Strata Inspection Report

BESAFE
The Building And Pest Expert

Client Name:	Michelle Anne Kelly & Steven Craig Levien
Lot No:	8
Strata Plan No:	54471
Property Address:	8/1-3 Burns Road, Wahroonga
Date Inspected:	12/05/2022
Commissioned by:	BeSafe Inspections
Contact:	ryan@besafeinspections.com.au

Some information to help you understand your report:

We advised that the inspection and report was compiled using visual only inspection for any readily accessible books and records that were provided by the appointed Strata Manager at the time of the inspection. Please read all sections of the report as well as any information provided at the end of the document to understand the report fully. This report is prepared for your information only (or the company who ordered this report) and no liability or responsibility is due to any third party who may rely on this report in whole or in part.

Contact the Inspector

Any enquiries relating to the report or its content must be directed to the Inspector on 0405 107 180.

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LIST OF INSPECTED DOCUMENTS

Listed are documents that are normally made available by the Strata Management during an inspection of the Strata Records.

DOCUMENT	AVAILABLE FOR INSPECTION
Strata Roll	Yes ☑ No ☐
Strata Plan	Yes ☑ No ☐
Certificate of Title	Yes ☑ No ☐
Financial Accounts	Yes ☑ No ☐
Capital Works Fund Forecast	Yes ☑ No ☐
Insurance Valuation	Yes ☑ No ☐
Building Insurance	Yes ☑ No ☐
AGM Minutes for previous 5 years	Yes ☑ No ☐
EGM minutes (if applicable)	Yes ☑ No ☐
Correspondence File	Yes ☐ No ☑
Fire Safety Certificate	Yes ☐ No ☑
Workplace Health and Safety Report	Yes ☑ No ☐
Asbestos Report	Yes ☑ No ☐
Combustible Cladding Report	Yes ☐ No ☑
Termite Inspection	Yes ☑ No ☐
By-Laws	Yes ☑ No ☐

NOTES AND COMMENTS

MANAGING AGENT DETAILS

Strata Management	Exec Estate Strata Management
Address	668 Pacific Hwy, Killara
Telephone Number	1300 032 007
Agency Agreement	Sighted
Is there a strata roll	Yes

STRATA ROLL DETAILS

Name of owner recorded	Steven Levien & Michelle Kelly
Address recorded	8/1-3 Burns Road, Wahroonga
Mortgages recorded	Nil Apparent
Leases recorded	Nil Apparent
Has the initial period expired	Yes

CERTIFICATE OF TITLE

The Certificate of Title is not normally found in the strata records. A Title Search is normally conducted and included as part of the sale contract documentation. Please liaise with your legal adviser on this issue.

A search should be made at NSW Land and Property Information regarding registers dealings. The Strata Schemes Management Act 2015 requires that a change of By-Laws must be registered within six (6) months of a resolution being passed.

Certificate of Title sighted	Sighted
Date of registration of strata plan	24/03/1997
Number of lots in strata scheme	9
Aggregate units of entitlement	690
Unit entitlement of subject lot	140

BY-LAWS

New Strata Legislation (effective 30 November 2016)

The Strata Schemes Management Act 2015 commenced on 30 November 2016 which enacted new regulations regarding By-Laws. All Strata Schemes should have reviewed their By-Laws before 1 December 2017. Schemes prior to 1 July 1997 were required to initially adopt the new model By-Laws. However, they can be subject to changes via a Special Resolution in a general meeting of the Owners Corporation.

Strata Schemes commencing between 1 July 1997 and 30 November 2016 are not required to adopt the new model By-Laws.

By-laws registered	Yes
Are any by-laws approved but not registered	Nil Apparent
Are there any proposed changes to by law	Nil Apparent
By-Laws regarding animals	Refer to the attached By-Laws for detailed conditions
Any evidence of animals being refused	Nil Apparent
Any evidence of animals being accepted	Nil Apparent

MEETING MINUTES

Are records of the minutes retained	Yes
Minutes were inspected from	AGM 2018 to AGM 2022

ACCOUNT BALANCES

Strata Scheme Current Account Balances

Admin Fund	$17,854.87
Capital Works Fund	$73,339.06
TOTAL	$91,193.93
Account Balance Sheet attached?	Yes

ANNUAL BUDGET CONTRIBUTION

When was the current budget determined	AGM dated 26/04/2022
Budget for current year attached	No

Annual Budget Contribution (by year)

Year	Administration Fund	Capital Works Fund	Differences
AGM 2022	$16,500.00	$8,998.00	-2.00%
AGM 2021	$16,500.00	$9,517.20	17.64%
AGM 2020	$12,963.50	$9,152.00	-

Is the Capital Fund separately levied	Yes

Current Income & Expenditure attached	Yes
Has an Auditor been appointed	Yes
Evidence of Income tax return	Sighted

LEVY CONTRIBUTION

Current standard Levies for subject Lot

Administration Fund	$836.96 / Qtr
Capital Works Fund	$456.42 / Qtr
Special Levies	Nil Apparent
Amount Outstanding	$0.00

Special Levies for Strata Scheme

Evidence of Proposed Special Levies?	Nil Apparent
Likelihood of upcoming Special Levy	Unable to determine
Any Special Levies in the past 5 years	Nil Apparent

Special Levies Raised - Last 5 years

Year	Amount	Purpose

PROPOSED MAJOR EXPENDITURE

Evidence of any proposed major works sighted?

Nil Apparent

MAJOR EXPENDITURE

Financials for the last five years sighted	Sighted
Financials attached	No

This list is mainly consisted of Capital Works Fund expenditure and only significant items are listed – it does not include items of a regular nature or minor common items. It is not, and should not be interpreted as being, exhaustive

2021 – 2022 FY – Undetermined Maint Bldg – Electrical - $4,400.00 – Capital Works Fund
2021 – 2022 FY – Undetermined Maint Grounds – Gardening S/F - $3,025.00 – Capital Works Fund
2020 – 2021 FY – Undetermined Maint Bldg – Building Repair - $12,147.92 – Capital Works Fund
2020 – 2021 FY – Undetermined Maint Bldg – Roof - $5,850.00 – Capital Works Fund
2019 – 2020 FY – Undetermined Maint Bldg – Building Repairs - $15,458.44 – Capital Works Fund
2019 – 2020 FY – Undetermined Maint Bldg – Garage Doors - $2,681.82 – Capital Works Fund
2019 – 2020 FY – Undetermined Maint Bldg – Painting External - $41,733.00 – Capital Works Fund
2018 – 2019 FY – Undetermined Admin – Other Expenses – Capital Works - $50,025.00 – Capital Works
2017 – 2018 FY – Undetermined Admin – Other Expenses – Capital Works - $50,025.00 – Capital Works
2017 – 2018 FY – Undetermined Maint Bldg – Window Repairs - $1,599.00 – Capital Works Fund

INSURANCE

The Strata Schemes Management Act 2015 requires the Owners Corporation to have the following:

- Building insurance for at least the amount determined in accordance with the Strata Schemes Management Regulations. An insurance valuation to estimate the total building replacement cost is not compulsory but is recommended to be carried out at least every 3 years;
- Public Liability cover to a minimum of $20,000,000;
- Workers' Compensation insurance; and
- Voluntary Workers insurance.

Insurance Details

Insurer	Axis
Policy Number	P-008484
Due Date	18/02/2023
Premium	$5,462.69
Building Amount Insured	$3,545,000
Last Valuation Sighted	12/01/2022
Last Valuation amount	$3,545,000

HARMONY

Is there any evidence of disharmony other than those listed under notices and orders?

☐ Yes ☑ No

NOTICE AND ORDERS

Any orders made by the adjudicator	☐ Yes	☑ No
Any evidence of court order/legal action	☐ Yes	☑ No

GENERAL COMMENTS FROM MINUTES OF GENERAL MEETINGS

Due to time restrictions, Strata Committee Meetings held more than 12 months from the date of the inspection are not inspected.

Notable Motions from Minutes (without limitation – Refer to the attached minutes for all motions)

Nil Apparent - Refer to the attached minutes for all motions

Documents attached with this Report

- Strata Roll
- Owner Ledger
- Balance Sheet
- Financials
- By-Laws
- AGM Minutes – 26/04/2022
- AGM Minutes – 30/04/2021
- SCM Minutes – 01/05/2020
- AGM Minutes – 01/05/2020
- EGM Minutes – 19/06/2019
- SCM Minutes – 03/05/2019
- AGM Minutes – 03/05/2019
- AGM Minutes – 04/05/2018
- Certificate of Title
- Insurance – Certificate of Currency
- Capital Works Fund Report
- Asbestos Report
- Northconnex Defects Signoff
- Switchboard Inspection Report
- Termite Inspection Report

GLOSSARY

A

Agenda

A list of motions or issues to be voted upon or deliberated at a meeting.

Aggregate Unit Entitlement

The total of all the individual lot unit entitlements in the Strata Scheme. See also Total Unit Entitlement and Unit Entitlement.

Airspace

A lot owner effectively owns the airspace (and anything included in the airspace) inside the boundary walls, floor and ceiling of the lot. Lot airspace may include balconies and courtyards. Everything within the airspace must be maintained at the owner's cost.

Annual General Meeting (AGM)

A meeting of owners and other interested parties (as noted on the Strata Roll) that must be convened once a year under the NSW Strata Schemes Management Act 2015. Also see General Meeting.

B

Budget

An estimation of future receipts and payments likely to occur in the coming year for a scheme. This estimate is prepared by the Strata Committee or the Strata Managing Agent and is based principally on the historical costs of the scheme.

Building Management Committee (BMC)

A Committee formed to facilitate the operation of multiple strata plans that share building space and common facilities.

By-Laws

A set of rules the residents (owners and tenants) in the strata or community scheme must abide by.

C

Capital Works Fund (previously known as Sinking Fund)

A fund, under the control of the Owners Corporation, used to cover major renewal, repair or replacement works for the scheme including such things as window bar replacement, structural rectification, roofing replacement or repair, common property painting, stairwell carpet replacement, balcony problems, unexpected emergencies etc. Contributions are set by the Owners Corporation and are usually paid in quarterly instalments (see Levies).

Certificate of Title

A title deed issued by the NSW Land and Property Information to prove ownership of a lot. The Owners Corporation is also issued with a title deed for the common property.

Common Property

Common property is areas such as driveways, external walls, roofs, stairwells, foyers and gardens. Ownership is shared between Lot owners. Everything that is not defined as part of a Lot is common property.

Community Scheme

Is a Scheme that differs from a Strata Scheme in that the lot owners are responsible for maintaining any structures on their lot, both inside and outside the structures. They are also responsible for the upkeep of any common (association) property.

E

Exclusive Use

A special right granted to an owner to use a part of the common property (e.g. exclusive use of a car space located on common property).

Executive Committee (see Strata Committee)

Extraordinary General Meeting (EGM)

A meeting held outside the time frame of the Annual General Meeting for the consideration of any matters that need to be addressed by all owners.

H

Harmony

A term used to describe the level of owner contentment that exists within a scheme. Issues that impact on the level of harmony are parking, noise, animals and disputes between neighbours, owners and the Strata Committee.

I

Initial Period

The period in which the original owner still owns strata lots in a Strata Scheme for which the sum of the unit entitlements of those lots comprises more than 2/3 of the aggregate unit entitlement of the scheme.

L

Levies

Contributions, usually paid quarterly, by the owners to the Owners Corporation to cover regular expenditure and future major works expenses. The amount paid by each lot owner is regulated by the unit entitlement of their respective lot and allocated to both the Administrative and Capital Works (previously known as Sinking) Funds.

Lot

A strata scheme is a building or collection of buildings that has been divided into 'lots'. Lots can be individual units/apartments, townhouses or houses. When a person buys a lot, they own the individual lot and also share the ownership of common property with other lot owners.

M

Minutes

A documented record of all proceedings for all meetings held by the Owners Corporation and Executive Committee.

Motion

A proposal put forward for consideration at meetings held by the Owners Corporation and the Strata Committee.

O

Ordinary Resolution

A resolution that requires a majority vote of eligible owners or representatives present at a general meeting. An ordinary resolution motion is resolved if the majority of the votes cast are in favour of the motion otherwise the motion is defeated. Ordinary Resolutions are proposed to deal with such things as determining levy contributions and administrative matters.

Original Owner

The owner of the entire strata titled complex when the Strata Scheme was originally registered. It is usually the developer or builder.

Owners Corporation

The legal entity consisting of all the owners of the lots in a Strata Scheme and formed when a Strata Plan is registered.

P

Poll

A method of voting at meetings where each owner's vote has a value based on their lots unit entitlement.

Proxy

A person appointed, in writing, by an owner or mortgagee to attend a meeting and vote on theappointer's behalf.

Q

Quorum

A quorum for a general meeting is 25% of people entitled to vote or owners who hold 25% or more of unit entitlement. A quorum for an executive committee meeting is at least 50% of the executive committee members.

R

Resolution

A decision made at a meeting based on a motion raised and addressed at the meeting. There are 3 types of resolutions – Ordinary Resolutions, Special Resolutions and Unanimous Resolutions.

S

Sinking Fund (see Capital Works Fund)

Special Levy

A Special Levy is raised to pay for expenses not budgeted for in either the Administrative Fund or the Capital Works Fund (previously Sinking Fund). The amount and number of payments are specified at a general meeting of the Owners Corporation where the levy is approved.

Special Resolution

A Special Resolution requires a minimum 75% of the owners in favour of a motion, based on unit entitlement, when presented at a general meeting of the owners corporation. Special Resolutions are proposed to deal with such things as issues concerning common property or the amending of By-Laws.

Strata Committee (previously known as the Executive Committee)

Elected representatives of the owners. The election takes place at each Annual General Meeting.The three main positions are Chairman, Secretary and Treasurer.

Strata Roll

The register of the owners of all lots in the Strata Scheme including any utility lots. It also includes the names of other interested parties such as any mortgagees, covenant charges or lessees.

Strata Scheme

A Strata Scheme is a building or collection of buildings that has been divided into ‘lots’. Lots can be individual units/apartments, townhouses or houses. When a person buys a lot, they own the individual lot and also share the ownership of common property with other lot owners. Common property generally includes things like gardens, external walls, roofs, driveways and stairwells.

T

Total Unit Entitlement

The total of all the individual lot unit entitlements in the Strata Scheme.

Tribunal

The NSW Civil and Administrative Tribunal (NCAT) hears and determines disputes between tenants, landlords, traders and consumers in a timely and effective manner.

U

Unanimous Resolution

A Unanimous Resolution requires 100% of the owners in favour of a motion when presented at a general meeting of the owners corporation. Unanimous resolutions are proposed to deal with such things as alterations to the Strata Plan or dealing with some Insurance matters.

Unit Entitlement

Each lot in a strata plan is allocated a unit entitlement based upon its value relative to the other lots in the scheme. This entitlement regulates the proportion of the levies payable by the lot owners and the voting rights of the lot.

W

WHS – Work Health & Safety

An acronym for Work Health & Safety which is a set of rules and regulations concerned with protecting the safety, health and welfare of people engaged in work or employment. The goal of occupational safety and health programs is to foster a safe and healthy work environment.

TERMS & CONDITIONS

The contents of this report are based upon an inspection of those body corporate records available for a period of up to five (5) years prior to the date of this report, unless otherwise stated. Where relevant, information received in the course of conversation with officers of the body corporate and/or the managing agent is included.

This Strata Report is based solely on an inspection of the records of the Owners Corporation provided for our inspection and we do not carry out any physical inspection of the unit or of the building.

Whilst all reasonable care has been taken in the production of this report, no guarantee of accuracy is offered or implied in respect of the information supplied to us at the time of inspection. You should be aware that in some cases Strata Managers hold a "Pending" or "Work in Progress" (WIP) file which is not made available for strata inspection. Important information which may be contained in such files will not appear in this Strata Report where the files have not been provided to us at the time of inspection.

No responsibility is accepted for any loss or damage whatsoever arising from Inaccuracies contained in the information supplied to us at the time of inspection.

Where the Owners Corporation's records provided for our inspection contain a notice or order from Council requiring fire safety or occupational health and safety upgrade works to be undertaken this information is included in this Strata Report. However, the absence of a notice or order from the Owners Corporation's records should not be taken as indicating that the building complies with the Building Code of Australia in regard to these matters.

We recommend strongly that you speak to your solicitor or conveyancer about checking on these matters with Council and, where appropriate, consultants qualified in these areas. It is not unusual for Councils to issue fire upgrade orders or notices on Owners Corporations and compliance can be very expensive. The existence or absence of easements, rights of way and the like are outside the scope of this Strata Report. This information should be obtained from the title of the unit and of the common property through your solicitor or conveyancer.

This report is made for the benefit of the parties listed herein (other than the vendor) and no other person shall be or shall be deemed to be entitled to rely on this report for any purpose whatsoever. Any third party acting or relying on this Report whether in whole or in part does so at their own risk.

TERMS & CONDITIONS (Continued)

1. This Strata Inspection Report has been authorised by the Vendor, or their legal representative.
2. The information contained in this report is based on the materials provided for the inspection by the Strata Manager/Strata Committee, including electronic filing where available. We are unable to determine whether any relevant material was withheld from this search by the Strata Manager/Strata Committee including any files that may have been archived.
3. Besafe group or their contractor will take no responsibility for records that have been withheld unknowingly from the inspector by the Strata Manager/Strata Committee.
4. The observations made of the state of the strata premises are based upon our documentation search and not from any physical inspection of the building, unless otherwise specified in this report.
5. This report relates to the inspection of the Owners Corporations records to a maximum of 5 years for General meetings if available at the time of the inspection, and a maximum of 12 months for all other correspondence held by the Owners Corporation, where possible.
6. It is recommended that a Pre-Purchase Building Inspection and Pre-Purchase Pest Inspection be carried out prior to purchase.
7. If you would like more information regarding strata title management in NSW, we recommend the following resources:

   http://www.fairtrading.nsw.gov.au/ftw/Tenants_and_home_owners/Strata_schemes.page?

