 30/06/2025	01 Apr 2025	30 Jun 2025	01 Apr 2025	\$5,349.00	\$5.34900
Total		01 Jul 2024	30 Jun 2025		\$22,283.00	\$22.28300

And, that the contributions to the Administrative Fund continue to be raised at the below rate per quarter until otherwise determined at a future General Meeting:

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Entitlement
	01/07/2025 to 30/09/2025	01 Jul 2025	30 Sep 2025	01 Jul 2025	\$5,570.75	\$5.57075
Total		01 Jul 2025	30 Sep 2025		\$5,570.75	\$5.57075

Motion CARRIED - Passed by Simple Majority

Mover: Cam-Tu Hine as Proxy for Lot 2 Seconder: Adam Lee Haines

13. Reserve Fund Budget & Contributions

A Strata Company with 10 or more lots, or with a replacement cost of more than \$5 million, must implement a Reserve Fund.

13.1.Budget

Resolve to adopt the Reserve Fund budget of expenditure totalling \$1,000.00 inclusive of GST, as attached to this notice of meeting, for the period 01/07/2024 to 30/06/2025.

Motion CARRIED - Passed by Simple Majority

Mover: Cam-Tu Hine as Proxy for Lot 2 Seconder: Adam Lee Haines

13.2. Determination of Levy Contributions

Resolve that the contributions to the Reserve Fund to raise a total of \$1,000.00 inclusive of GST for the period 01/07/2024 to 30/06/2025 be met by the raising of levies calculated in accordance with the unit entitlement, due and payable in instalments in the amounts and on the dates outlined below:

Levy Status	Financial Period	Period From	Period To	Due	Reserve Fund	Per Lot Entitlement
Already Issued	01/07/2024 to 30/09/2024	01 Jul 2024	30 Sep 2024	01 Jul 2024	\$250.00	\$0.25000
Already Issued	01/10/2024 to 31/12/2024	01 Oct 2024	31 Dec 2024	01 Oct 2024	\$250.00	\$0.25000
	01/01/2025 to 31/03/2025	01 Jan 2025	31 Mar 2025	20 Feb 2025	\$250.00	\$0.25000
	01/04/2025 to 30/06/2025	01 Apr 2025	30 Jun 2025	01 Apr 2025	\$250.00	\$0.25000
Total		01 Jul 2024	30 Jun 2025		\$1,000.00	\$1.00000

And, that the contributions to the Reserve Fund continue to be raised at the below rate per quarter until otherwise determined at a future General Meeting:

Interim Periods

Levy Status	Financial Period	Period From	Period To	Due	Reserve Fund	Per Lot Entitlement
	01/07/2025 to 30/09/2025	01 Jul 2025	30 Sep 2025	01 Jul 2025	\$250.00	\$0.25000
Total		01 Jul 2025	30 Sep 2025		\$250.00	\$0.25000

Motion CARRIED - Passed by Simple Majority

Mover: Adam Lee Haines Seconder: Cam-Tu Hine as Proxy for Lot 2

14. Appointment of Strata Manager

Resolve that Realmark Strata be reappointed as Strata Managers for the Strata Company for a period of 15 months from 01/07/2024 at a standard annual management fee of \$2,758.44 including GST and with an annual increase of 3%.

Motion CARRIED - Passed by Simple Majority

Mover: Adam Lee Haines Seconder: Cam-Tu Hine as Proxy for Lot 2

15. Other Business

Building Cleaner

It was discussed that there are concerns that the engaged cleaners are not attending site in line with the invoices received. It was agreed that Realmark Strata is to request proof of attendance from the building cleaner.

The owners agreed that if proof of attendance cannot be provided the Council may decide to terminate the agreement with the cleaner.

It was agreed that the Council is to review the scope of works for the cleaner and deem what is needed.

Building Gardener

It was discussed and agreed that the Council review and clarify the scope of works for the engaged gardener.

The Council is to review the costs of the gardener.

Realmark Strata is to clarify with the gardener if they can complete weeding, removing leaves from common property and any other items the Council wish to query for the scope of works.

Fire Services Contract

The owners agreed that a quote would be sourced from an alternative contractor for the fire protection servicing and maintenance.

High Pressure Cleaning

It was discussed that the Council is to investigate options on completing quarterly high pressure cleaning of the stairs and upstairs common areas.

16. Closure of Meeting

With no further business to address, Neave Kerslake thanked all attending proprietors and declared the meeting closed at 06:10 PM.

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