ExecEstate Strata
EXEC-ESTATE STRATA PTY LTD ABN 65 643 807 578
EXEC-ESTATE PTY LTD ABN 88 000 957 166
Level 1, 668 PACIFIC HIGHWAY KILLARA NSW 2071
PO BOX 212 GORDON NSW 2072
P: 1300 032 007
E: admin@execestate.com.au

Strata Roll

LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION

COMMON PROPERTY / GENERAL INFORMATION

The Owners--Strata Plan 54471 1-3 Burns Road, Wahroonga NSW 2076

Original owner

Developer

Builder

Managing agent Exec-Estate Pty Ltd
Level 1, 668 Pacific Highway

KILLARA NSW 2071

Assigned manager Marguerite Woochuk

Unit entitlements

Levy

Lot no.	Associated lots	Unit no.	U/E	Lot no.	Associated lots	Unit no.	U/E
1		1	0.00	2		2	0.00
3		3	0.00	4		4	120.00
5		5	110.00	6		6	120.00
7		7	100.00	8		8	140.00
9		9	100.00				
				Total unit entitlement			690.00

Insurance

Policy No. P-008484 Axis Underwriting Services PTY LTD

Type: Building Broker: AIB Pty Ltd
PO Box 773, CHATSWOOD 2057

Premium: $5,462.69 Paid on: 18/02/2022 Policy start date: 18/02/2022 Next due: 18/02/2023

Cover	*Sum insured*	*Excess*
Building	$3,545,000.00	$1,000.00
ATO Audit Costs	$25,000.00	$1,000.00
Fidelity Guarantee	$100,000.00	$0.00
Legal Expenses	$50,000.00	$1,000.00
Office Bearers Liability	$5,000,000.00	$0.00
Personal Accident	200000/2000	$0.00
Lot Owners Fixtures & Improvements	$250,000.00	$0.00
Public Liability	$30,000,000.00	$0.00
Work, Health & Safety Breaches	$100,000.00	$0.00
Loss Of Rent	$531,750.00	$1,000.00
Contents	$35,450.00	$1,000.00
Catastrophe	$1,063,500.00	$1,000.00
Lot Owners Fixtures & Improvements	$300,000.00	$1,000.00

Strata Committees

Chairman	Mr Steven Levien 8/1-3 Burns Road, Wahroonga NSW 2076
Secretary	Mr Ruchir Patel 4/1-3 Burns Road, Wahroonga NSW 2076
Treasurer	Mrs Judith Gerhardt 5/1-3 Burns Road, Wahroonga NSW 2076
Member	Mrs Val Strothers 7/1-3 Burns Road, WAHROONGA NSW 2076

INDIVIDUAL LOT

Lot 8 Associated lots: Unit no. 8

Unit entitlements

Levy 140.00 / 690.00

Owners

Name	Address for service of notices
Ms H L Bentley	8/1-3 Burns Road, WAHROONGA NSW 2076
Email Address	
Date of entry	**Date of purchase**
Roslyn LLOYD-WILLIAMS	Villa 3/8 Collins Road, ST IVES NSW 2076
Email Address roslw@icloud.com	
Date of entry 01/11/2007	**Date of purchase** 26/10/2007
Steven LEVIEN & Michelle KELLY	8/1-3 Burns Road, Wahroonga NSW 2076
Email Address sclevien@gmail.com	
Date of entry 30/05/2017	**Date of purchase** 30/05/2017

Mortgages None

Leases None

ExecEstate Strata
EXEC-ESTATE STRATA PTY LTD ABN 65 643 807 578
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Level 1, 668 PACIFIC HIGHWAY KILLARA NSW 2071
PO BOX 212 GORDON NSW 2072
P: 1300 032 007
E: admin@execestate.com.au

Owner Ledger

Start Date: 01/05/2020
End Date: 31/05/2024
Owners: One only

LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION

The Owners--Strata Plan 54471 — 1-3 Burns Road, Wahroonga NSW 2076

Lot 8 **Unit 8** **S Levien & M Kelly** — UE / AE: 140.00 / 690.00

Levies

Levy no.	Due date	Frequency	Details	Admin Fund Due	Admin Fund Paid	Capital Works Fund Due	Capital Works Fund Paid	Interest paid	Discount	Levy type	Status	Group
			Balance brought forward	**0.00**		**0.00**						
1	01/07/2020	Quarterly	Quarterly Admin/Capital Works Levy	657.58	657.58	464.23	464.23	0.00	0.00%	Standard	Normal	None
2	01/10/2020	Quarterly	Quarterly Admin/Capital Works Levy	657.58	657.58	464.23	464.23	0.00	0.00%	Standard	Normal	None
3	01/01/2021	Quarterly	Quarterly Admin/Capital Works Levy	657.58	657.58	464.23	464.23	0.00	0.00%	Standard	Normal	None
4	01/04/2021	Quarterly	Quarterly Admin/Capital Works Levy	657.58	657.58	464.23	464.23	0.00	0.00%	Standard	Normal	None
5	01/07/2021	Quarterly	Quarterly Admin/Capital Works Levy	836.96	836.96	482.76	482.76	0.00	0.00%	Standard	Normal	None
6	01/10/2021	Quarterly	Quarterly Admin/Capital Works Levy	836.96	836.96	482.76	482.76	0.00	0.00%	Standard	Normal	None
7	01/01/2022	Quarterly	Quarterly Admin/Capital Works Levy	836.96	836.96	482.76	482.76	0.00	0.00%	Standard	Normal	None
8	01/04/2022	Quarterly	Quarterly Admin/Capital Works Levy	836.96	836.96	482.76	482.76	0.00	0.00%	Standard	Normal	None
9	01/07/2022	Quarterly	Quarterly Admin/Capital Works Levy	836.96	0.00	456.42	0.00	0.00	0.00%	Standard	Normal	None
10	01/10/2022	Quarterly	Quarterly Admin/Capital Works Levy	836.96	0.00	456.42	0.00	0.00	0.00%	Standard	Normal	None
11	01/01/2023	Quarterly	Quarterly Admin/Capital Works Levy	836.96	0.00	456.42	0.00	0.00	0.00%	Standard	Normal	None
12	01/04/2023	Quarterly	Quarterly Admin/Capital Works Levy	836.96	0.00	456.42	0.00	0.00	0.00%	Standard	Normal	None

Current position: Unallocated prepayments $0.00 — Levy arrears & owner invoices due $0.00 — Interest on levy arrears $0.00

Receipts

Date	Receipt no.	Subtype	Status	Source	Admin Fund Paid	Admin Fund Interest	Capital Works Fund Paid	Capital Works Fund Interest	Unallocated Paid	Total amount	Cheque no.	Levy no.
07/07/2020	757	Receipt	Banked		657.58	0.00	464.23	0.00	0.00	1,121.81		1
29/09/2020	766	Receipt	Banked		657.58	0.00	464.23	0.00	0.00	1,121.81		2

Lot 8 **Unit 8** **S Levien & M Kelly** UE / AE: 140.00 / 690.00

07/01/2021	773	Receipt	Banked	657.58	0.00	464.23	0.00	0.00	1,121.81	3
11/03/2021	777	Receipt	Banked	657.58	0.00	464.23	0.00	0.00	1,121.81	4
22/06/2021	783	Receipt	Banked	836.96	0.00	482.76	0.00	0.00	1,319.72	5
28/09/2021	792	Receipt	Banked	836.96	0.00	482.76	0.00	0.00	1,319.72	6
30/11/2021	795	Receipt	Banked	836.96	0.00	482.76	0.00	0.00	1,319.72	7
11/12/2021	796	Receipt	Banked	836.96	0.00	482.76	0.00	0.00	1,319.72	8

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Income & Expenditure Statement for the financial year-to-date 01/04/2022 to 30/04/2022

LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION

The Owners--Strata Plan 54471 — 1-3 Burns Road, Wahroonga NSW 2076

Administrative Fund

	Current period 01/04/2022-30/04/2022	Previous year 01/04/2021-31/03/2022
Revenue		
Levies Due--Admin	4,125.01	15,321.33
Total revenue	4,125.01	15,321.33
Less expenses		
Admin--Audit & Accountancy	0.00	1,341.00
Admin--Bank Charges--Bpay	0.00	38.85
Admin--BAS Collation of data for return	0.00	252.00
Admin--Disbursements & processing	22.00	258.00
Admin--Extra Management Cost	0.00	432.00
Admin--Legal & Debt Collection Fees	0.00	675.92
Admin--Management Fees--Standard	183.16	2,120.94
Admin--Other Expenses--Admin	0.00	30.00
Insurance--Fee	0.00	753.50
Insurance--Premiums	0.00	5,462.69
Insurance--Valuation	0.00	295.00
Maint Bldg--Cleaning	0.00	275.00
Maint Bldg--Consultants	0.00	97.90
Maint Bldg--General Repairs	308.00	1,515.00
Maint Bldg--Pest/Vermin Control	0.00	1,361.50
Maint Grounds--Gardening	0.00	590.74
Utility--Electricity	0.00	359.49
Utility--Gas	234.76	2,351.95
Total expenses	747.92	18,211.48
Surplus/Deficit	3,377.09	(2,890.15)
Opening balance	16,911.94	19,802.09
Closing balance	**$20,289.03**	**$16,911.94**

Capital Works Fund

	Current period 01/04/2022-30/04/2022	Previous year 01/04/2021-31/03/2022
Revenue		
Levies Due--Capital Works	2,379.31	9,217.93
Total revenue	2,379.31	9,217.93
Less expenses		
Maint Bldg--Electrical	0.00	4,400.00
Maint Grounds--Gardening S/F	0.00	3,025.00
Total expenses	0.00	7,425.00
Surplus/Deficit	2,379.31	1,792.93
Opening balance	70,959.75	69,166.82
Closing balance	**$73,339.06**	**$70,959.75**

ExecEstate Strata
EXEC-ESTATE STRATA PTY LTD ABN 65 643 807 578
EXEC-ESTATE PTY LTD ABN 86 000 957 166
Level 1, 668 PACIFIC HIGHWAY KILLARA NSW 2071
PO BOX 212 GORDON NSW 2072
P: 1300 032 007
E: admin@execestate.com.au

Balance Sheet
As at 12/05/2022

LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION

The Owners--Strata Plan 54471 — 1-3 Burns Road, Wahroonga NSW 2076

	Current period
Owners' funds	
Operating Surplus/Deficit--Admin	942.93
Owners Equity--Admin	16,911.94
	17,854.87
Operating Surplus/Deficit--Capital Works	2,379.31
Owners Equity--Capital Works	70,959.75
	73,339.06
	0.00
Net owners' funds	**$91,193.93**
Represented by:	
Assets	
Cash at Bank	18,263.49
Investments	72,929.86
Total assets	91,193.35
Less liabilities	
Creditor--GST	(0.58)
Total liabilities	(0.58)
Net assets	**$91,193.93**

ExecEstate Strata
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LEVEL 1, 668 PACIFIC HIGHWAY KILLARA 2071
PO BOX 212, GORDON NSW 2072
P 8667 8200
E strata@execestate.com.au

Income & Expenditure Statement for the financial year to 31/03/2021

The Owners--Strata Plan 54471 — 1-3 Burns Road, Wahroonga NSW 2076

Administrative Fund

	Current period 01/04/2020-31/03/2021	Previous year 01/04/2019-31/03/2020
Revenue		
Insurance Refund--Claims	1,191.00	2,181.82
Interest on Arrears--Admin	2.76	0.06
Interest--Bank	0.00	460.36
Levies Due--Admin	11,785.20	11,785.20
Prior Period GST Revenue Adjustment-Admin	0.00	2,334.45
Status Certificate Fees S184/S26	109.00	0.00
Strata Inspection Fees S182	38.70	0.00
Total revenue	13,126.66	16,761.89
Less expenses		
Admin--Audit & Accountancy	1,300.00	1,250.00
Admin--Bank Charges--Bpay	30.00	31.50
Admin--BAS Collation of data for return	480.00	465.00
Admin--Disbursements & processing	240.00	238.00
Admin--Extra Management Cost	80.00	1,565.00
Admin--Income Tax--Admin	0.00	(8.11)
Admin--Legal & Debt Collection Fees	0.00	2,614.11
Admin--Management Fees--Standard	1,890.00	1,882.00
Admin--Other Expenses--Admin	30.00	80.00
Admin--Status Certificate Fees Paid S184/S26	109.00	0.00
Admin--Strata Inspection Fees Paid S182	38.00	0.00
Insurance--Fee	573.00	556.00
Insurance--Premiums	4,532.20	4,308.91
Insurance--Valuation	268.18	268.18
Maint Bldg--Consultants	448.91	73.95
Maint Bldg--Electrical	680.00	0.00
Maint Bldg--General Repairs	405.00	2,167.18
Maint Bldg--Pest/Vermin Control	315.00	1,015.00
Maint Bldg--Plumbing & Drainage	260.00	0.00
Maint Grounds--Gardening	1,486.00	716.01
Utility--Electricity	317.36	322.92
Utility--Gas	1,768.57	1,666.40
Total expenses	15,251.22	19,212.05
Surplus/Deficit	(2,124.56)	(2,450.16)
Opening balance	21,926.65	24,376.81
Closing balance	**$19,802.09**	**$21,926.65**

Capital Works Fund

	Current period 01/04/2020-31/03/2021	Previous year 01/04/2019-31/03/2020
Revenue		
Interest on Arrears--Capital Works	1.95	0.00
Interest on Investments--Capital Works	0.00	586.54
Levies Due--Capital Works	8,240.00	6,000.00
Total revenue	8,241.95	6,586.54
Less expenses		
Admin--Income Tax--Capital Works	0.00	164.40
Maint Bldg--Building Repair	12,147.92	15,458.44
Maint Bldg--Garage Doors	0.00	2,681.82
Maint Bldg--Painting External	0.00	41,733.00
Maint Bldg--Roof	5,850.00	0.00
Total expenses	17,997.92	60,037.66
Surplus/Deficit	(9,755.97)	(53,451.12)
Opening balance	78,922.79	132,373.91
Closing balance	**$69,166.82**	**$78,922.79**

ExecEstate Strata
EXEC-ESTATE PTY LTD ABN 86 000 957 166
LEVEL 1, 668 PACIFIC HIGHWAY KILLARA 2071
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P 8467 8200
E strata@execestate.com.au

Income & Expenditure Statement for the financial year to 31/03/2019

The Owners--Strata Plan 54471 — 1-3 Burns Road, Wahroonga NSW 2076

Administrative Fund

	Current period 01/04/2018-31/03/2019	Previous year 01/04/2017-31/03/2018
Revenue		
Interest on Arrears--Admin	0.06	8.65
Interest--Bank	1,055.68	1,644.35
Levies Due--Admin	11,785.20	11,785.20
Status Certificate Fees S184/S26	0.00	109.00
Total revenue	12,840.94	13,547.20
Less expenses		
Admin--Audit & Accountancy	1,160.00	1,090.00
Admin--Bank Charges--Bpay	30.00	28.50
Admin--BAS Collation of data for return	420.00	420.00
Admin--Disbursements & processing	228.00	228.00
Admin--Income Tax--Admin	241.00	256.42
Admin--Management Fees--Standard	1,835.00	2,000.00
Admin--Other Expenses--Admin	0.00	60.00
Admin--Status Certificate Fees Paid S184/S26	0.00	109.00
Insurance--Fee	592.00	578.00
Insurance--Premiums	3,997.01	4,051.51
Insurance--Valuation	240.91	220.00
Maint Bldg--Consultants	950.00	84.00
Maint Bldg--Electrical	560.00	320.00
Maint Bldg--General Repairs	0.00	500.00
Maint Bldg--Pest/Vermin Control	1,137.27	1,080.00
Maint Grounds--Gardening	0.00	251.31
Prior Period GST Expense Adjustment-Admin	0.00	276.71
Utility--Electricity	404.21	373.79
Utility--Gas	1,585.88	1,698.69
Total expenses	13,381.28	13,625.93
Surplus/Deficit	(540.34)	(78.73)
Opening balance	24,917.10	24,995.83
Closing balance	**$24,376.76**	**$24,917.10**

Capital Works Fund

	Current period 01/04/2018-31/03/2019	Previous year 01/04/2017-31/03/2018
Revenue		
Interest on Investments--Capital Works	1,041.27	1,023.26
Total revenue	1,041.27	1,023.26
Less expenses		
Admin--Income Tax--Capital Works	52.46	3,344.67
Admin--Other Expenses--Capital Works	50,025.00	50,025.00
Maint Bldg--Window Repairs	0.00	1,599.00
Prior Period GST Expense Adjustment-Capital Works	0.00	37.40
Total expenses	50,077.46	55,006.07
Surplus/Deficit	(49,036.19)	(53,982.81)
Opening balance	181,410.10	235,392.91
Closing balance	**$132,373.91**	**$181,410.10**

AP506230

Form: 15CH
Release: 2·0

CONSOLIDATION/ CHANGE OF BY-LAWS

New South Wales
Strata Schemes Management Act 2015
Real Property Act 1900

Leave this space clear. Affix additional pages to the top left-hand corner.

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) **TORRENS TITLE**

For the common property
CP/SP54471

(B) **LODGED BY**

Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any	CODE
1W	Jane Crittenden, Lawyer GPO Box 4623 SYDNEY NSW 2001 (02) 9238 0500 Reference: 3918	**CH**

(C) The Owners-Strata Plan No. 54471 certify that a special resolution was passed on 19/6/2019

(D) pursuant to the requirements of section 141 of the Strata Schemes Management Act 2015, by which the by-laws were changed as follows—

(E) Repealed by-law No. 1-19

Added by-law No. 1-18 and Special By-Laws 2 to 5

Amended by-law No. NOT APPLICABLE

as fully set out below:

See Annexure "A"

(F) A consolidated list of by-laws affecting the above mentioned strata scheme and incorporating the change referred to at Note (E) is annexed hereto and marked as Annexure "A"

(G) The seal of The Owners-Strata Plan No. 54471 was affixed on 26th August 2019 in the presence of the following person(s) authorised by section 273 Strata Management Act 2015 to attest the affixing of the seal:

Signature:

Name: Marguerite Woochuk

Authority: Strata Manager - Exec Estate Strata

Signature:

Name:

Authority:

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

ANNEXURE "A"

Consolidated By-Laws - Strata Plan No. 54471

1 Vehicles

An owner or occupier of a lot must not park or stand any motor or other vehicle on common property, or permit a motor vehicle to be parked or stood on common property, except with the prior written approval of the owners corporation or as permitted by a sign authorised by the owners corporation.

2 Changes to common property

(1) An owner or person authorised by an owner may install, without the consent of the owners corporation:

(a) any locking or other safety device for protection of the owner's lot against intruders or to improve safety within the owner's lot, or

(b) any screen or other device to prevent entry of animals or insects on the lot, or

(c) any structure or device to prevent harm to children.

(2) Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with the appearance of the rest of the building.

(3) Clause (1) does not apply to the installation of any thing that is likely to affect the operation of fire safety devices in the lot or to reduce the level of safety in the lots or common property.

(4) The owner of a lot must:

(a) maintain and keep in a state of good and serviceable repair any installation or structure referred to in clause (1) that forms part of the common property and that services the lot, and

(b) repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in clause (1) that forms part of the common property and that services the lot.

The Common Seal of the Owners – Strata Plan No. 54471
was affixed on the 26th *day of* August *2019 in the presence of*

Signature: .....

Name: Margarete Wbach

being the person authorised by Section 273 of the Strata Schemes Management Act 2015 to attest the affixing of the seal.

THE OWNERS - STRATA PLAN NO 54471

3 Damage to lawns and plants on common property

An owner or occupier of a lot must not, except with the prior written approval of the owners corporation:

(a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or

(b) use for his or her own purposes as a garden any portion of the common property.

4 Obstruction of common property

An owner or occupier of a lot must not obstruct lawful use of common property by any person except on a temporary and non-recurring basis.

5 Keeping of animals

(1) An owner or occupier of a lot may keep an animal on the lot or the common property with the written approval of the owners corporation.

(2) The owners corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property and must give an owner or occupier written reasons for any refusal to grant approval.

(3) If an owner or occupier of a lot keeps an animal on the lot, the owner or occupier must:

(a) keep the animal within the lot, and

(b) supervise the animal when it is on the common property, and

(c) take any action that is necessary to clean all areas of the lot or the common property that are soiled by the animal.

(4) An owner or occupier of a lot who keeps an assistance animal on the lot must, if required to do so by the owners corporation, provide evidence to the owners corporation demonstrating that the animal is an assistance animal as referred to in section 9 of the *Disability Discrimination Act 1992* of the Commonwealth.

6 Noise

An owner or occupier of a lot, or any invitee of an owner or occupier of a lot, must not create any noise on a lot or the common property likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.

7 Behaviour of owners, occupiers and invitees

(1) An owner or occupier of a lot, or any invitee of an owner or occupier of a lot, when on common property must be adequately clothed and must not use language or behave in a manner likely to cause offence or embarrassment to the owner or occupier of another lot or to any person lawfully using common property.

(2) An owner or occupier of a lot must take all reasonable steps to ensure that invitees of the owner or occupier:

(a) do not behave in a manner likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or any person lawfully using common property, and

(b) without limiting paragraph (a), that invitees comply with clause (1).

8 Children playing on common property

(1) Any child for whom an owner or occupier of a lot is responsible may play on any area of the common property that is designated by the owners corporation for that purpose but may only use an area designated for swimming while under adult supervision.

(2) An owner or occupier of a lot must not permit any child for whom the owner or occupier is responsible, unless accompanied by an adult exercising effective control, to be or remain on common property that is a laundry, car parking area or other area of possible danger or hazard to children.

9 Smoke penetration

(1) An owner or occupier of a lot, and any invitee of the owner or occupier, must not smoke tobacco or any other substance on the common property, except:

(a) in an area designated as a smoking area by the owners corporation, or

(b) with the written approval of the owners corporation.

(2) A person who is permitted under this by-law to smoke tobacco or any other substance on common property must ensure that the smoke does not penetrate to any other lot.

(3) An owner or occupier of a lot must ensure that smoke caused by the smoking of tobacco or any other substance by the owner or occupier, or any invitee of the owner or occupier, on the lot does not penetrate to the common property or any other lot.

10 Preservation of fire safety

The owner or occupier of a lot must not do any thing or permit any invitees of the owner or occupier to do any thing on the lot or common property that is likely to affect the operation of fire safety devices in the parcel or to reduce the level of fire safety in the lots or common property.

11 Storage of inflammable liquids and other substances and materials

(1) An owner or occupier of a lot must not, except with the prior written approval of the owners corporation, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material.

(2) This by-law does not apply to chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

12 Appearance of lot

(1) The owner or occupier of a lot must not, without the prior written approval of the owners corporation, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.

(2) This by-law does not apply to the hanging of any clothing, towel, bedding or other article of a similar type in accordance with by-law 14.

13 Cleaning windows and doors

(1) Except in the circumstances referred to in clause (2), an owner or occupier of a lot is responsible for cleaning all interior and exterior surfaces of glass in windows and doors on the boundary of the lot, including so much as is common property.

(2) The owners corporation is responsible for cleaning regularly all exterior surfaces of glass in windows and doors that cannot be accessed by the owner or occupier of the lot safely or at all.

14 Hanging out of washing

(1) An owner or occupier of a lot may hang any washing on any lines provided by the owners corporation for that purpose. The washing may only be hung for a reasonable period.

(2) An owner or occupier of a lot may hang washing on any part of the lot other than over the balcony railings. The washing may only be hung for a reasonable period.

(3) In this by-law:

"**washing**" includes any clothing, towel, bedding or other article of a similar type.

15 Disposal of waste-bins for individual lots [applicable where individual lots have bins]

(1) An owner or occupier of a lot must not deposit or throw on the common property any rubbish, dirt, dust or other material or discarded item except with the prior written approval of the owners corporation.

(2) An owner or occupier of a lot must not deposit in a toilet, or otherwise introduce or attempt to introduce into the plumbing system, any item that is not appropriate for any such disposal (for example, a disposable nappy).

(3) An owner or occupier must:

(a) comply with all reasonable directions given by the owners corporation as to the disposal and storage of waste (including the cleaning up of spilled waste) on common property, and

(b) comply with the local council's guidelines for the storage, handling, collection and disposal of waste.

(4) An owner or occupier of a lot must maintain bins for waste within the lot, or on any part of the common property that is authorised by the owners corporation, in clean and dry condition and appropriately covered.

(5) An owner or occupier of a lot must not place any thing in the bins of the owner or occupier of any other lot except with the permission of that owner or occupier.

(6) An owner or occupier of a lot must place the bins within an area designated for collection by the owners corporation not more than 12 hours before the time at which waste is normally collected and, when the waste has been collected, must promptly return the bins to the lot or other area authorised for the bins.

(7) An owner or occupier of a lot must notify the local council of any loss of, or damage to, bins provided by the local council for waste.

(8) The owners corporation may give directions for the purposes of this by-law by posting signs on the common property with instructions on the handling of waste that are consistent with the local council's requirements or giving notices in writing to owners or occupiers of lots.

(9) In this by-law:

"**bin**" includes any receptacle for waste.

"**waste**" includes garbage and recyclable material.

16 Disposal of waste-shared bins [applicable where bins are shared by lots]

(1) An owner or occupier of a lot must not deposit or throw on the common property any rubbish, dirt, dust or other material or discarded item except with the prior written approval of the owners corporation. '

(2) An owner or occupier of a lot must not deposit in a toilet, or otherwise introduce or attempt to introduce into the plumbing system, any item that is not appropriate for any such disposal (for example, a disposable nappy).

(3) An owner or occupier must:

(a) comply with all reasonable directions given by the owners corporation as to the disposal and storage of waste (including the cleaning up of spilled waste) on common property, and

(b) comply with the local council's guidelines for the storage, handling, collection and disposal of waste.

(4) The owners corporation may give directions for the purposes of this by-law by posting signs on the common property with instructions on the handling of waste that are consistent with the local council's requirements or giving notices in writing to owners or occupiers of lots.

(5) In this by-law:

"**bin**" includes any receptacle for waste.

"**waste**" includes garbage and recyclable material.

17 Change in use or occupation of lot to be notified

(1) An occupier of a lot must notify the owners corporation if the occupier changes the existing use of the lot.

(2) Without limiting clause (1), the following changes of use must be notified:

(a) a change that may affect the insurance premiums for the strata scheme (for example, if the change of use results in a hazardous activity being carried out on the lot, or results in the lot being used for commercial or industrial purposes rather than residential purposes),

(b) a change to the use of a lot for short-term or holiday letting.

(3) The notice must be given in writing at least 21 days before the change occurs or a lease or sublease commences.

18 Compliance with planning and other requirements

(1) The owner or occupier of a lot must ensure that the lot is not used for any purpose that is prohibited by law.

(2) The owner or occupier of a lot must ensure that the lot is not occupied by more persons than are allowed by law to occupy the lot.

SPECIAL BY-LAW 1

INSPECTION OF AIR CONDITIONING UNITS BY OWNERS CORPORATION:

To ensure that the maintenance, health and safety standards of the individual air conditioners servicing each individual lot are observed the Owners Corporation will be responsible for inspection of the air conditioning units at the cost of the Owners Corporation.

SECTION 54 OF THE STRATA SCHEMES MANAGEMENT ACT:

The individual Owners of lots 1 to 9 for the time being are responsible for the air conditioning units servicing their individual lots including those parts which are located upon common property which are subject to the conditions laid down in this Special By-law.

MAINTENANCE, REPAIR AND REPLACEMENT OF THE AIR CONDITIONING UNITS BY OWNERS:

- The air conditioner is to comply with By-law 1 of the Strata Schemes Management Act, and noise pollution control laws that may be in force from time to time.
- Condensation is to be retained within the lot.
- Repair, maintenance, replacement and insurance of the air conditioner is to be the responsibility of the lot Owner and not the Owners Corporation.
- If the 'Owners Corporation considers that repairs be undertaken, repair must be completed by the lot Owners within 30 days of a written order from the Owners Corporation.
- If repairs are not carried out the Owners Corporation has the right to remove the air conditioner and reinstate the common property at cost to the lot owner.
- Any damage to the common property will be the responsibility of the Owner to rectify
- It is the lot Owner's responsibility to ensure that any subsequent Owner is advised of these requirements.
- Subsequent Owners to the original applicant are responsible for all repairs, maintenance, upkeep, replacement, insurance and compliance with the application conditions of this By-law 1.
- The air conditioner is to comply with By-law 17 regarding appearance.

SPECIAL BY-LAW 2

Lot 8 Ground Floor Bathroom Works

A. DEFINITIONS

In this by-law, the following terms and definitions shall apply:

1. Words importing the singular include the plural and vice versa.
2. Words importing a gender include any gender.
3. Words defined in the *Strata Schemes Management Act* 2015 (NSW) have the meaning given to them in that Act.
4. "The Act" means the *Strata Schemes Management Act* 2015 (NSW) as amended from time to time.
5. "The Lot" means Lot 8 in Strata Plan No. 54471.

6. "The Owner" means the owner or owners from time to time of the Lot.

7. "The Plans" means the architectural plans prepared by Renovation Box, dated 11 February 2019, marked "A", and annexed to the notice of meeting at which this motion is to be considered. For the avoidance of any doubt, the Works are to be carried out in accordance with "New Version 2" as indicated on the Plans.

8. "The Engineer's Report" means the report prepared by Fly Engineering Pty Ltd and associated plans, dated 1 May 2019, marked "B", and annexed to the notice of meeting at which this motion is to be considered.

9. "The Works" means the following works to be undertaken in relation to the bathroom on the ground floor of the Lot:

   (a) the removal of the timber stud walls separating the existing powder room from the bathroom on the ground floor of the Lot and the construction of a new wall in the doorway of the powder room, in accordance with the Engineer's Report and as illustrated in the Plans (New Version 2);

   (b) the removal of all wall and floor tiles, toilet suites, sinks, vanities, taps/mixers, shower head and screen, and any other associated fittings, fixtures, and accessories in the powder room and ground floor bathroom;

   (c) the installation of new wall and floor tiles throughout the newly enlarged ground floor bathroom, including the installation of a new waterproofing membrane;

   (d) the installation of a new toilet suite, shower head and screen, sink, vanity, taps/mixers, and any other associated bathroom fittings, fixtures, and accessories, in the layout illustrated in the Plans (New Version 2), utilising the existing services save for the alteration of plumbing in the slab beneath the bathroom to allow for the relocation of the toilet suite.

B. RIGHTS

Subject to the conditions in paragraph C of this by-law, the Owner will have:

(a) a special privilege in respect of the common property to attach and affix the Works to and on the common property and keep them so attached and affixed; and

(b) the exclusive use of those parts of the common property to which the Works are directly attached or affixed, or occupied by the Works.

C. CONDITIONS

Repairs and Maintenance

1. Subject to the terms of this by-law, any amendment of the by-laws from time to time and any resolution of the Owners Corporation under Section 106(3) of the Act, the Owners Corporation shall continue to be responsible for the proper maintenance and keeping in a state of good and serviceable repair of the common property.

2. The Owner must properly maintain and keep the common property to which the Works are directly attached, or which is occupied by the Works, in a state of good and serviceable repair.

3. The Owner must properly maintain and keep the Works in a state of good and serviceable repair and must renew or replace the Works as necessary from time to time.

Before the Works

4. Before starting the Works, the Owner must provide the Owners Corporation with:

   (a) evidence of currency for the duration of the Works of Contractors' All Risks insurance cover in an insurance office of repute (incorporating cover against public risk in respect of claims for death, injury, accident and damage occurring in the course of or by reason of the Works to a minimum of $20,000,000 or other amount as determined by the Strata Committee);

   (b) a copy of the certificate of insurance relating to the Works, under Section 92 of the *Home Building Act 1989* if the value of the works exceeds $20,000;

   (c) 5 days' notice in writing prior to the date of commencement of the Works;

   (d) details of the proposed duration and times of the Works;

   (e) details of the persons carrying out the Works, including qualifications to carry out the Works; and

   (f) arrangements to manage any resulting rubbish or debris.

Performance of Works

5. In performing the Works, the Owner must:

   (a) use best-quality and appropriate materials and a licensed contractor to carry out the Works in a proper and skilful manner;

   (b) comply with the Building Code of Australia and all pertinent Australian Standards;

   (c) comply with all conditions and requirements of the local Council (if any);

   (d) not allow the obstruction of reasonable use of the common property in the course of the Works, by building materials, tools, machines, debris or motor vehicles;

   (e) transport all building materials, equipment, debris and other material through the common property as reasonably directed by the Owners Corporation;

   (f) protect all areas of the building outside the Lot from damage by the Works or by the transportation of building materials, equipment and debris;

(g) keep all areas of the building outside the Lot clean and tidy throughout the performance of the Works;

(h) only perform the Works between the hours of 7:30 am and 5:30 pm from Monday to Friday and between 8:00 am and 1:00 pm on Saturday (excluding public holidays);

(i) only perform Works involving the use of jackhammers or percussion instrument tools between the hours of 8:00 am and 3:00 pm from Monday to Friday;

(j) remove all debris generated by the Works from the common property at the conclusion of each day during which the Works are being carried out; and

(k) not deposit any debris or building materials generated by the Works in the Owners Corporation's rubbish bins.

After the Works

6. After completion of the Works, the Owner must provide the Owners Corporation with:

(a) plans identifying the location of plumbing services altered during the course of the Works; and

(b) copies of all membrane and flashing guarantees and warranties.

Damage

7. The Owner must repair promptly any damage caused or contributed to by the Works or by the repair, maintenance, renewal or replacement of the Works, including damage to the property of the Owners Corporation and the property of the owner or occupier of another Lot in the strata scheme.

Indemnity

8. The Owner must indemnify the Owners Corporation against any loss or damage the Owners Corporation suffers as a result of the performance, repair, maintenance, renewal or replacement of the Works.

Right to Remedy Default

9. If the Owner fails to comply with any obligations under this by-law, then the Owners Corporation may:

(a) carry out all work necessary to perform that obligation;

(b) enter upon any part of the parcel to carry out that work; and

(c) recover the costs of carrying out that work from the Owner.

10. The Owner hereby authorises the Owners Corporation, by its servants, agents or contractors, to enter upon the Lot for the purpose of carrying out the work referred to in clause C9 above.

11. All costs payable by the Owner pursuant to clause C9 above, shall be payable as a debt due to the Owners Corporation.

Costs of by-law

12. The Owner must pay for the preparation, making and registration of this by-law.

SPECIAL BY-LAW 3

Renovations

1. Introduction

This by-law sets out the rules you must follow if you intend to carry out renovations to a common area in the building in connection with your apartment, or to your apartment, including minor renovations and major renovations.

2. Definitions & Interpretation

2.1 In this by-law, unless the context or subject matter otherwise indicates or requires:

(a) "**Act**" means the *Strata Schemes Management Act 2015*,

(b) "**apartment**" means a lot in the strata scheme,

(c) "**annexure**" means the annexure to this by-law,

(d) "**building**" means the building in the strata scheme in which your apartment is located,

(e) "**common area**" means the common property in the strata scheme,

(f) "**cosmetic work**" means cosmetic work for the purposes of section 109 of the Act and any by-law that specifies additional work that is to be cosmetic work for the purposes of section 109 of the Act,

(g) "**major renovations**" means any work to an apartment or a common area in the building in connection with your apartment for the following purposes:

(i) work involving structural changes such as the removal of the whole or part of a load bearing wall,

(ii) work that changes the external appearance of your apartment, including the installation of an external access ramp, awning, pergola or vergola or installation of a new window in a boundary wall of your apartment,

(iii) work involving waterproofing such as a bathroom renovation involving the laying of a new waterproof membrane,

(iv) work for which consent or another approval is required under any other Act such as development consent of the local council under the *Environmental Planning and Assessment Act 1979*,

but cannot include cosmetic work or minor renovations,

(h) "**minor renovations**" means any work to a common area in the building in connection with your apartment for the following purposes:

(i) renovating a kitchen,

(ii) renovating a bathroom in a manner that does not involve waterproofing,

(iii) renovating any other room in your apartment in a manner that does not involve waterproofing or structural changes,

(iv) changing recessed light fittings,

(v) removing carpet or other soft floor coverings to expose underlying wooden or other hard floors,

(vi) installing or replacing wood or other hard floors,

(vii) installing or replacing wiring or cabling or power or access points,

(viii) installing or replacing pipes and ducts,

(ix) work involving reconfiguring walls in a manner that does not involve structural changes,

(x) installing a rainwater tank,

(xi) installing a clothesline,

(xii) installing a reverse cycle split system air conditioner or a ducted air conditioning system,

(xiii) installing double or triple glazed windows,

(xiv) installing a heat pump or hot water service,

(xv) installing ceiling insulation,

(xvi) installing an aerial or antenna,

(xvii) installing a satellite dish with a diameter no greater than 1.5 metres,

(xviii) installing a skylight, whirlybird, ventilation or exhaust fan or solar panels in or on a roof directly above your apartment,

but cannot include cosmetic work or major renovations or work that is authorised by a by-law made under section 108 of the Act or a common property rights by-law,

(i) "**renovations**" means minor renovations or major renovations,

(j) "**strata scheme**" means the strata scheme to which this by-law applies, and

(k) "**you**" means an owner of an apartment and includes your successors in title.

2.2 In this by-law, unless the context or subject matter otherwise indicates or requires:

(a) headings have been inserted for guidance only and do not affect the interpretation of this by-law,

(b) references to any legislation include any legislation amending, consolidating or replacing the same, and all by-laws, ordinances, proclamations, regulations, rules and other authorities made under them,

(c) words importing the singular number include the plural and vice versa,

(d) where any word or phrase is given a definite meaning any part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning,

(e) any expression used in this by-law and which is defined in the Act will have the same meaning as that expression has in that Act unless a contrary intention is expressed in this by-law,

(f) if any provision of this by-law is invalid or void, that provision will be read down, ignored or severed so far as is possible in order to uphold the validity and enforceability of the remaining provisions of this by-law, and

(g) if there is any inconsistency between this by-law and any other by-law applicable to the strata scheme, then the provisions of this by-law will prevail to the extent of that inconsistency.

3. Renovations Approval Process

3.1 Renovations Require Approval

You must not carry out, or permit anyone else to carry out, renovations without the prior written approval of the owners corporation.

3.2 The Approval Process

3.2.1 If you wish to carry out renovations you must make an application to the owners corporation in order to seek its approval of the renovations.

3.2.2 The application must be in writing and sent to the strata managing agent of the owners corporation or, if there is no strata managing agent, to the secretary of the owners corporation.

3.2.3 Your application must contain:

(a) your name, address and telephone number,

(b) your apartment and lot number,

(c) details of the renovations,

(d) drawings, plans and specifications for the renovations,

(e) an estimate of the duration and times of the renovations,

(f) details of the persons carrying out the renovations including the name, licence number, qualifications and telephone number of those persons,

(g) details of arrangements to manage any resulting rubbish or debris arising from the renovations.

3.2.4 Your application must also contain a motion and by-law generally in the form set out in the annexure (with the blanks appropriately completed) and your written consent to that by-law if the renovations are major renovations and will involve alterations or additions to a common area.

3.2.5 The owners corporation may request further information to supplement the information contained in your application but it must not act unreasonably when doing so.

3.2.6 The owners corporation may engage a consultant to assist it review your application.

3.2.7 The owners corporation may:

(a) approve your application either with or without conditions, or

(b) withhold approval of your application (but it must not act unreasonably when doing so).

3.2.8 If your major renovations will involve alterations or additions to a common area, and the owners corporation approves your application, the owners corporation must do so by passing a special resolution at a general meeting to approve the motion and by-law submitted with your application (or a substantially similar motion and by-law).

3.2.9 You must comply with any conditions which the owners corporation issues as part of its approval and the conditions contained in this by-law.

4. Conditions for Renovations

4.1 Before the Renovations

4.1.1 Before commencing the renovations, you must:

(a) Prior Notice

give the owners corporation at least 14 days' written notice. Your written notice must include the estimated start date of the renovations and the estimated end date of the renovations,

(b) Local Council Approval

(in the case of major renovations) if required by law, obtain a complying development certificate for or development consent of the local council to the major renovations and a construction certificate for the major renovations, and give copies of them to the owners corporation,

(c) Contractor's Licence and Insurance Details

give the owners corporation a copy of a certificate or other document demonstrating that the contractor who will carry out the renovations holds a current:

(i) licence,

(ii) all risk insurance policy which must include public liability cover in the sum of $10,000,000.00,

(iii) workers compensation insurance policy, and

(iv) home building compensation fund insurance policy under the *Home Building Act 1989* for the renovations (if required by law),

(d) Engineer's Report

if requested to by the owners corporation, give the owners corporation a report from a structural engineer addressed to the owners corporation certifying that the renovations will not have a detrimental affect on the structural integrity of the building or any part of it,

(e) Acoustic Consultant's Report

if the renovations will involve changes to the floor coverings in your apartment (apart from floor coverings in a laundry, lavatory or bathroom) by, for example, installing or replacing wood or other hard floors, if requested to by the owners corporation, give the owners corporation a report from an acoustic consultant certifying the acoustic properties of the new floor coverings,

(f) Dilapidation Report

if requested to by the owners corporation, give the owners corporation a dilapidation report (which must include photographs) concerning the areas of the building the owners corporation requires to be included in that report,

(g) Bond

if requested to by the owners corporation, pay a bond to the owners corporation in the sum of $10,000 or such other amount determined from time to time by the owners corporation,

(h) Costs

pay the reasonable costs of the owners corporation incurred in connection with considering or approving your application for renovations including any consultant's costs.

4.1.2 If you have not complied with any of the conditions set out in clause 4.1.1 you must not begin the renovations and if you have already begun the renovations you must immediately stop them.

4.2 During the Renovations

During the renovations you must:

(a) Standard of Workmanship

ensure the renovations are carried out in a competent and proper manner by appropriately qualified and licensed contractors utilising only first quality materials which are good and suitable for the purpose for which they are used,

(b) Quality of Renovations

make certain the renovations are completed in accordance with any specifications for them and comply with the Building Code of Australia and any applicable Australian Standard (in the event of a conflict, the Building Code of Australia shall prevail),

(c) Time for Completion of Renovations

make sure the renovations are carried out with due diligence and are completed as soon as practicable from the date of commencement,

(d) Times for Renovations

ensure that the renovations are only carried out between the hours of 8.00am - 5.00pm on Monday - Friday and 9.00am - 3.00pm on Saturdays (not including public holidays) and are not carried out at any other times,

(e) **Times for Operation of Noisy Equipment**

make sure that percussion tools and noisy equipment such as jack hammers and tile cutters are only used between 10.00am - 3.00pm and that at least 72 hours notice is given to the occupiers of the other apartments in the building by a sign prominently displayed on the noticeboard before the use of any such tools and equipment,

(f) **Appearance of Renovations**

ensure the renovations are carried out and completed in a manner which is in keeping with the rest of the building,

(g) **Supervision of Renovations**

ensure that the renovations are adequately supervised and that the common areas are inspected by the supervisor on a daily basis to ensure that the conditions of this by-law are complied with,

(h) **Noise During Renovations**

ensure the renovations and your contractors do not create any excessive noise in your apartment or in a common area that is likely to interfere with the peaceful enjoyment of the occupier of another apartment or of any person lawfully using a common area,

(i) **Transportation of Construction Equipment**

ensure that all construction materials and equipment are transported in accordance with any manner reasonably directed by the owners corporation and in a manner that does not cause damage to the building,

(j) **Debris**

ensure that any debris and rubbish associated with or generated by the renovations is removed from the building strictly in accordance with the reasonable directions of the owners corporation,

(k) **Storage of Building Materials on Common Areas**

make sure that no building materials are stored in a common area,

(l) **Protection of Building**

protect all areas of the building outside your apartment which are affected by the renovations from damage, the entry of water or rain and from dirt, dust and debris relating to the renovations and ensure that all common areas, especially the walls, floors and lift leading to your apartment, are protected by covers and mats when transporting furniture, construction materials, equipment and debris through the building,

(m) Building Integrity

keep all areas of the building affected by the renovations structurally sound during the renovations and make sure that any holes or penetrations made during the renovations are adequately sealed and waterproofed and, if necessary, fireproofed,

(n) Daily Cleaning

clean any part of the common areas affected by the renovations on a daily basis and keep all of those common areas clean, neat and tidy during the renovations,

(o) Interruption to Services

minimise any disruption to services in the building and give the occupiers of the other apartments in the building at least 72 hours prior notice of any planned interruption to the services in the building such as water, electricity and television by a sign prominently displayed on the noticeboard before any such disruption,

(p) Access

give the owners corporation's nominee (which may be its consultant) access to your apartment to inspect (and, if applicable, supervise) the renovations on reasonable notice,

(q) Vehicles

ensure that no contractor's vehicles obstruct the common areas other than on a temporary and non-recurring basis when delivering or removing materials or equipment and then only for such time as is reasonably necessary,

(r) Security

ensure that the security of the building is not compromised and that no external doors of the building are left open and unattended or left open for longer than is reasonably necessary during the renovations,

(s) Variation to renovations

not vary the renovations without obtaining the prior written approval of the owners corporation,

(t) Costs of renovations

pay all costs associated with the renovations including any costs incurred by the owners corporation engaging a consultant to inspect or supervise the renovations.

4.3 After the Renovations

After the renovations have been completed, you must:

(a) Notify the Owners Corporation

promptly notify the owners corporation that the renovations have been completed,

(b) Access

give the owners corporation's nominee (which may be its consultant) access to your apartment to inspect the renovations on reasonable notice,

(c) Obtain Planning Certificates

if required by law, obtain all requisite certificates issued under Part 4A of the *Environmental Planning and Assessment Act 1979* approving the renovations and the occupation of your apartment (such as a compliance certificate and an occupation certificate) and give copies of them to the owners corporation,

(d) Restore the Common Areas

restore all common areas damaged by the renovations as nearly as possible to the state which they were in immediately prior to commencement of the renovations,

(e) Engineer's Report

if required by the owners corporation, give the owners corporation a report from a duly qualified structural engineer addressed to the owners corporation certifying that the renovations have been completed in a manner that will not detrimentally affect the structural integrity of the building or any part of it,

(f) Expert's Report

if required by the owners corporation, give the owners corporation a report from a duly qualified building consultant or expert addressed to the owners corporation certifying that the renovations have been completed in a manner that complies with the Building Code of Australia and any applicable Australian Standards,

(g) Acoustic Consultant's Report

if the renovations involved changes to the floor coverings of your apartment (apart from floor coverings in a laundry, lavatory or bathroom), if required by the owners corporation, give the owners corporation a report from an acoustic consultant certifying the acoustic properties of any new floor coverings.

4.4 Enduring Obligations

You must:

(a) Maintenance of Apartment Renovations

properly maintain the renovations to your apartment and keep them in a state of good and serviceable repair and, where necessary, renew or replace any part of those renovations,

(b) **Maintenance of Minor Renovations**

properly maintain the minor renovations and keep them in a state of good and serviceable repair and, where necessary, renew or replace any part of those minor renovations,

(c) **Repair Damage**

repair any damage caused to another apartment or the common areas by the carrying out of the renovations in a competent and proper manner,

(d) **Prevent Excessive Noise**

ensure that any equipment forming part of the renovations does not create or generate any heat, noise or vibrations that are likely to interfere with the peaceful enjoyment of the occupier of another apartment or of any person lawfully using a common area,

(e) **Flooring**

if the renovations involved changes to the floor coverings of your apartment, ensure that the new floor coverings are covered or otherwise treated to an extent sufficient to prevent the transmission from the floor coverings of noise likely to disturb the peaceful enjoyment of the owner or occupier of another apartment (apart from floor coverings in a laundry, lavatory or bathroom),

(f) **Indemnity**

indemnify and keep indemnified the owners corporation against all actions, proceedings, claims, demands, costs, damages and expenses which may be incurred by or brought or made against the owners corporation arising out of the renovations or the altered state or use of any of the common areas arising from the renovations or your breach of this by-law,

(g) **Insurance**

if required by the owners corporation, make, or permit the owners corporation to make on your behalf, any insurance claim concerning or arising from the renovations, and use the proceeds of any insurance payment made as a result of an insurance claim to complete the renovations or repair any damage to the building caused by the renovations,

(h) **Comply with the Law**

comply with all statutes, by-laws, regulations, rules and other laws for the time being in force and which are applicable to the renovations and the requirements of the local council concerning the renovations (for example, the conditions of the local council's approval of the major renovations, a notice or order issued by the local council or fire safety laws).

5. Bond

The owners corporation shall be entitled to apply the bond paid by you under the conditions of this by-law, or any part of it, towards the costs of the owners corporation incurred:

(a) repairing any damage caused to a common area or any other apartment during or as a result of the renovations, or

(b) cleaning any part of the common area as a result of the renovations,

and the owners corporation must refund the bond, or the remaining balance of it, when you notify the owners corporation that the renovations have been completed and the owners corporation is reasonably satisfied that you have complied with the conditions of this by-law.

6. Breach of this By-Law

6.1 If you breach any condition of this by-law and fail to rectify that breach within 14 days of service of a written notice from the owners corporation requiring rectification of that breach (or such other period as is specified in the notice), then the owners corporation may:

(a) rectify the breach,

(b) enter on any part of the building including your apartment, by its agents, employees or contractors, in accordance with the Act for the purpose of rectifying the breach, and

(c) recover as a debt due from you the costs of the rectification and the expenses of the owners corporation incurred in recovering those costs including legal costs on an indemnity basis.

6.2 Nothing in this clause restricts the rights of or the remedies available to the owners corporation as a consequence of a breach of this by-law.

7. Common Property Rights By-Law

7.1 Nothing in this by-law detracts from or alters any obligation that arises under sections 108 or 143 of the Act for or in relation to your major renovations.

7.2 Nothing in this by-law prevents the owners corporation from requiring, as a condition of approval for your major renovations or otherwise, a separate by-law to be made under section 108 or 143 of the Act for your major renovations in accordance with clause 3.2.8.

8. Strata Committee Approvals

The strata committee may approve minor renovations under this by-law. To avoid doubt, the owners corporation delegates its functions under section 110 of the Act to the strata committee.

9. Specification of Additional Minor Renovations

To avoid doubt, this by-law specifies additional work that is to be a minor renovation for the purposes of section 110 of the Act.

10. Decision of Owners Corporation not to Maintain Minor Renovations

To avoid doubt, the owners corporation determines that:

(a) it is inappropriate for the owners corporation to maintain, renew, replace or repair any minor renovations done by you pursuant to an approval granted under this by-law; and

(b) in the light of the obligations imposed on you in this by-law to maintain, renew, replace or repair any such minor renovations, its decision will not affect the safety of any building, structure or common area in the strata scheme or detract from the appearance of any property in the strata scheme.

ANNEXURE

Motion and By-Law for Major Renovations

That the owners corporation specially resolves pursuant to sections 108 and 143 of the *Strata Schemes Management Act 2015* to authorise the owner of the lot specified in the special by-law set out below to carry out the alterations and additions to that lot and the common property described in that special by-law on the conditions of that special by-law (including the condition that the owner is responsible for the maintenance, upkeep and repair of those alterations and additions and the common property occupied by them) and to add to the by-laws applicable to the strata scheme by making that special by-law:

Special By-Law No. ... – Major Renovations and Building Works (Lot ....)

1. Introduction

This by-law gives the Owner the right to carry out the Major Renovations on the conditions of the Renovations By-Law and this by-law.

2. Definitions

In this by-law:

"**Lot**" means Lot ..... in the Strata Scheme;

"**Owner**" means the owner for the time being of the Lot (being the current owner and all successors);

"**Plans**" means the plans/drawings prepared by ..... and dated ..... attached to this by-law;

"**Major Renovations**" means the alterations and additions to the Lot and common property described and shown in the Plans being .....;

"**Renovations By-Law**" means Special By-Law No. 2 – Renovations as amended from time to time;

"**Strata Scheme**" means the strata scheme to which this by-law applies.

3. Authorisation for Major Renovations

The Owners Corporation grants the Owner:

(a) the authority to carry out the Major Renovations strictly in accordance with the Plans;

(b) the special privilege to, at the Owner's cost, carry out the Major Renovations to the common property strictly in accordance with the Plans; and

(c) the exclusive use and enjoyment of the common property to be occupied by the Major Renovations;

on the conditions of this by-law.

4. Conditions

4.1 The Renovations By-Law will apply to the Major Renovations.

4.2 The Owner must, at the Owner's cost, comply with the conditions specified in the Renovations By-Law with respect to the Major Renovations.

4.3 The Owner must also, at the Owner's cost, properly maintain and keep in a state of good and serviceable repair the Major Renovations and the common property occupied by the Major Renovations and, where necessary, renew or replace any fixtures or fittings comprised in those Major Renovations and that common property.

4.4 The Owners Corporation may exercise any of the functions conferred on it under the Renovations By-Law with respect to the Major Renovations.

4.5 The Owner must pay the reasonable costs of the owners corporation incurred in connection with approving and registering this by-law.

4.6 For the avoidance of doubt, this by-law operates as the approval of the owners corporation of the Major Renovations for the purposes of the Renovations By-Law.

SPECIAL BY-LAW 4

OWNERS CORPORATION TO DETERMINE NOT TO REPAIR MINOR RENOVATIONS

The owners corporation SPECIALLY RESOLVES pursuant to section 106(3) of the *Strata Schemes Management Act 2015* THAT:

(a) it is inappropriate for the owners corporation to maintain, renew, replace or repair any minor renovations carried out in accordance with Special By-Law No. 3 – Renovations; and

(b) in the light of the obligations imposed on owners in that by-law to maintain, renew, replace or repair any minor renovations done by them, its decision will not affect the safety of any building, structure or common area in the strata scheme or detract from the appearance of any property in the strata scheme.

SPECIAL BY-LAW 5

Rules and Recovery of Costs by Owners Corporation

1. Introduction

This by-law set outs general rules you must follow and gives us the right to recover expenses, interest and recovery costs from you if you breach the by-law.

2. Definitions

In this by-law, unless the context or subject matter otherwise indicates or requires:

2.1 "**by-laws**" means any by-laws in force in respect of the strata scheme;

2.2 "**cleaning costs**" means any cost or expense we incur cleaning or removing rubbish from common property arising out of or as a result of your breach of this by-law;

2.3 "**demand**" means a written demand from us to you;

2.4 "**denial of access**" means the failure or refusal by you to give us or a contractor engaged by us access to your lot when requested to by us to permit us to exercise any of our functions under the Strata Act or to undertake a fire safety inspection or maintain, repair or replace any fire safety measures on or undertake a pest inspection, extermination or treatment of the common property or your lot;

2.5 "**denial of access costs**" means any cost or expense incurred by us arising out of or as a result of a denial of access in breach of this by-law;

2.6 "**expenses**" means any cost or expense incurred by us arising out of or as a result of your breach of this by-law including cleaning costs, denial of access costs, false alarm expenses, key charges, an insurance increase, remedy expenses and repair costs;

2.7 "**false alarm**" means the activation of a fire alarm in circumstances where there is no fire or other type of emergency which is likely to cause a risk, hazard or danger to the building or any person in the building by virtue of the incidence of smoke, heat or fire in the building;

2.8 "**false alarm expenses**" means any cost or expense incurred by us arising out of or as a result of a false alarm caused by your breach of this by-law including charges imposed on us by Fire & Rescue NSW (such as charges for attending the building in response to a false alarm);

2.9 "**fire alarm**" means a smoke detector, smoke alarm, heat sensor, heat alarm or fire alarm or any other device that functions to monitor the incidence of smoke, heat or fire in the building;

2.10 "**insurance increase**" means an amount equal to any increase in an insurance premium payable by us arising out of anything done by you;

2.11 "**interest**" means interest payable on expenses in accordance with this by-law;

2.12 "**invitee**" includes a guest or contractor;

2.13 "**key**" means any key to access the strata scheme or your lot;

2.14 "**key charges**" means any cost or expense incurred by us issuing you with a replacement key;

2.15 "**lot**" means a lot in the strata scheme;

2.16 "**occupier**" means a person in occupation of a lot and includes a tenant;

2.17 "**owner**" means an owner of a lot;

2.18 "**recovery costs**" means any cost or expense incurred by us in recovering from you any expenses or interest including strata managing agent's costs and legal costs on an indemnity basis;

2.19 "**remedy expenses**" means any cost or expense incurred by us remedying or attempting to remedy your breach of this by-law including consultant's costs;

2.20 "**repair costs**" means any cost or expense we incur repairing damage to common property arising out of or as a result of your breach of this by-law;

2.21 "**Strata Act**" means the *Strata Schemes Management Act 2015*;

2.22 "**strata scheme**" means the strata scheme to which this by-law applies;

2.23 "**us**" or "**we**" means the owners corporation; and

2.24 "**you**" means an owner or occupier.

3. Interpretation

In this by-law:

3.1 headings have been inserted for guidance only and do not affect the interpretation of this by-law;

3.2 references to any legislation include any legislation amending, consolidating or replacing the same, and all by-laws, ordinances, proclamations, regulations, rules and other authorities made under them;

3.3 words importing the singular number include the plural and vice versa;

3.4 where any word or phrase is given a definite meaning any part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning;

3.5 any expression used in this by-law and which is defined in the Strata Act will have the same meaning as that expression has in the Strata Act unless a contrary intention is expressed in this by-law;

3.6 the terms of this by-law are independent of each another. If a term of this by-law is deemed void or unenforceable, it shall be severed from this by-law, and the by-law as a whole will not be deemed void or unenforceable;

3.7 the terms of this by-law apply to the extent permitted by law; and

3.8 if there is any inconsistency between this by-law and any other by-law applicable to the strata scheme, then the provisions of this by-law will prevail to the extent of that inconsistency.

4. General Rules

4.1 You must not breach any by-laws.

4.2 You must not cause a false alarm.

4.3 You must not damage common property without the approval in writing of the owners corporation (except where permitted by the Strata Act or a by-law).

4.4 You must not leave or dump rubbish on common property (except where permitted by the Strata Act or a by-law).

4.5 You must not dirty or soil the common property.

4.6 You must not do anything that causes an insurance premium payable by us to increase.

4.7 You must not cause a denial of access.

4.8 You must not lose a key.

5. General Obligations

5.1 If you are an owner, you must take all reasonable steps to ensure that any occupier of your lot complies with this by-law.

5.2 You must take all reasonable steps to ensure that your invitees comply with this by-law as if they were you and were bound by this by-law.

6. Payment of Expenses

If you breach this by-law, you are liable to pay or reimburse us for any expenses on demand.

7. Interest on Expenses

If any expenses are not paid by you at the end of one month after they become due and payable, the expenses bear until paid simple interest at the same annual rate as applies to interest on overdue contributions levied by us (currently an annual rate of 10 per cent).

8. Payment of Recovery Costs

You are liable to pay or reimburse us for any recovery costs on demand.

9. Recovery of Expenses, Interest, Etc

We may recover from you as a debt any:

(a) expenses;

(b) interest; and

(c) recovery costs;

for which you are liable.

10. Mode of Recovery of Expenses, Interest, Etc

If you are an owner, we may include reference to any expenses, interest or recovery costs for which you are liable on:

(a) your account with us;

(b) levy notices served on you; and

(c) certificates issued under section 184 of the Strata Act in respect of your lot;

for the purpose of recovering from you as a debt any of those amounts.

11. Appropriation of Payments

We may appropriate any payments you make to us towards expenses, interest and recovery costs in any manner we deem fit.

12. Sale of Lot

If a person becomes an owner of a lot at a time when, under this by-law, a former owner is liable to pay any expenses, interest or recovery costs to us, the person who becomes owner is jointly and severally liable with the former owner to pay those amounts to us.

The Common Seal of the Owners – Strata Plan No. 54471
was affixed on the 26th *day of* August *2019 in the presence of*

Signature: .....

Name: Margerita Woochuk
being the person authorised by Section 273 of the Strata Schemes Management Act 2015 to attest the affixing of the seal.

THE PROPRIETORS-STRATA PLAN NO 54471
Common Seal

Approved Form 10

Certificate re Initial Period

The owners corporation certifies that in respect of the strata scheme:

*that the initial period has expired.

~~*the original proprietor owns all of the lots in the strata scheme and any purchaser under an exchanged contract for the purchase of a lot in the scheme has consented to any plan or dealing being lodged with this certificate.~~

The seal of The Owners – Strata Plan No. 54471 was affixed on 26th August 2019 in the presence of the following person authorised under section 273 of the Strata Schemes Management Act 2015 to attest the affixing of the seal.

Signature: ..... Name: Marguerite Woodcock

Authority: Strata Managing Agent

THE PROPRIETORS-STRATA PLAN NO 54471 Common Seal

ExecEstate Strata
EXEC-ESTATE STRATA PTY LTD ABN 65 643 807 578
EXEC-ESTATE PTY LTD ABN 86 000 957 166
Level 1, 668 PACIFIC HIGHWAY KILLARA NSW 2071
PO BOX 212 GORDON NSW 2072
P: 1300 032 007
E: admin@execestate.com.au

LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION

MINUTES OF AN ANNUAL GENERAL MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 54471 was held on 26/04/2022 at Exec Estate Strata via Zoom and commenced at 05:00 PM.

PRESENT IN PERSON OR BY PROXY:

Lot #	Unit #	Attendance	Owner Name Representative
4	4	Yes	Ruchir Patel and Falak Brahmakshatriya
5	5	Yes	J Gerhardt
7	7	Yes	Strothers, V A
8	8	Yes	S Levien & M Kelly
9	9	Apology	Gearing-Thomas, A B

PROXY: Judith Gerhardt (Lot 5) proxy to Steven Levien

CHAIRPERSON (acting): At the request of the meeting Marguerite Woochuk chaired the meeting.

Minutes of the meeting:

1 MINUTES

UNANIMOUSLY RESOLVED that the minutes of the last general meeting of the owners corporation held on 30.4.2021 be confirmed as a true and accurate record of the proceedings of that meeting.

Explanation: The motion, if passed, confirms the accuracy of the minutes of the last general meeting. If the minutes of the last meeting are inaccurate the owners can move that the minutes be amended.

2 FINANCIAL STATEMENTS

UNANIMOUSLY RESOLVED that the attached statements of key financial information for the administrative fund and capital works fund and the auditor's report (if required) for the period ended 31/03/2022 be adopted.

Explanation: This motion if carried, adopts the statements of key financial information about the funds of the owners corporation. Those statements are attached and contain key information about the funds such as the total income for and expenditure from those funds and the balance of the funds.

3 AUDITOR

UNANIMOUSLY RESOLVED that Sky & Co were appointed by the owners corporation to carry out an audit.

Explanation: This motion, if passed, appoints an auditor. The owners corporation does not have to appoint an auditor unless its annual turnover and any other amounts held by the owners corporation exceed $250,000 or the strata schemes is a large scheme containing more than 100 lots (excluding utility lots).

4 BUDGET AND CONTRIBUTIONS

UNANIMOUSLY RESOLVED:

(a) That in accordance with section 79 (1) and (2) of the Strata Schemes Management Act 2015, the owners corporation estimates that in respect of the period from 01/04/2022 to 31/03/2023 it will need to credit to its administrative and capital works funds for actual and expected expenditure referred to in those subsection the

amounts set out in the attached budget; and

(b) in accordance with section 81 of the Strata Schemes Management Act 2015, the owners corporation determines that the following amounts are to be levied to raise the amounts estimated as needing to be credited to the administrative and capital works funds:

(i) to the administrative fund, the sum of $16,500.00; and

(ii) to the capital works fund, the sum of $8998.00.

(c) That both contributions be paid in equal quarterly instalments, the first such instalment being due on 1/07/2022 and subsequent instalments being due on the first days of 1/10/2022, 1/01/2023, 1/04/2023.

(d) That the treasurer is authorised to levy those contributions by written notice on each person liable to pay them.

Explanation: This motion, if carried, approves a budget which estimates how much money the owners corporation will need to raise to its administration and capital works funds and determines the amounts to be raised as contributions to be levied on owners to those funds to raise the estimated amounts included in the budget.

The contributions must be levies on owners in shares proportional to the unit of entitlement of their respective lots.

Any contribution becomes due and payable to the owners corporation on the date set out in the notice of the contribution which must be at least 30 days after the notice is given.

5 PAYMENT PLANS

UNANIMOUSLY RESOLVED that the owners corporation delegates the authority to the strata committee and its strata managing agent to decide on how to deal with any overdue contributions including if any payment plan will be entered into to permit payment of overdue contributions over a period of up to 12 months in accordance with section 85 (5) of the Strata Schemes Management Act.

Explanation: This motion, if carried, will permit some or all owners to pay levies over a period of up to 12 months.

The owners corporation may, by resolution at a general meeting, agree to enter into payment plans, either generally or in particular cases, for the payment of overdue contributions.

A payment plan must be limited to a period of 12 months but a further plan may be agreed to by the owners corporation by resolution. The existence of a payment plan does not limit any right of the owners corporation to take action to recover the amount of unpaid contribution.

6 RECOVERY OF OVERDUE LEVIES

UNANIMOUSLY RESOLVED that the owners corporation resolves to recover, and to authorise its strata managing agent and/or strata committee to take all necessary steps on its behalf to recover, from any person liable to pay a contribution:

(a) any contribution that is not paid at the end of one month after it becomes due and payable.

(b) any interest payable on the contribution, and

(c) the reasonable expenses of the owners corporation incurred in recovering those amounts, including (without Limitation) engaging and giving instructions to a debt collector or lawyer and:

(i) issuing letters of demand
(ii) entering and maintaining legal action,
(iii) entering judgement in the legal action, and
(iv) enforcing any judgement including through:

(A) the issue of a writ for the levy of property,
(B) a garnishee order, or
(C) initiating and maintaining bankruptcy or winding up proceedings.

Explanation: This motion, if passed, authorises the owners corporation, strata committee and strata managing agent to take all necessary steps to recover overdue contributions, interest and recovery expenses. Legal action

cannot be taken to recover overdue contributions unless 21 days written notice is given of such action pursuant to section 86 of the Act.

7 10-YEAR CAPITAL WORKS FUND PLAN

UNANIMOUSLY RESOLVED that the owners corporation:

(a) prepare a plan of anticipated major expenditure to be met from the capital works fund for a 10-year period (if required) ("Capital Works Fund Plan"); or

(b) review the current Capital Works Fund Plan and if necessary revise or replace that Plan; and

(c) authorise and direct the strata managing agent to obtain a quotation from and appoint a suitably qualified consultant for those purposes.

The next report is due on: 2023

Explanation: The owners corporation must prepare a plan of anticipated major expenditure to be met from the capital works fund over a 10-year period. The capital works fund must be reviewed at least once every 5-years.

8 MANDATORY AND ADDITIONAL INSURANCE INSURANCES

Mandatory insurance

UNANIMOUSLY RESOLVED that:

(a) the insurances held by the owners corporation as summarised in the attached annexure be confirmed;

(b) the owners corporation delegate to the strata committee the function of reviewing insurance quotations and to accept one of the quotations to renew the insurances of the owners corporation for the next period of insurance and authorise and direct the strata managing agent to communicate acceptance of the quotation to the insurer or its representative; and

(c) the strata managing agent and/or the strata committee be delegated the function of varying those insurances should it be beneficial to do so.

Additional insurance

(d) UNANIMOUSLY RESOLVED that the owners corporation resolves to continue to effect the additional insurances of office bearers liability and fidelity guarantee.

Explanation: Mandatory insurance - this motion, if passed, confirms the existing insurance cover held by the owners corporation, approves a quotation to renew those insurances for the next insurance period and gives the strata committee or strata managing agent power to vary those insurances. Additional Insurance - This motion, if passed, requires the owner corporation to take out office bearer's liability insurance and fidelity guarantee insurance.

9 VALUATION

UNANIMOUSLY RESOLVED that a valuation be obtained for insurance purposes prior to the expiration of the current policy and the strata managing agent be authorised to vary the sum insured in accordance with the updated valuation

Explanation: Although there is no requirement in the Act or its Regulations to undertake a valuation, it is recommended that a valuation is obtained for insurance purposes.

10 ANNUAL FIRE SAFETY STATEMENT

UNANIMOUSLY RESOLVED that the owners corporation noted that SP 54471 comprises of 6 single Class 1a residential dwellings grouped as townhouses and that Class 1a's are not required to submit an Annual Fire Safety Statement.

11 WORK HEALTH & SAFETY REPORT

UNANIMOUSLY RESOLVED that the owners corporation:

(a) engage a suitably qualified consultant to carry out an inspection of the common property to identify any health and safety risks on or in the common property; and

(b) submit that report to the strata committee to determine what action is to be required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare the report.

The next report is due on: 2022

Explanation: This motion, if approved, authorises a consultant to be appointed to inspect the common property and provide a report on any risks to health and safety on or in the common property and for the strata committee to determined what action is required, if any, as a result of that report.

12 2 YEARLY TESTING OF RCDS AND SWITCHBOARD

UNANIMOUSLY RESOLVED that the owners corporation delegate the authority to the strata committee and strata managing agent to arrange for the 2 yearly testing of the RCDs as per AS3760:2001 and the 2 yearly inspection of the main switchboard as per AS3000:2007 (amended 2009).

Last carried out: 2020 Due: 2022

Explanation: It is a requirement as per AS/NZS 3000:2007 that RCDs are installed on all common property lighting circuits and that the RCDs are checked at least every two years by an electrical contractor with inspection/testing records kept on site as per AS 3760:2001.

As per AS 3000:2007 it is a requirement that switchboards are checked at least every 2 years by an electrical contractor and inspect/testing records are kept on site.

13 ASBESTOS

UNANIMOUSLY RESOLVED that the owners corporation:

(a) engage a suitably qualified consultant to carry out an asbestos inspection of the common property and provide a report on asbestos containing material in accordance with the owners corporation's obligation under the Work Health and Safety Act 2011, if any; and

(b) submit that report to the strata committee to determine what action is required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare that report.

The next report is due on: 2023

Explanation: This motion, if passed, authorises a consultant to be appointed to inspect the common property and provide a report on any asbestos containing material and for the strata committee to determine what action is required if any, as a result of the report.

14 STRATA COMMITTEE ELECTION

UNANIMOUSLY RESOLVED:

(a) That nominations were received from Lots 4,5, 6, and 7 to be elected to the strata committee for the ensuing year.

(b) That the number of members for the strata committee was set at four (4) for the ensuing year.

(c) That the following were elected to the strata committee:

Lot 4 Ruchir Patel
Lot 5 Judith Gerhardt
Lot 6 Val Strothers
Lot 8 Steven Levien

Explanation: The chairperson will declare written nominations received prior to the meeting and call for verbal nominations from the owners present at the meeting. Candidates must disclose any connection to the original owner or caretaker of the building either before the meeting or during the meeting.

If there are more nominations received than the number of members determined, a ballot vote will take place in order to determine successful members.

If the nominations equals the number of members determined, then those members are duly elected.

15 RESTRICTIONS ON POWERS OF THE STRATA COMMITTEE

UNANIMOUSLY RESOLVED that the owners corporation decided that no further restrictions be placed on the strata committee.

Explanation: The owners corporation is able to impose restrictions on the power of the strata committee beyond restrictions that are already imposed by the Act.

16 STRATA MANAGING AGENT'S REPORT

UNANIMOUSLY RESOLVED that the strata managing agent report to the meeting that NIL commission or training services have been provided or paid for the strata managing agent in the last 12 months and are likely to be provided to or paid for the strata managing agent for the following 12 months.

Explanation: The motion requires the strata managing agent to report if they have received any commissions or training services have been provided to or paid for the agent in the past 12 months and if any such commissions or training services are likely to be received in the next 12 months.

17 REAPPOINTMENT OF MANAGING AGENT

UNANIMOUSLY RESOLVED That in accordance with Section 49 of The Strata Schemes Management Act 2015 (Act) that:

(a) Exec-Estate Pty Ltd continues to be appointed as strata managing agent of Strata Scheme 54471 31/08/2025.

(b) The owners corporation subject to (d) below, delegate to the Agent all of the functions of (other than those set out in section 52 (2) of that Act) and the functions of the of the chairperson, secretary, treasurer and strata committee;

(c) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and

(d) the owners corporation execute the Agreement to give effect to this appointment and delegation; and

(e) authority be given for the common seal of the owners corporation to be affixed to the Agreement by the secretary and the chairperson or any two members of the strata committee.

Explanation: The owners corporation may appoint a person who is the holder of a strata managing agent's licence under the Property Stock and Business Agents Act 2002 to be the strata managing agent of the schemes and delegation functions to that person.

This motion, if passed, will authorise the owners corporation to appoint a strata managing agent and delegate functions to the strata manager on the terms of the written agreement.

18 SERVICE OF DOCUMENTS

UNANIMOUSLY RESOLVED That pursuant to section 264 of The Strata Schemes Management Act 2015 (NSW) the owners corporation resolves that a document may be served on the owner of a lot by electronic means if the person has given the Owners Corporation an e-mail address for the service of notices and the document is sent to that address.

Explanation: The Strata Schemes Management Act 2015 permits agendas and minutes of a meeting, levies to be emailed if an email address has been provided.

19 OWNERS CORPORATION RECORDS

UNANIMOUSLY RESOLVED That the owners corporation resolves to keep its books and records, including its strata roll and accounting records noting that certain records are to be retained for the prescribed 7 year period.

20 ELECTRONIC VOTING

UNANIMOUSLY RESOLVED That the owners corporation permits any of the following means of voting on a matter to be determined by the owners corporation at any subsequent general meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation or any voting website of the owners corporation; and

(b) while participating in a meeting from a remote location - voting by means of teleconference, video-conferencing, email or any voting website of the owners corporation.

21 TENANTS AT MEETINGS

UNANIMOUSLY RESOLVED that the owners resolved by ordinary resolution to restrict tenants from being present when the following matters are being discussed:

a. Financial statements and auditor's reports
b. Levying of contributions
c. Recovery of unpaid contributions
d. A strata renewal proposal under Part 10 of the Strata Schemes Development Act 2015 or any related matter; and/or
e. Any other financial matter specified by the regulations for the purpose of this clause.

22 NEW ANNUAL REPORTING REQUIREMENT SEC 43A SSM Reg 2016

UNANIMOUSLY RESOLVED that the owners corporation pursuant to section 43A of the Strata Schemes Management Regulation 2016 authorises the strata managing agent to prepare and provide the annual reporting information required and pay the prescribe fee to the Secretary.

This information is to be provided commencing June 2022 and thereafter within 3 months after each annual general meeting of the owners corporation.

Explanation: Commencing June 2022, all NSW owners corporations will be required to provide details about their scheme, including building, safety and management information. To help cover the cost of administration and enforcement of the scheme by payment of a lodgement fee of $3 per lot with their annual report. Submit their first report within 3 months from 30 June 2022 to 30 September 2022 and upload their report online through the Strata Hub and annually thereafter.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 05:34 PM.

ExecEstate Strata
EXEC-ESTATE STRATA PTY LTD ABN 65 643 807 578
EXEC-ESTATE PTY LTD ABN 86 000 957 166
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P: 1300 032 007
E: admin@execestate.com.au

LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION

MINUTES OF A STRATA COMMITTEE MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 54471 was held on 26/04/2022 immediately following the Annual General Meeting at Exec Estate Strata via Zoom.

PRESENT:

Lot #	Unit #	Attendance	Owner Name Representative
4	4	Yes	Mr Ruchir Patel
5	5	Apology	Mrs Judith Gerhardt
7	7	Yes	Mrs Val Strothers
8	8	Yes	Mr Steven Levien

IN ATTENDANCE: Marguerite Woochuk - Exec Estate Strata

CHAIRPERSON (acting): At the request of the meeting Marguerite Woochuk chaired the meeting.

Minutes of the meeting:

1 MINUTES

UNANIMOUSLY RESOLVED that the minutes of the last strata committee meeting held on 30.4.2021 be confirmed as a true record of the proceedings of that meeting.

Explanation: This motion, if passed, confirms the accuracy of the minutes of the last strata committee meeting. If the minutes are inaccurate members of the strata committee can move to amend the minutes.

2 APPOINTING OFFICERS

UNANIMOUSLY RESOLVED that the strata committee appoint members to the officers roles of Chairperson, Secretary and Treasurer.

Chairperson	Steven Levien
Secretary	Judith Gerhardt
Treasurer	Ruchir Patel

Explanation: This motion, if passed, appoints a chairperson, secretary and treasurer of the strata committee and the owners corporation.

3 APPOINTING A STRATA MANAGER'S REPRESENTATIVE

UNANIMOUSLY RESOLVED that Steven Levien, a member of the strata committee was appointed and authorised to communicate with and issue instructions to the strata managing agent of the owners corporation on behalf of the committee.

Explanation: If this motion, if passed, appoints a member of the strata committee as the representative to liaise with and issue instructions to the strata managing agent of the owners corporation on behalf of the strata committee.

4 ELECTRONIC VOTING

UNANIMOUSLY RESOLVED that the strata committee permits any of the following means of voting on a matter to be determined by the committee at any subsequent meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation - voting by means of email or any voting website of the owners corporation and;

(b) while participating in a meeting from a remote location - voting by means of teleconference, video-conferencing, email or any voting website of the owners corporation.

Explanation: This motion, if approved, will permit votes to be cast before and during any subsequent meeting of the strata committee by various electronic means.

The strata committe may, by resolution adopt any means of the abovementioned electronic means of of voting to be determined by the committee.

Any votes cast by any of the means of voting described above must comply with any applicable information provided by the secretary or strata managing agent and The Strata Schemes Management Regulation 2016.

5 TERMITE INSPECTION/GENERAL PEST INSPECTION

UNANIMOUSLY RESOLVED that the strata committee resolved to carry out a termite inspection, general pest treatment and replenishment of the rodencide baits on the common property.

MATTERS ARISING IN RELATION TO THE REPAIRS AND MAINTENANCE OF THE COMMON PROPERTY

- Cleaning of bins - will monitor the needs to have the bins professionally cleaned.
- NorthConnex - Strata manager has been requested to advise them that the grate is full and needs to be cleared and that preventative maintenance needs to be scheduled thereafter.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 05:47 PM.

ExecEstate Strata
EXEC-ESTATE PTY LTD ABN 86 000 957 166
LEVEL 1, 668 PACIFIC HIGHWAY KILLARA 2071
PO BOX 212, GORDON NSW 2072
P 8467 8200
E strata@execestate.com.au

MINUTES OF AN ANNUAL GENERAL MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 54471 was held on 30/04/2021 at Exec Estate Strata via Zoom and commenced at 05:00 PM.

PRESENT:

Lot #	Unit #	Attendance	Owner Name Representative
4	4	Yes	Ruchir Patel and Falak Brahmakshatriya
5	5	Yes	J Gerhardt
7	7	Yes	Strothers, V A
8	8	Yes	S Levien & M Kelly

IN ATTENDANCE: Marguerite Woochuk - Exec Estate Strata

CHAIRPERSON (acting): At the request of the meeting Marguerite Woochuk chaired the meeting.

Minutes of the meeting:

1 MINUTES

UNANIMOUSLY RESOLVED that the minutes of the last general meeting of the owners corporation held on 01/05/2020 be confirmed as a true and accurate record of the proceedings of that meeting.

Explanation: The motion, if passed, confirms the accuracy of the minutes of the last general meeting. If the minutes of the last meeting are inaccurate the owners can move that the minutes be amended.

2 FINANCIAL STATEMENTS

UNANIMOUSLY RESOLVED that the attached statements of key financial information for the administrative fund and capital works fund and the auditor's report (if required) for the period ended 31/03/2021 be adopted.

Explanation: This motion if carried, adopts the statements of key financial information about the funds of the owners corporation. Those statements are attached and contain key information about the funds such as the total income for and expenditure from those funds and the balance of the funds.

3 DEREGISTER FOR GST

UNANIMOUSLY RESOLVED that the owners corporation resolved to deregister for GST effective 30th June 2021.

4 AUDITOR

UNANIMOUSLY RESOLVED that Sky & Co were appointed by the owners corporation to carry out an audit.

Explanation: This motion, if passed, appoints an auditor. The owners corporation does not have to appoint an auditor unless its annual turnover and any other amounts held by the owners corporation exceed $250,000 or the strata schemes is a large scheme containing more than 100 lots (excluding utility lots).

5 BUDGET AND CONTRIBUTIONS

UNANIMOUSLY RESOLVED:

(a) That in accordance with section Section 79 (1) and (2) of the Strata Schemes Management Act 2015, the owners corporation estimates that in respect of the period from 01/07/2021 to 30/06/2022 it will need to credit to its administrative and capital works funds for actual and expected expenditure referred to in those subsection the amounts set out in the attached budget; and

(b) in accordance with section 81 of the Strata Schemes Management Act 2015, the owners corporation determines that the following amounts are to be levied to raise the amounts estimated as needing to be credited to the administrative and capital works funds:

(i) to the administrative fund, the sum of $16,500.00; and

(ii) to the capital works fund, the sum of $9,517.20.

(c) That both contributions be paid in equal quarterly instalments, the first such instalment being due on 1/07/2021 and subsequent instalments being due on the first days of 1/10/2021, 1/01/2022, 1/04/2022.

(d) That the treasurer is authorised to levy those contributions by written notice on each person liable to pay them.

Explanation: This motion, if carried, approves a budget which estimates how much money the owners corporation will need to raise to its administration and capital works funds and determines the amounts to be raised as contributions to be levied on owners to those funds to raise the estimated amounts included in the budget.

The contributions must be levies on owners in shares proportional to the unit of entitlement of their respective lots.

Any contribution becomes due and payable to the owners corporation on the date set out in the notice of the contribution which must be at least 30 days after the notice is given.

6 PAYMENT PLANS

UNANIMOUSLY RESOLVED that no payment plan was tabled or considered.

Explanation: This motion, if carried, will permit some or all owners to pay levies over a period of up to 12 months.

The owners corporation may, by resolution at a general meeting, agree to enter into payment plans, either generally or in particular cases, for the payment of overdue contributions.

A payment plan must be limited to a period of 12 months but a further plan may be agreed to by the owners corporation by resolution. The existence of a payment plan does not limit any right of the owners corporation to take action to recover the amount of unpaid contribution.

7 RECOVERY OF OVERDUE LEVIES

UNANIMOUSLY RESOLVED that the owners corporation resolves to recover, and to authorise its strata managing agent and/or strata committee to take all necessary steps on its behalf to recover, from any person liable to pay a contribution:

(a) any contribution that is not paid at the end of one month after it becomes due and payable.

(b) any interest payable on the contribution, and

(c) the reasonable expenses of the owners corporation incurred in recovering those amounts, inlcuding (without Limitation) engaging and giving instructions to a debt collector or lawyer and:

(i) issuing letters of demand
(ii) entering and maintaining legal action,
(iii) entering judgement in the legal action, and
(iv) enforcing any judgement including through:

(A) the issue of a writ for the levy of property,

(B) a garnishee order, or
(C) initiating and maintaining bankruptcy or winding up proceedings.

Explanation: This motion, if passed, authorises the owners corporation, strata committee and strata managing agent to take all necessary steps to recover overdue contributions, interest and recovery expenses. Legal action cannot be taken to recover overdue contributions unless 21 days written notice is given of such action pursuant to section 86 of the Act.

8 10-YEAR CAPITAL WORKS FUND PLAN

UNANIMOUSLY RESOLVED that the owners corporation:

(a) prepare a plan of anticipated major expenditure to be met from the capital works fund for a 10-year period (if required) ("Capital Works Fund Plan"); or

(b) review the current Capital Works Fund Plan and if necessary revise or replace that Plan; and

(c) authorise and direct the strata managing agent to obtain a quotation from and appoint a suitably qualified consultant for those purposes.

The next report is due on: 2023

Explanation: The owners corporation must prepare a plan of anticipated major expenditure to be met from the capital works fund over a 10-year period. The capital works fund must be reivew at least once every 5-years.

9 MANDATORY AND ADDITIONAL INSURANCE INSURANCES

Mandatory insurance

UNANIMOUSLY RESOLVED that:

(a) the insurances held by the owners corporation as summarised in the attached annexure be confirmed;

(b) the owners corporation delegate to the strata committee the function of reviewing insurance quotations and to accept one of the quotations to renew the insurances of the owners corporation for the next period of insurance and authorise and direct the strata managing agent to communicate acceptance of the quotation to the insurer or its representative; and

(c) the strata managing agent and/or the strata committee be delegated the function of varying those insurances should it be beneficial to do so.

Additional insurance

(d) UNANIMOUSLY RESOLVED that the owners corporation resolves to continue to effect the additional insurances of office bearers liability and fidelity guarantee.

Explanation: Mandatory insurance - this motion, if passed, confirms the existing insurance cover held by the owners corporation, approves a quotation to renew those insurances for the next insurance period and gives the strata committee or strata managing agent power to vary those insurances. Additional Insurance - This motion, if passed, requires the owner corporation to take out office bearer's liaibility insurance and fidelity guarantee insurance.

10 VALUATION

UNANIMOUSLY RESOLVED that a valuation be obtained for insurance purposes prior to the expiration of of the current policy and the strata managing agent be authorised to vary the sum insured in accordance with the updated valuation

Explanation: Although there is no requirement in the Act or its Regulations to undertake a valuation, it is recommended that a valuation is obtained for insurance purposes.

11 ANNUAL FIRE SAFETY STATEMENT

UNANIMOUSLY RESOLVED that the owners corporation notes that SP 54471 comprises of 6 single Class 1a residential dwellings grouped as townhouses and that Class 1a's are not required to submit an Annual Fire Safety Statement.

12 WORK HEALTH & SAFETY REPORT

UNANIMOUSLY RESOLVED That the owners corporation:

(a) engage a suitably qualified consultant to carry out an inspection of the common property to identify any health and safety risks on or in the common property; and

(b) sumit that report to the strata committee to determine what action is to be required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare the report.

Last carried out: 2020 Next due for review: 2022

Explanation: This motion, if approved, authorises a consultant to be appointed to inspect the common property and provide a report on any risks to health and safety on or in the common property and for the strata committee to determined what action is required, if any, as a result of that report.

13 2 YEARLY TESTING OF RCDS AND SWITCHBOARD

UNANIMOUSLY RESOLVED that the owners corporation delegate the authority to the strata committee and strata managing agent to arrange for the 2 yearly testing of the RCDs as per AS3760:2001 and the 2 yearly inspection of the main switchboard as per AS3000:2007 (amended 2009).

Last carried out: 2020 Due: 2022

Explanation: It is a requirement as per AS/NZS 3000:2007 that RCDs are installed on all common property lighting circuits and that the RCDs are checked at least every two years by an electricial contractor with inspection/testing records kept on site as per AS 3760:2001.

As per AS 3000:2007 it is a requirement that switchboards are checked at least every 2 years by an electrical contractor and inspect/testing records are kept on site.

14 ASBESTOS

UNANIMOUSLY RESOLVED that the owners corporation:

(a) engage a suitably qualified consultant to carry out an asbestos inspection of the common property and provide a report on asbestos containing material in accordance with the owners corporation's obligation under the Work Health and Safety Act 2011, if any; and

(b) submit that report to the strata committee to determine what action is required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare that report.

The next report is due on: 2023

Explanation: This motion, if passed, authorises a consultant to be appointed to inspect the common property and provide a report on any asbestos containing material and for the strata committee to determine what action is required if any, as a result of the report.

15 STRATA COMMITTEE ELECTION

UNANIMOUSLY RESOLVED:

(a) That nominations be received from Lot 4, 5, 6 and 7 to be elected to the strata committee for the ensuing year.

(b) That the number of members for the strata committee was set at four (4) for the ensuing year.

(c) That the following were elected to the strata committee:

Lot 4 Ruchir Patel
Lot 5 Judith Gerhardt
Lot 6 Val Strothers
Lot 8 Steven Levien

Explanation: The chairperson will declare written nominations received prior to the meeting and call for verbal nominations from the owners present at the meeting. Candidates must disclose any connection to the original owner or caretaker of the building either before the meeting or during the meeting.

If there are more nominations received than the number of members determined, a ballot vote will take place in order to determine successful members.

If the nominations equals the number of members determined, then those members are duly elected.

16 RESTRICTIONS ON POWERS OF THE STRATA COMMITTEE

UNANIMOUSLY RESOLVED that the owners corporation decided that no further restrictions be placed on the strata committee.

Explanation: The owners corporation is able to impose restrictions on the power of the strata committee beyond restrictions that are already imposed by the Act.

17 STRATA MANAGING AGENT'S REPORT

UNANIMOUSLY RESOLVED that the strata managing agent report to the meeting that NIL commission or training services have been provided or paid for the strata managing agent in the last 12 months and are likely to be provided to or paid for the strata managing agent for the following 12 months.

Explanation: The motion requires the strata managing agent to report if they have received any commissions or training services have been provided to or paid for the agent in the past 12 months and if any such commissions or training services are likely to be received in the next 12 months.

18 REAPPOINTMENT OF MANAGING AGENT

UNANIMOUSLY RESOLVED that in accordance with Section 49 of The Strata Schemes Management Act 2015 (Act) that:

(a) Exec-Estate Pty Ltd continues to be appointed as strata managing agent of Strata Scheme 54471 31/08/2022.

(b) The owners corporation subject to (d) below, delegate to the Agent all of the functions of (other than those set out in section 52 (2) of that Act) and the functions of the of the chairperson, secretary, treasurer and strata committee;

(c) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and

(d) the owners corporation execute the Agreement to give effect to this appointment and delegation; and

(e) authority be given for the common seal of the owners corporation to be affixed to the Agreement by the secretary and the chairperson or any two members of the strata committee.

Explanation: The owners corporation may appoint a person who is the holder of a strata managing agent's licence under the Property Stock and Business Agents Act 2002 to be the strata managing agent of the schemes and delegation functions to that person.

This motion, if passed, will authorise the owners corporation to appoint a strata managing agent and delegate functions to the strata manager on the terms of the written agreement.

19 SERVICE OF DOCUMENTS

UNANIMOUSLY RESOLVED that pursuant to section 264 of The Strata Schemes Management Act 2015 (NSW) the owners corporation resolves that a document may be served on the owner of a lot by electronic means if the person has given the Owners Corporation an e-mail address for the service of notices and the document is sent to that address.

Explanation: The Strata Schemes Management Act 2015 permits agendas and minutes of a meeting, levies to be emailed if a email address has been provided.

20 OWNERS CORPORATION RECORDS

UNANIMOUSLY RESOLVED that the owners corporation resolves to keep its books and records, including its strata roll and accounting records noting that certain records are to be retained for the prescribed 7 year period.

21 CHANGE OF ADDRESS

UNANIMOUSLY RESOLVED that the owners corporation resolves:

(a) To change the address for service of notices to:

C/- Exec-Estate Pty Ltd
PO BOX 212
GORDON NSW 2072

(b) authorise the strata managing agent to affix its seal to the approved form and arrange for it to be lodged with the office of the Registrar-General.

22 ELECTRONIC VOTING

UNANIMOUSLY RESOLVED that the owners corporation permit any of the following means of voting on a matter to be deternmined by the owners corporation at any subsequent general meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation or any voting website of the owners corporation; and

(b) while participating in a meeting from a remote location - voting by means of teleconference, video-conferencing, email or any voting website of the owners corporation.

23 TENANTS AT MEETINGS

UNANIMOUSLY RESOLVED that the owners resolved by ordinary resolution to restrict tenants from being present when the following matters are being discussed:

a. Financial statements and auditor's reports
b. Levying of contributions
c. Recovery of unpaid contributions
d. A strata renewal proposal under Part 10 of the Strata Schemes Development Act 2015 or any related matter; and/or
e. Any other financial matter specified by the regulations for the purpose of this clause.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 05:18 PM.

ExecEstate Strata
EXEC-ESTATE PTY LTD ABN 86 000 957 166
LEVEL 1, 668 PACIFIC HIGHWAY KILLARA 2071
PO BOX 212, GORDON NSW 2072
P 8467 8200
E strata@execestate.com.au

MINUTES OF A STRATA COMMITTEE MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 54471 was held on 30/04/2021 immediately following the Annual General Meeting at Exec Estate Strata via Zoom.

PRESENT:

Lot #	Unit #	Attendance	Owner Name Representative
4	4	Yes	Mr Ruchir Patel
5	5	Yes	Mrs Judith Gerhardt
7	7	Yes	Mrs Val Strothers
8	8	Yes	Mr Steven Levien

IN ATTENDANCE: Marguerite Woochuk - Exec Estate Strata

CHAIRPERSON (acting): At the request of the meeting Marguerite Woochuk chaired the meeting.

Minutes of the meeting:

1 MINUTES

UNANIMOUSLY RESOLVED that the minutes of the last strata committee meeting held on 1/5/2020 be confirmed as a true record of the proceedings of that meeting.

Explanation: This motion, if passed, confirms the accuracy of the minutes of the last strata committee meeting. If the minutes are inaccurate members of the strata committee can move to amend the minutes.

2 APPOINTING OFFICERS

UNANIMOUSLY RESOLVED that the strata committee appoint members to the officers roles of Chairperson, Secretary and Treasurer.

Chairperson	Steven Levien
Secretary	Ruchir Patel
Treasurer	Judith Gerhardt

Explanation: This motion, if passed, appoints a chairperson, secretary and treasurer of the strata committee and the owners corporation.

3 APPOINTING A STRATA MANAGER'S REPRESENTATIVE

UNANIMOUSLY RESOLVED that Steven Levien, a member of the strata committee was appointed and authorised to communicate with and issue instructions to the strata managing agent of the owners corporation on behalf of the committee.

Explanation: If this motion, if passed, appoints a member of the strata committee as the representative to liaise with and issue instructions to the strata managing agent of the owners corporation on behalf of the strata committee.

4 ELECTRONIC VOTING

UNANIMOUSLY RESOLVED that the strata committee permits any of the following means of voting on a matter to be determined by the committee at any subsequent meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation - voting by means of email or any voting website of the owners corporation and;

(b) while participating in a meeting from a remote location - voting by means of teleconference,

video-conferencing, email or any voting website of the owners corporation.

Explanation: This motion, if approved, will permit votes to be cast before and during any subsequent meeting of the strata committee by various electronic means.

The strata committe may, by resolution adopt any means of the abovementioned electronic means of of voting to be determined by the committee.

Any votes cast by any of the means of voting described above must comply with any applicable information provided by the secretary or strata managing agent and The Strata Schemes Management Regulation 2016.

5 TERMITE INSPECTION/GENERAL PEST INSPECTION

UNANIMOUSLY RESOLVED that the strata committee resolve to carry out a termite inspection and general pest treatment of the common property.

MATTERS ARISING IN RELATION TO REPAIRS AND MAINTENANCE OF THE COMMON PROPERTY

Driveway needs rectification

The driveway is not fit for purpose and is breaking up. The committee has requested the strata manager to write to NorthConnex and request that they return and rectify this defect. Steve Levien is to send across paperwork.

If there is no response to this request, legal action will be considered.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 05:36 PM.

ExecEstate Strata
EXEC-ESTATE PTY LTD ABN 86 000 957 166
LEVEL 1, 668 PACIFIC HIGHWAY KILLARA 2071
PO BOX 212, GORDON NSW 2072
P 8467 8200
E strata@execestate.com.au

MINUTES OF A STRATA COMMITTEE MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 54471 was held on 1/05/2020 immediately following the Annual General Meeting at in the office of Exec Estate Strata, 668 Pacific Highway KILLARA NSW 2071 via Zoom.

PRESENT:

Lot #	Unit #	Attendance	Owner Name Representative
7	7	Yes	Mrs Valerie Strothers
8	8	Yes	Mr Steven Levien

IN ATTENDANCE: Marguerite Woochuk and John Sach - Exec Estate Strata

CHAIRPERSON (acting): At the request of the meeting Marguerite Woochuk chaired the meeting.

Minutes of the meeting:

1 MINUTES

UNANIMOUSLY RESOLVED that the minutes of the last strata committee meeting held on 03/05/2019 be confirmed as a true record of the proceedings of that meeting.

Explanation: This motion, if passed, confirms the accuracy of the minutes of the last strata committee meeting. If the minutes are inaccurate members of the strata committee can move to amend the minutes.

2 APPOINTING OFFICERS

UNANIMOUSLY RESOLVED that the strata committee appoint members to the officers roles of Chairperson, Secretary and Treasurer.

Chairman - Steve Levien
Secretary - Valerie Strothers
Treasurer - Judity Gerhardt

Explanation: This motion, if passed, appoints a chairperson, secretary and treasurer of the strata committee and the owners corporation.

3 APPOINTING A STRATA MANAGER'S REPRESENTATIVE

UNANIMOUSLY RESOLVED that Steven Levien, a member of the strata committee was appointed and authorised to communicate with and issue instructions to the strata managing agent of the owners corporation on behalf of the committee.

Explanation: If this motion, if passed, appoints a member of the strata committee as the representative to liaise with and issue instructions to the strata managing agent of the owners corporation on behalf of the strata committee.

4 ELECTRONIC VOTING

UNANIMOUSLY RESOLVED that the strata committee permits any of the following means of voting on a matter to be determined by the committee at any subsequent meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation - voting by means of email or any voting website of the owners corporation and;

(b) while participating in a meeting from a remote location - voting by means of teleconference, video-conferencing, email or any voting website of the owners corporation.

Explanation: This motion, if approved, will permit votes to be cast before and during any subsequent meeting of the strata committee by various electronic means.

The strata committe may, by resolution adopt any means of the abovementioned electronic means of of voting to be determined by the committee.

Any votes cast by any of the means of voting described above must comply with any applicable information provided by the secretary or strata managing agent and The Strata Schemes Management Regulation 2016.

5 **TERMITE INSPECTION/GENERAL PEST INSPECTION**
UNANIMOUSLY RESOLVED that the strata committee resolved to carry out a termite inspection and general pest inspection of the common property.

MATTERS ARISING IN RELATION TO THE MAINTENANCE AND REPAIR OF COMMON PROPERTY

Gutter cleaning/Roof tile cleaning/sealing

Strata manager to arrange quote to pressure clean the roof, gutters and any upper level windoes.

Gutter painting/replacement

Strata manager to ask Progressive to supply quote to paint the gutters and gates.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 04:55 PM.

ExecEstate Strata
EXEC-ESTATE PTY LTD ABN 86 000 957 166
LEVEL 1, 668 PACIFIC HIGHWAY KILLARA 2071
PO BOX 212, GORDON NSW 2072
P 8467 8200
E strata@execestate.com.au

MINUTES OF AN ANNUAL GENERAL MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 54471 was held on 1/05/2020 in the office of Exec Estate Strata, Level 1, 668 Pacific Highway KILLARA NSW 2071 and commenced at 04:30 PM via Zoom.

PRESENT IN PERSON OR BY PROXY:

Lot #	Unit #	Attendance	Owner Name Representative
7	7	Yes	Strothers, V A
8	8	Yes	S Levien & M Kelly

PROXY: Valerie Strothers (Lot 7) proxy to Steven Levien.

IN ATTENDANCE: Marguerite Woochuk and John Sachs - Exec Estate Strata

CHAIRPERSON (acting): At the request of the meeting Marguerite Woochuk chaired the meeting.

Minutes of the meeting:

1 MINUTES

UNANIMOUSLY RESOLVED that the minutes of the last general meeting of the owners corporation held on 19/06/2019 be confirmed as a true and accurate record of the proceedings of that meeting.

Explanation: The motion, if passed, confirms the accuracy of the minutes of the last general meeting. If the minutes of the last meeting are inaccurate the owners can move that the minutes be amended.

2 FINANCIAL STATEMENTS

UNANIMOUSLY RESOLVED that the attached statements of key financial information for the administrative fund and capital works fund and the auditor's report (if required) for the period ended 31/03/2020 be adopted.

Explanation: This motion if carried, adopts the statements of key financial information about the funds of the owners corporation. Those statements are attached and contain key information about the funds such as the total income for and expenditure from those funds and the balance of the funds.

3 AUDITOR

UNANIMOUSLY RESOLVED that Sky & Co be appointed by the owners corporation to carry out an audit.

Explanation: This motion, if passed, appoints an auditor. The owners corporation does not have to appoint an auditor unless its annual turnover and any other amounts held by the owners corporation exceed $250,000 or the strata schemes is a large scheme containing more than 100 lots (excluding utility lots).

4 BUDGET AND CONTRIBUTIONS

UNANIMOUSLY RESOLVED:

(a) That in accordance with section Section 79 (1) and (2) of the Strata Schemes Management Act 2015, the owners corporation estimates that in respect of the period from 01/07/2020 to 30/06/2021 it will need to credit to its administrative and capital works funds for actual and expected expenditure referred to in those subsection

the amounts set out in the attached budget; and

(b) in accordance with section 81 of the Strata Schemes Management Act 2015, the owners corporation determines that the following amounts are to be levied to raise the amounts estimated as needing to be credited to the administrative and capital works funds:

(i) to the administrative fund, the sum of $11,785.00 plus GST; and

(ii) to the capital works fund, the sum of $8,320.00 plus GST.

(c) That both contributions be paid in equal quarterly instalments, the first such instalment being due on 01/07/2020 and subsequent instalments being due on the first days of 01/10/2020, 01/01/2021, 01/04/2021.

(d) That the treasurer is authorised to levy those contributions by written notice on each person liable to pay them.

Explanation: This motion, if carried, approves a budget which estimates how much money the owners corporation will need to raise to its administration and capital works funds and determines the amounts to be raised as contributions to be levied on owners to those funds to raise the estimated amounts included in the budget.

The contributions must be levies on owners in shares proportional to the unit of entitlement of their respective lots.

Any contribution becomes due and payable to the owners corporation on the date set out in the notice of the contribution which must be at least 30 days after the notice is given.

5 PAYMENT PLANS

UNANIMOUSLY RESOLVED that the owners corporation decides how to deal with any overdue contributions including if any payment plan will be entered into to permit payment of overdue contributions over a period of up to 12 months in accordance with section 85 (5) of the Strata Schemes Management Act.

Explanation: This motion, if carried, will permit some or all owners to pay levies over a period of up to 12 months.

The owners corporation may, by resolution at a general meeting, agree to enter into payment plans, either generally or in particular cases, for the payment of overdue contributions.

A payment plan must be limited to a period of 12 months but a further plan may be agreed to by the owners corporation by resolution. The existence of a payment plan does not limit any right of the owners corporation to take action to recover the amount of unpaid contribution.

6 RECOVERY OF OVERDUE LEVIES

UNANIMOUSLY RESOLVED That the owners corporation resolves to recover, and to authorise its strata managing agent and/or strata committee to take all necessary steps on its behalf to recover, from any person liable to pay a contribution:

(a) any contribution that is not paid at the end of one month after it becomes due and payable.

(b) any interest payable on the contribution, and

(c) the reasonable expenses of the owners corporation incurred in recovering those amounts, inlcuding (without Limitation) engaging and giving instructions to a debt collector or lawyer and:

(i) issuing letters of demand
(ii) entering and maintaining legal action,
(iii) entering judgement in the legal action, and
(iv) enforcing any judgement including through:

(A) the issue of a write for the levy of property,
(B) a garnishee order, or
(C) initiating and maintaining bankruptcy or winding up proceedings.

Explanation: This motion, if passed, authorises the owners corporation, strata committee and strata managing agent to take all necessary steps to recover overdue contributions, interest and recovery expenses. Legal action cannot be taken to recover overdue contributions unless 21 days written notice is given of such action pursuant to section 86 of the Act.

7 10-YEAR CAPITAL WORKS FUND PLAN

UNANIMOUSLY RESOLVED That the owners corporation:

(a) prepare a plan of anticipated major expenditure to be met from the capital works fund for a 10-year period (if required) ("Capital Works Fund Plan"); or

(b) review the current Capital Works Fund Plan and if necessary revise or replace that Plan; and

(c) authorise and direct the strata managing agent to obtain a quotation from and appoint a suitably qualified consultant for those purposes.

The next report is due on: 2023

Explanation: The owners corporation must prepare a plan of anticipated major expenditure to be met from the capital works fund over a 10-year period. The capital works fund must be reivew at least once every 5-years.

8 MANDATORY AND ADDITIONAL INSURANCE INSURANCES

Mandatory insurance

UNANIMOUSLY RESOLVED That:

(a) the insurances held by the owners corporation as summarised in the attached annexure be confirmed;

(b) the owners corporation delegate to the strata committee the function of reviewing insurance quotations and to accept one of the quotations to renew the insurances of the owners corporation for the next period of insurance and authorise and direct the strata managing agent to communicate acceptance of the quotation to the insurer or its representative; and

(c) the strata managing agent and/or the strata committee be delegated the function of varying those insurances should it be beneficial to do so.

Additional insurance

(d) UNANIMOUSLY RESOLVED That the owners corporation resolves to continue to effect the additional insurances of office bearers liability and fidelity guarantee.

Explanation: Mandatory insurance - this motion, if passed, confirms the existing insurance cover held by the owners corporation, approves a quotation to renew those insurances for the next insurance period and gives the strata committee or strata managing agent power to vary those insurances. Additional Insurance - This motion, if passed, requires the owner corporation to take out office bearer's liaibility insurance and fidelity guarantee insurance.

9 VALUATION

UNANIMOUSLY RESOLVED that a valuation be obtained for insurance purposes prior to the expiration of of the current policy and the strata managing agent be authorised to vary the sum insured in accordance with the updated valuation

Explanation: Although there is no requirement in the Act or its Regulations to undertake a valuation, it is recommended that a valuation is obtained for insurance purposes.

10 ANNUAL FIRE SAFETY STATEMENT

UNANIMOUSLY RESOLVED that the owners corporation noted that this strata scheme comprises of 6 single Class 1a residential dwellings grouped as townhouses and that Class 1a's are not required to submit an Annual Fire Safety Statement.

11 WORK HEALTH & SAFETY REPORT

UNANIMOUSLY RESOLVED that the owners corporation:

(a) engage a suitably qualified consultant to carry out an inspection of the common property to identify any

health and safety risks on or in the common property; and

(b) sumit that report to the strata committee to determine what action is to be required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare the report.

Explanation: This motion, if approved, authorises a consultant to be appointed to inspect the common property and provide a report on any risks to health and safety on or in the common property and for the strata committee to determined what action is required, if any, as a result of that report.

12 2 YEARLY TESTING OF RCDS AND SWITCHBOARD

UNANIMOUSLY RESOLVED that the owners corporation delegate the authority to the strata committee and strata managing agent to arrange for the 2 yearly testing of the RCDs as per AS3760:2001 and the 2 yearly inspection of the main switchboard as per AS3000:2007 (amended 2009).

Last carried out: 2018 Due: 2020

Explanation: It is a requirement as per AS/NZS 3000:2007 that RCDs are installed on all common property lighting circuits and that the RCDs are checked at least every two years by an electricial contractor with inspection/testing records kept on site as per AS 3760:2001.

As per AS 3000:2007 it is a requirement that switchboards are checked at least every 2 years by an electrical contractor and inspect/testing records are kept on site.

13 ASBESTOS

UNANIMOUSLY RESOLVED that the owners corporation:

(a) engage a suitably qualified consultant to carry out an asbestos inspection of the common property and provide a report on asbestos containing material in accordance with the owners corporation's obligation under the Work Health and Safety Act 2011, if any; and

(b) submit that report to the strata committee to determine what action is required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare that report.

The next report is due on: 2023

Explanation: This motion, if passed, authorises a consultant to be appointed to inspect the common property and provide a report on any asbestos containing material and for the strata committee to determine what action is required if any, as a result of the report.

14 STRATA COMMITTEE ELECTION

UNANIMOUSLY RESOLVED:

(a) That nominations were received from lots 4, 5, 7, 8, 9 be elected to the strata committee for the ensuing year.

(b) That the number of members for the strata committee ws set at five (5) for the ensuing year.

(c) That the following were elected to the strata committee:

Nathan Rivett - Lot 4
Judith Gerhardt - Lot 5
Valerie Strothers - Lot 7
Steven Levien - Lot 8
Anne Gearing-Thomas - Lot 9

Explanation: The chairperson will declare written nominations received prior to the meeting and call for verbal nominations from the owners present at the meeting. Candidates must disclose any connection to the original owner or caretaker of the building either before the meeting or during the meeting.

If there are more nominations received than the number of members determined, a ballot vote will take place in order to determine successful members.

If the nominations equals the number of members determined, then those members are duly elected.

15 RESTRICTIONS ON POWERS OF THE STRATA COMMITTEE

UNANIMOUSLY RESOLVED that the owners corporation decided that no further restrictions be placed on the strata committee.

Explanation: The owners corporation is able to impose restrictions on the power of the strata committee beyond restrictions that are already imposed by the Act.

16 STRATA MANAGING AGENT'S REPORT

UNANIMOUSLY RESOLVED that the strata managing agent reported to the meeting that NIL commission or training services have been provided or paid for the strata managing agent in the last 12 months and are likely to be provided to or paid for the strata managing agent for the following 12 months.

Explanation: The motion requires the strata managing agent to report if they have received any commissions or training services have been provided to or paid for the agent in the past 12 months and if any such commissions or training services are likely to be received in the next 12 months.

17 REAPPOINTMENT OF MANAGING AGENT

UNANIMOUSLY RESOLVED that in accordance with Section 49 of The Strata Schemes Management Act 2015 (Act) that:

(a) Exec-Estate Pty Ltd continues to be appointed as strata managing agent of Strata Scheme 54471 to 31/08/2022.

(b) The owners corporation subject to (d) below, delegate to the Agent all of the functions of (other than those set out in section 52 (2) of that Act) and the functions of the of the chairperson, secretary, treasurer and strata committee;

(c) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and

(d) the owners corporation execute the Agreement to give effect to this appointment and delegation; and

(e) authority be given for the common seal of the owners corporation to be affixed to the Agreement by the secretary and the chairperson or any two members of the strata committee.

Explanation: The owners corporation may appoint a person who is the holder of a strata managing agent's licence under the Property Stock and Business Agents Act 2002 to be the strata managing agent of the schemes and delegation functions to that person.

This motion, if passed, will authorise the owners corporation to appoint a strata managing agent and delegate functions to the strata manager on the terms of the written agreement.

18 SERVICE OF DOCUMENTS

UNANIMOUSLY RESOLVED that pursuant to section 264 of The Strata Schemes Management Act 2015 (NSW) the owners corporation resolves that a document may be served on the owner of a lot by electronic means if the person has given the Owners Corporation an e-mail address for the service of notices and the document is sent to that address.

Explanation: The Strata Schemes Management Act 2015 permits agendas and minutes of a meeting, levies to be emailed if a email address has been provided.

19 OWNERS CORPORATION RECORDS

UNANIMOUSLY RESOLVED that the owners corporation resolves to keep its books and records, including its strata roll and accounting records noting that certain records are to be retained for the prescribed 7 year period.

20 ELECTRONIC VOTING

UNANIMOUSLY RESOLVED that the owners corporation permit any of the following means of voting on a matter to be determmined by the owners corporation at any subsequent general meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation or any voting website of the owners corporation; and

(b) while participating in a meeting from a remote location - voting by means of teleconference, video-conferencing, email or any voting website of the owners corporation.

21 TENANTS AT MEETINGS

UNANIMOUSLY RESOLVED that the owners resolve by ordinary resolution to restrict tenants from being present when the following matters are being discussed:

a. Financial statements and auditor's reports
b. Levying of contributions
c. Recovery of unpaid contributions
d. A strata renewal proposal under Part 10 of the Strata Schemes Development Act 2015 or any related matter; and/or
e. Any other financial matter specified by the regulations for the purpose of this clause.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 04:48 PM.

ExecEstate Strata
EXEC-ESTATE PTY LTD ABN 86 000 957 166
LEVEL 1, 668 PACIFIC HIGHWAY KILLARA 2071
PO BOX 212, GORDON NSW 2072
P 8467 8200
E strata@execestate.com.au

MINUTES OF THE EXTRAORDINARY GENERAL MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: An Extraordinary General Meeting of The Owners - Strata Plan 54471 was held on 19/06/2019 at Unit 8, 1-3 Burns Road WAHROONGA NSW 2076. The meeting commenced at 04:30 PM.

PRESENT IN PERSON OR BY PROXY:

Lot #	Unit #	Attendance	Owner Name Representative
4	4	Yes	N J & F L Rivett
5	5	Yes	J Gerhardt
7	7	Yes	Strothers, V A
8	8	Yes	S Levien & M Kelly
9	9	Yes	Gearing-Thomas, A B

PROXIES: Nathan and Frances Rivett (Lot 4) proxy to Judy Gerhardt and Valerie Strothers (Lot 7) proxy to Steven Levien.

IN ATTENDANCE: Marguerite Woochuk - Exec Estate Strata

CHAIRPERSON (acting): At the request of the meeting Marguerite Woochuk chaired the meeting.

Minutes of the meeting:

1 **MINUTES**
UNANIMOUSLY RESOLVED that the minutes of the last general meeting of the owners corporation held on 3rd May 2019 be confirmed as a true record of the proceedings of that meeting.

2 **SPECIAL BY-LAW - LOT 8 GROUND FLOOR BATHROOM WORKS**
UNANIMOUSLY RESOLVED that the Owners Corporation SPECIALLY RESOLVED pursuant to Sections 108 and 143 of the Strata Schemes Management Act 2015 to make an additional by-law in the following terms set out in Attachment "A":-

3 **MOTION TO AMEND MODEL BY-LAWS**
UNANIMOUSLY RESOLVED that the owners corporation SPECIALLY RESOLVED pursuant to section 141 of the Strata Schemes Management Act 2015 to:

(a) repeal model by-laws 1-19 for pre-1996 strata schemes in Schedule 2 to the Strata Schemes Management Regulation 2016; and

(b) adopt model by-laws 1-18 for new residential strata schemes in Schedule 3 to the Strata Schemes Management Regulation 2016 including:

(i) By-Law 5 - Keeping of Animals - option B;

(ii) By-law 9 - Smoke Penetration - option B.

Explanatory note: This is a motion to change the model by-laws that apply to the strata scheme. The motion, if approved, will repeal the existing 19 model by-laws and replace them with the new 18 model by-laws contained in the current strata regulations.

4 MOTION TO APPROVE BY-LAW FOR RENOVATIONS

UNANIMOUSLY RESOLVED that the owners corporation SPECIALLY RESOLVED pursuant to section 141 of the Strata Schemes Management Act 2015 THAT an additional by-law be made, Special By-Law No. 2 - Renovations - on the terms set out below or which are attached to the notice of this meeting, and that notification of the by-law be lodged for registration at the Registrar-General's Office.

Explanatory Note: This is a motion to make a new by-law. The by-law will set out rules that owners will need to follow before, during and after they undertake minor and major renovations and will delegate to the strata committee power to approve minor renovations. This motion must be passed by a special resolution.

5 MOTION FOR OWNERS CORPORATION TO DETERMINE NOT TO REPAIR MINOR RENOVATIONS

UNANIMOUSLY RESOLVED that the owners corporation SPECIALLY RESOLVED pursuant to section 106(3) of the Strata Schemes Management Act 2015 THAT:

(a) it is inappropriate for the owners corporation to maintain, renew, replace or repair any minor renovations carried out in accordance with Special By-Law No. 2 - Renovations; and

(b) in the light of the obligations imposed on owners in that by-law to maintain, renew, replace or repair any minor renovations done by them, its decision will not affect the safety of any building, structure or common area in the strata scheme or detract from the appearance of any property in the strata scheme.

Explanatory Note: This is a motion for the owners corporation to determine not to maintain, repair or replace any minor renovations undertaken by owners in accordance with the by-law considered in the previous motion. This by-law must be passed by a special resolution.

6 MOTION TO ADOPT BY-LAW FOR RULES & RECOVERY OF COSTS BY OWNERS CORPORATION

UNANIMOUSLY RESOLVED that the owners corporation SPECIALLY RESOLVED pursuant to section 141 of the Strata Schemes Management Act 2015 to make an additional by-law, Special By-Law No. 3 - Rules and Recovery of Costs by Owners Corporation, in the terms set out below or which are attached to the notice of this meeting and to lodge notification of the by-law and a consolidated set of all existing by-laws for registration at NSW Land Registry Services.

Explanatory note: This is a motion to make a new by-law. The by-law sets out rules owners and occupiers must follow and permits the owners corporation to recover from owners and occupiers who breach the by-laws the costs it incurs remedying or as a result of their breach. This motion must be passed by a special resolution.

7 PAINTING OF COMMON PROPERTY

UNANIMOUSLY RESOLVED that this matter is deferred to the strata committee to obtain all the quotes for the painting of the common property and to select the preferred quote.

8 REPLACEMENT OF TRELLIS THROUGHOUT THE COMPLEX

UNANIMOUSLY RESOLVED that this matter is deferred to the strata committee to obtain the quotes for the replacement of the trellis' and to select the preferred quote.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 04:45 PM.

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MINUTES OF A STRATA COMMITTEE MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 54471 was held on 3/05/2019 immediately following the Annual General Meeting in townhouse 7 at 1-3 Burns Road WAHROONGA NSW 2086.

PRESENT:

Lot #	Unit #	Attendance	Owner Name Representative
5	5	Yes	Mrs Judith Gerhardt
7	7	Yes	Mrs Valerie Strothers
8	8	Yes	Mr Steven Levien
9	9	Yes	Mrs Anne Gearing-Thomas

CHAIRPERSON (acting): At the request of the meeting John Sachs chaired the meeting.

IN ATTENDANCE: Marguerite Woochuk and John Sachs - Exec Estate Pty Ltd

Minutes of the meeting:

1 **MINUTES**
UNANIMOUSLY RESOLVED that the minutes of the last strata committee meeting held on 4th May 2018 be confirmed as a true record of the proceedings of that meeting.

Explanation: This motion, if passed, confirms the accuracy of the minutes of the last strata committee meeting. If the minutes are inaccurate members of the strata committee can move to amend the minutes.

2 **APPOINTING OFFICERS**
UNANIMOUSLY RESOLVED that the strata committee appointed the following members to the officers roles of Chairperson, Secretary and Treasurer.

Chairman - Steven Levien (Lot 8)
Secretary- Val Strother (Lot 7)
Treasurer - Judith Gerhardt (Lot 5)

Explanation: This motion, if passed, appoints a chairperson, secretary and treasurer of the strata committee and the owners corporation.

3 **APPOINTING A STRATA MANAGER'S REPRESENTATIVE**
UNANIMOUSLY RESOLVED that Val Strothers, a member of the strata committee, was appointed and authorised to communicate with and issue instructions to the strata managing agent of the owners corporation on behalf of the committee.

Explanation: If this motion, if passed, appoints a member of the strata committee as the representative to liaise with and issue instructions to the strata managing agent of the owners corporation on behalf of the strata committee.

4 **ELECTRONIC VOTING**
UNANIMOUSLY RESOLVED that the strata committee permits any of the following means of voting on a matter to be determined by the committee at any subsequent meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation - voting by means of email or any voting website of the owners corporation and;

(b) while participating in a meeting from a remote location - voting by means of teleconference,

video-conferencing, email or any voting website of the owners corporation.

Explanation: This motion, if approved, will permit votes to be cast before and during any subsequent meeting of the strata committee by various electronic means.

The strata committe may, by resolution adopt any means of the abovementioned electronic means of of voting to be determined by the committee.

Any votes cast by any of the means of voting described above must comply with any applicable information provided by the secretary or strata managing agent and The Strata Schemes Management Regulation 2016.

5 TERMITE INSPECTION/GENERAL PEST INSPECTION

UNANIMOUSLY RESOLVED that the strata committee resolve to carry out a termite inspection and general pest inspection of the common property to include all roof spaces. The pest contractor must give 2 weeks notice of attendance.

6 REPLACE TRELLIS

UNANIMOUSLY RESOLVED to replace the trellis's with appropriate material. Three quotes to be provided.

7 PAINTING OF THE EXTERNAL BUILDING

UNANIMOUSLY RESOLVED that the committee be authorised to select prerferred tender. Dulux has prepared the specification and called for tenders.

A vote of thanks was given to Val Strothers for hosting the meeting in her townhouse.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 05:10 PM.

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MINUTES OF AN ANNUAL GENERAL MEETING
THE OWNERS - STRATA PLAN 54471

ADDRESS OF THE STRATA SCHEME:

1-3 Burns Road, Wahroonga NSW 2076

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 54471 was held on 3/05/2019 in townhouse 7, 1-3 Burns Road WAHROONGA NSW 2076 and commenced at 04:30 PM.

PRESENT IN PERSON OR BY PROXY:

Lot #	Unit #	Attendance	Owner Name Representative
4	4	Yes	N J & F L Rivett
5	5	Yes	J Gerhardt
7	7	Yes	Strothers, V A
8	8	Yes	S Levien & M Kelly
9	9	Yes	Gearing-Thomas, A B

PROXY: N Rivett (Lot 4) proxy to Steven Levien

CHAIRPERSON (acting): At the request of the meeting John Sachs chaired the meeting.

IN ATTENDANCE: Marguerite Woochuk and John Sachs - Exec Estate Pty Ltd

Minutes of the meeting:

1 MINUTES
UNANIMOUSLY RESOLVED that the minutes of the last general meeting of the owners corporation held on 04/05/2019 be confirmed as a true and accurate record of the proceedings of that meeting.

Explanation: The motion, if passed, confirms the accuracy of the minutes of the last general meeting. If the minutes of the last meeting are inaccurate the owners can move that the minutes be amended.

2 FINANCIAL STATEMENTS
UNANIMOUSLY RESOLVED that the attached statements of key financial information for the administrative fund and capital works fund and the auditor's report (if required) for the period ended 31/03/2019 be adopted.

Explanation: This motion if carried, adopts the statements of key financial information about the funds of the owners corporation. Those statements are attached and contain key information about the funds such as the total income for and expenditure from those funds and the balance of the funds.

3 AUDITOR
UNANIMOUSLY RESOLVED that Sky & Co be appointed as auditor by the owners corporation.

Explanation: This motion, if passed, appoints an auditor. The owners corporation does not have to appoint an auditor unless its annual turnover and any other amounts held by the owners corporation exceed $250,000 or the strata schemes is a large scheme containing more than 100 lots (excluding utility lots).

4 BUDGET AND CONTRIBUTIONS
UNANIMOUSLY RESOLVED:

(a) That in accordance with section Section 79 (1) and (2) of the Strata Schemes Management Act 2015,

the owners corporation estimates that in respect of the period from 01/07/2019 to 30/06/2020 it will need to credit to its administrative and capital works funds for actual and expected expenditure referred to in those subsection the amounts set out in the attached budget; and

(b) in accordance with section 81 of the Strata Schemes Management Act 2015, the owners corporation determines that the following amounts are to be levied to raise the amounts estimated as needing to be credited to the administrative and capital works funds:

(i) to the administrative fund, the sum of $11,785.20 plus GST; and

(ii) to the capital works fund, the sum of $8,000.00 plus GST.

(c) That both contributions be paid in equal quarterly instalments, the first such instalment being due on 1/07/2019 and subsequent instalments being due on the first days of 1/10/2019, 1/01/2020, 1/04/2020.

(d) That the treasurer is authorised to levy those contributions by written notice on each person liable to pay them.

Explanation: This motion, if carried, approves a budget which estimates how much money the owners corporation will need to raise to its administration and capital works funds and determines the amounts to be raised as contributions to be levied on owners to those funds to raise the estimated amounts included in the budget.

The contributions must be levies on owners in shares proportional to the unit of entitlement of their respective lots.

Any contribution becomes due and payable to the owners corporation on the date set out in the notice of the contribution which must be at least 30 days after the notice is given.

5 PAYMENT PLANS

UNANIMOUSLY RESOLVED that no payment plan was tabled.

Explanation: This motion, if carried, will permit some or all owners to pay levies over a period of up to 12 months.

The owners corporation may, by resolution at a general meeting, agree to enter into payment plans, either generally or in particular cases, for the payment of overdue contributions.

A payment plan must be limited to a period of 12 months but a further plan may be agreed to by the owners corporation by resolution. The existence of a payment plan does not limit any right of the owners corporation to take action to recover the amount of unpaid contribution.

6 RECOVERY OF OVERDUE LEVIES

UNANIMOUSLY RESOLVED that the owners corporation resolves to recover, and to authorise its strata managing agent and/or strata committee to take all necessary steps on its behalf to recover, from any person liable to pay a contribution:

(a) any contribution that is not paid at the end of one month after it becomes due and payable.

(b) any interest payable on the contribution, and

(c) the reasonable expenses of the owners corporation incurred in recovering those amounts, inlcuding (without Limitation) engaging and giving instructions to a debt collector or lawyer and:

(i) issuing letters of demand
(ii) entering and maintaining legal action,
(iii) entering judgement in the legal action, and
(iv) enforcing any judgement including through:

(A) the issue of a write for the levy of property,
(B) a garnishee order, or
(C) initiating and maintaining bankruptcy or winding up proceedings.

Explanation: This motion, if passed, authorises the owners corporation, strata committee and strata managing agent to take all necessary steps to recover overdue contributions, interest and recovery expenses. Legal action cannot be taken to recover overdue contributions unless 21 days written notice is given of such action pursuant

to section 86 of the Act.

7 10-YEAR CAPITAL WORKS FUND PLAN

UNANIMOUSLY RESOLVED that the owners corporation:

(a) prepare a plan of anticipated major expenditure to be met from the capital works fund for a 10-year period (if required) ("Capital Works Fund Plan"); or

(b) review the current Capital Works Fund Plan and if necessary revise or replace that Plan; and

(c) authorise and direct the strata managing agent to obtain a quotation from and appoint a suitably qualified consultant for those purposes.

The next report is due on: 2023

Explanation: The owners corporation must prepare a plan of anticipated major expenditure to be met from the capital works fund over a 10-year period. The capital works fund must be reivew at least once every 5-years.

8 MANDATORY AND ADDITIONAL INSURANCE INSURANCES

Mandatory insurance

UNANIMOUSLY RESOLVED that:

(a) the insurances held by the owners corporation as summarised in the attached annexure be confirmed;

(b) the owners corporation delegate to the strata committee the function of reviewing insurance quotations and to accept one of the quotations to renew the insurances of the owners corporation for the next period of insurance and authorise and direct the strata managing agent to communicate acceptance of the quotation to the insurer or its representative; and

(c) the strata managing agent and/or the strata committee be delegated the function of varying those insurances should it be beneficial to do so.

Additional insurance

(d) UNANIMOUSLY RESOLVED that the owners corporation resolves to continue to effect the additional insurances of office bearers liability and fidelity guarantee.

Explanation: Mandatory insurance - this motion, if passed, confirms the existing insurance cover held by the owners corporation, approves a quotation to renew those insurances for the next insurance period and gives the strata committee or strata managing agent power to vary those insurances. Additional Insurance - This motion, if passed, requires the owner corporation to take out office bearer's liaibility insurance and fidelity guarantee insurance.

9 VALUATION

UNANIMOUSLY RESOLVED that a valuation be obtained for insurance purposes prior to the expiration of of the current policy and the strata managing agent be authorised to vary the sum insured in accordance with the updated valuation

Explanation: Although there is no requirement in the Act or its Regulations to undertake a valuation, it is recommended that a valuation is obtained for insurance purposes.

10 WORK HEALTH & SAFETY REPORT

UNANIMOUSLY RESOLVED that the owners corporation:

(a) engage Sageview, a suitably qualified consultant, to carry out an inspection of the common property to identify any health and safety risks on or in the common property; and

(b) sumit that report to the strata committee to determine what action is to be required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare the report.

The next report is due upon completion of NorthConnex Construction Work

Explanation: This motion, if approved, authorises a consultant to be appointed to inspect the common property and provide a report on any risks to health and safety on or in the common property and for the strata committee to determined what action is required, if any, as a result of that report.

11 2 YEARLY TESTING OF RCDS AND SWITCHBOARD

UNANIMOUSLY RESOLVED that the owners corporation delegate the authority to the strata committee and strata managing agent to arrange for the 2 yearly testing of the RCDs as per AS3760:2001 and the 2 yearly inspection of the main switchboard as per AS3000:2007 (amended 2009).

Last carried out: 2018 Due: 2020

Explanation: It is a requirement as per AS/NZS 3000:2007 that RCDs are installed on all common property lighting circuits and that the RCDs are checked at least every two years by an electricial contractor with inspection/testing records kept on site as per AS 3760:2001.

As per AS 3000:2007 it is a requirement that switchboards are checked at least every 2 years by an electrical contractor and inspect/testing records are kept on site.

12 ASBESTOS

UNANIMOUSLY RESOLVED that the owners corporation:

(a) engage a suitably qualified consultant to carry out an asbestos inspection of the common property and provide a report on asbestos containing material in accordance with the owners corporation's obligation under the Work Health and Safety Act 2011, if any; and

(b) submit that report to the strata committee to determine what action is required, if any; and

(c) authorise and direct the strata managing agent to obtain a quotation from and to appoint a suitably qualified consultant to undertake that inspection and prepare that report.

The next report is due on: 2023

Explanation: This motion, if passed, authorises a consultant to be appointed to inspect the common property and provide a report on any asbestos containing material and for the strata committee to determine what action is required if any, as a result of the report.

13 STRATA COMMITTEE ELECTION

UNANIMOUSLY RESOLVED:

(a) That the following nominations were received for members to be elected to the strata committee for the ensuing year.

Nathan Rivett (Lot 4)
Judith Gerhardt (Lot 5)
Valerie Strothers (Lot 7)
Steven Levien (Lot 8)
Anne Gearing-Thomas (Lot 9)

(b) That the number of members for the strata committee was set at five (5) for the ensuing year.

(c) That the following were elected to the strata committee:

Nathan Rivett (Lot 4)
Judith Gerhardt (Lot 5)
Valerie Strothers (Lot 7)
Steven Levien (Lot 8)
Anne Gearing-Thomas (Lot 9)

Explanation: The chairperson will declare written nominations received prior to the meeting and call for verbal nominations from the owners present at the meeting. Candidates must disclose any connection to the original owner or caretaker of the building either before the meeting or during the meeting.

If there are more nominations received than the number of members determined, a ballot vote will take place in order to determine successful members.

If the nominations equals the number of members determined, then those members are duly elected.

14 RESTRICTIONS ON POWERS OF THE STRATA COMMITTEE

UNANIMOUSLY RESOLVED that the owners corporation will not impose furhter restrictions on the power of the strata committee beyond restrictions that are already imposed by the Act.

Explanation: The owners corporation is able to impose restrictions on the power of the strata committee beyond restrictions that are already imposed by the Act.

15 STRATA MANAGING AGENT'S REPORT

UNANIMOUSLY RESOLVED that the strata managing agent report to the meeting whether, and what, commission or training services have been provided or paid for the strata managing agent in the last 12 months and are likely to be provided to or paid for the strata managing agent for the following 12 months.

Explanation: The motion requires the strata managing agent to report if they have received any commissions or training services have been provided to or paid for the agent in the past 12 months and if any such commissions or training services are likely to be received in the next 12 months.

16 REAPPOINTMENT OF MANAGING AGENT

UANIMOUSLY RESOLVED that in accordance with Section 49 of The Strata Schemes Management Act 2015 (Act) that:

(a) Exec-Estate Pty Ltd continues to be appointed as strata managing agent of Strata Scheme 54471 to 31/08/2022.

(b) The owners corporation subject to (d) below, delegate to the Agent all of the functions of (other than those set out in section 52 (2) of that Act) and the functions of the of the chairperson, secretary, treasurer and strata committee;

(c) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and

(d) the owners corporation execute the Agreement to give effect to this appointment and delegation; and

(e) authority be given for the common seal of the owners corporation to be affixed to the Agreement by the secretary and the chairperson or any two members of the strata committee.

Explanation: The owners corporation may appoint a person who is the holder of a strata managing agent's licence under the Property Stock and Business Agents Act 2002 to be the strata managing agent of the schemes and delegation functions to that person.

This motion, if passed, will authorise the owners corporation to appoint a strata managing agent and delegate functions to the strata manager on the terms of the written agreement.

17 OWNERS CORPORATION RECORDS

UANIMOUSLY RESOLVED that the owners corporation resolves to keep its books and records, including its strata roll and accounting records noting that certain records are to be retained for the prescribed 7 year period.

18 ELECTRONIC VOTING

UANIMOUSLY RESOLVED that the owners corporation permit any of the following means of voting on a matter to be determmined by the owners corporation at any subsequent general meeting:

(a) before the meeting at which the matter (not being an election) is to be determined by the owners corporation or any voting website of the owners corporation; and

(b) while participating in a meeting from a remote location - voting by means of teleconference, video-conferencing, email or any voting website of the owners corporation.

19 BY-LAW REVIEW

UANIMOUSLY RESOLVED that by-laws resolved to be prepared by solicitor as part of the the by-law review will be consider at an extraordinary general meeting scheduled to be held on 3rd June 2019.

The draft by-law prepared for Lot 8 to permit bathroom renovations was tabled at the meeting. The meeting has approved the works to proceed in principle and this by-law will be considered at extraordinary general meeting scheduled to be held on 3rd June 2019.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 04:57 PM.

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MINUTES OF ANNUAL GENERAL MEETING OF STRATA PLAN 55471 HELD in the Unit 7 on Friday 4th May 2018 at 4.30 p.m.

Present
4 lots were represented personally or by proxy as per the Attendance Register.

Proxies
1 proxy was received

In Attendance
John Sachs and Heather Pearce of Exec-Estate Pty Limited, and at the request of those present John Sachs chaired the meeting and declared a quorum was present..

1. Minutes

UNANIMOUSLY RESOLVED that the minutes of the last Annual General meeting held 05/05/2017 be confirmed.

2. Statement of Key Financial Information

UNANIMOUSLY RESOLVED that the statements of key financial information, the financial statements for the administrative fund, the capital works fund and any other fund prepared by the owners' corporation and the auditor's report be adopted.

3. Auditor

UNANIMOUSLY RESOLVED that N M Sky & Co be appointed as auditor and to audit the financial records for the current year.

4. Levies

UNANIMOUSLY RESOLVED that:

(a) in accordance with section 79(1) and (2) of the Act, the owners' corporation estimates that in respect of the period from **01/07/2018 to 30/06/2019** it will need to credit to its administrative and capital works funds for actual and expected expenditure referred to in those subsections the amounts set out in the budget; and

(b) in accordance with section 81 of the Act, the owners corporation determines that the following amounts are to be levied to raise the amounts estimated as needing to be credited to the administrative and capital works funds:

(i) to the administrative fund, the sum of **$11,785.20** plus GST and

(ii) to the capital works fund, the sum of **$NIL** and

(c) those amounts are to be paid by regular equal periodic instalments on the first day of July, October, January and April each year.

(d) the treasurer is authorised to levy those contributions by written notice on each person liable to pay them

5. Recovery of Overdue Levies

UNANIMOUSLY RESOLVED that the owners' corporation resolves to recover, and authorises the strata managing agent and/or strata committee to take all necessary steps on its behalf to recover, from any person liable to pay a contribution:

(a) any contribution that is not paid at the end of **one month** after it becomes due and payable,

(b) any interest payable on the contribution, and

(c) the reasonable expenses of the owners corporation incurred in recovering those amounts, including (without limitation) engaging and giving instructions to a debt collector or lawyer and:

(i) issuing letters of demand,

(ii) initiating and maintaining legal action,

(iii) entering judgment in the legal action, and

(iv) enforcing any judgment including through:

a. the issue of a writ for the levy of property,

b. a garnishee order, or initiating and maintaining bankruptcy or winding up proceedings.

6. 15 Year Capital Works Fund Plan (Due 2018)

UNANIMOUSLY RESOLVED that the Owners Corporation instruct the Strata Managing Agent to engage **Sageview**, a suitably qualified consultant to prepare a Capital Works Fund Plan. This plan to be prepared after the final distribution of surplus funds from the sale of common property.

7. Mandatory Insurance and Additional Insurances

UNANIMOUSLY RESOLVED that

(a) the Mandatory Insurances and Additional Insurances held by the owners corporation as summarised in the Certificate of Currency attached to the Notice of Meeting be confirmed;

(b) the strata committee be delegated the function of varying those insurances should it be beneficial to do so.

8. Strata Committee Numbers

UNANIMOUSLY RESOLVED that the number on the strata committee for this year will be determined at **FIVE** (**5**) and nominations were received from

Mr Nathan Rivett, Mrs Judith Gerhardt, Mrs Val Strothers, Mr Steven Levien and Mrs Anne Thomas.

9. Strata Committee Election

UNANIMOUSLY RESOLVED that the duly elected strata committee is comprised of:

Mr Nathan Rivett (4), Mrs Judith Gerhardt (5), Mrs Val Strothers (7) Mr Steven Levien (8) and Mrs Anne Thomas (9)

10. Restrictions on Powers of Strata Committee

UNANIMOUSLY RESOLVED that the owners' corporation place **NO RESTRICTION** on the Strata Committee other than those prescribed.

11. Strata Managing Agent's Report

UNANIMOUSLY RESOLVED that the verbal report by the strata managing agent as to whether, and what, commissions or training services have been provided or paid for the strata managing agent in the last 12 months and are likely to be provided to or paid for the strata managing agent for the following 12 months be confirmed. **No commissions were received or will be paid.**

12. Re-Appointment of Strata Managing Agent

UNANIMOUSLY RESOLVED that the owners' corporation, in accordance with section 49 of the Act:

(a) **have appointed Exec-Estate Pty Limited** as its strata managing agent to **31st May 2019** and

(b) **have executed** a the written agreement to give effect to this appointment.

13. Annual Fire Safety Statement

UNANIMOUSLY RESOLVED that the owners' corporation note that this building comprises of 6 single Class 1a residential dwellings grouped as townhouses and that Class 1a's are not required to submit an Annual Fire Safety Statement.

14. Work Health & Safety Report (Due 2016 and deferred until completion of the NorthConnex Construction work)

UNANIMOUSLY RESOLVED that the owners' corporation will engage **Sageview** a suitably qualified consultant to carry out the inspection of the common property to identify any health and safety risks on or in the common property; and

(b) submit that report to the strata committee to determine what action is required, if any;

15. Asbestos (Due 2018)

UNANIMOUSLY RESOLVED that the owners' corporation engage the same suitably qualified consultant to undertake this report when due.

16. Window Safety Devices (Due for re-Certification Oct 2018)

UNANIMOUSLY RESOLVED that the ASQB Certificate of Compliance attached to the notice of meeting is noted. The strata managing agent to arrange for ASQB to reinspect and certify the locks in October 2018 or March 2019.

17. 2 Yearly Test of RCDs and Switchboard (Due 2017)

UNANIMOUSLY RESOLVED that the 2 yearly tests of the RCDs as per AS3760:2001 and the 2 yearly inspections of the Main Switchboard as per AS3000:2007 (amended 2009) are carried out and records of these checks to be kept on site.

18. By-Law Review

UNANIMOUSLY RESOLVED that the owners corporation instruct the strata committee to review their by laws for consolidation as per the new strata act by considering :

(a) repealing the by laws registered at the time of registration of the strata scheme; and
(b) keeping any existing registered Special by law; and
(c) adopting the new Schedule 3 by laws and any special by law to cover
- minor renovations – with approval by the strata committee
- major renovations – with approval by the strata committee
- recovery of costs

(d) the strata managing agent to obtain a cost estimate from a suitably qualified lawyer to undertake the above consolidation and adoption of new by laws.

19. Levy Notices by Email and payment by BPAY

Any owner who prefers to receive levy notices by email for payment by BPAY, please email strata@execestate.com.au noting in the subject line your Strata Plan Number, Unit No and address. Please ensure that we are notified of any future changes to your email address.

20. Tenants at Meetings

UNANIMOUSLY RESOLVED that the owners' corporation by ordinary resolution resolve to restrict tenants from being present when the following matters are being discussed:
(f) Financial statements and auditor's reports:
(g) Levying of contributions;
(h) Recovery of unpaid contributions;
(i) A strata renewal proposal under Part 10 of the Strata Schemes Development Act 2015 or any related matter; and/or
(j) Any other financial matter specified by the regulations for the purpose of this clause.

21. Distribution of Surplus Funds

UNANIMOUSLY RESOLVED that the Owners Corporation by SPECIAL RESOLUTION distribute the third and final distribution of surplus funds received on the sale of common property to Roads Maritime Services as follows:

1. Disburse the sum of $50,025.00 as per unit entitlement on 15th July 2018.

CLOSURE:
There being no further business the Chairman declared the meeting closed at 4.45 pm.

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MINUTES OF STRATA COMMITTEE MEETING OF STRATA PLAN 55471 HELD immediately following the Annual General Meeting on Friday 5th May 2018 at 4.45 p.m.

Present

Mrs Judith Gerhardt (5), Mrs Val Strothers (7) and Mrs Anne Thomas by proxy to Mrs Val Stother and Mr Steven Levien (8).

In Attendance

John Sachs & Heather Pearce of Exec-Estate Pty Limited and at the request of those present John Sachs chaired the meeting and declared a quorum was present.

1. Minutes

UNANIMOUSLY RESOLVED that the minutes of the last strata committee meeting held on 05/05/2017 be confirmed.

2. Appointing Officers

UNANIMOUSLY RESOLVED that the following Offiers be appointed:

Chairperson	Mr Steven Levien (8)
Secretary	Mrs Val Strother (7)
Treasurer	Mrs Judith Gerhardt (5)

3. Appointing a Strata Manager's Representative

UNANIMOUSLY RESOLVED that Mrs Val Strother be appointed as the member of the strata committee and be authorised to communicate with and issue instructions to the strata managing agent of the owners corporation on behalf of the strata committee.

4. Termite inspection – (Due April 2018)

UNANIMOUSLY RESOLVED that a termite inspection and rat baiting carried out as soon as possible.

5. New Kitchen Renovations by Townhouses 5, 7 and 8

UNANIMOUSLY RESOLVED that the strata committee note the owners corporation have not approved the renovation of the Kitchen to Townhouse 5 and 8 and the proposed renovation of the kitchen to Townhouse 7. Each owner has undertaken to complete and return the form for Notification of Internal Works within a unit. These forms were handed to the individual owners.

6. Gardening and Bin Cleaning

The Strata Committee to do this on a three (3) month roster basis and until completion of the NorthConnex road works.

VOTE OF THANKS

All owners expressed a vote of thanks to Val Strothers for the use of her Townhouse for the meetings.

CLOSURE

There being no further business the Chairman declared the meeting closed at 4.55 pm.

BOX 1W
(AR293693)

NEW SOUTH WALES

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

TORRENS TITLE REFERENCE	
CP/SP54471	
EDITION	DATE OF ISSUE
5	3/8/2021
CERTIFICATE AUTHENTICATION CODE	
GPKS-J4-W5TW	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

REGISTRAR GENERAL

REGISTRAR GENERAL · NEW SOUTH WALES ·

LAND

THE COMMON PROPERTY IN THE STRATA SCHEME BASED ON STRATA PLAN 54471 WITHIN THE PARCEL SHOWN IN THE TITLE DIAGRAM

AT WAHROONGA.
LOCAL GOVERNMENT AREA: KU-RING-GAI.
PARISH OF GORDON COUNTY OF CUMBERLAND
TITLE DIAGRAM: DP1210395

FIRST SCHEDULE

THE OWNERS - STRATA PLAN NO. 54471
ADDRESS FOR SERVICE OF NOTICES:
C/- EXEC-ESTATE PTY LTD
PO BOX 212
GORDON 2072

SECOND SCHEDULE
----
1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2. THIS SCHEME IS NOW COMPRISED WITHIN LOT 10 IN DP1210395
3. DP814274 RESTRICTION(S) ON THE USE OF LAND AFFECTING THE PART SHOWN SO BURDENED IN DP1210395
4. DP863683 EASEMENT TO DRAIN WATER VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1210395
5. SP54471 RESTRICTION(S) ON THE USE OF LAND
6. SP54471 POSITIVE COVENANT
7. AP506230 CONSOLIDATION OF REGISTERED BY-LAWS
8. AP506230 INITIAL PERIOD EXPIRED

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 690)

STRATA PLAN 54471

LOT	ENT	LOT	ENT	LOT	ENT	LOT	ENT
1	CANCELLED	2	CANCELLED	3	CANCELLED	4	120
5	110	6	120	7	100	8	140
9	100						

**** END OF CERTIFICATE ****

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT FOLIO OF THE REGISTER

8360156

Level 5, 90 Collins Street, Melbourne VIC 3000
P (03) 8660 7000
E info@axisunderwriting.com.au

CERTIFICATE OF CURRENCY

This policy described below is current until 4:00pm on the Expiry Date shown unless cancelled.

Policy Number: P-008484

Policy Class: Axis Residential Strata Insurance Policy

Insured: SP 54471

Interested Party:

Interest Insured:

Location: 1-3 Burns Road
WAHROONGA

State: NSW

Postcode: 2076

Inception Date: 4:00pm on 18th February 2022

Expiry Date: 4:00pm on 18th February 2023

Sums Insured:

1. Buildings		$ 3,545,000
Common Contents		$ 35,450
Loss of Rent		$ 531,750
Option Cover: Floating Floors		Not Insured
Option Cover: Loss of Lot/Unit Market Value		Not Insured
Option Cover: Catastrophe Cover	30%	Insured
2. Public or Legal Liability		$ 30,000,000
3. Personal Accident		$ 200,000/2000
4. Fidelity Guarantee		$ 100,000
5. Machinery Breakdown		$
6. Office Bearers Legal Liability		$ 5,000,000
7. Government Audit Costs & Legal Expenses		
Appeal Expenses		$ 100,000
Audit Fees		$ 25,000
Legal Defence Expenses		$ 50,000

Conditions: As Per Quotation, Policy Wording and Endorsements

Underwriters: XL INSURANCE COMPANY SE (AUSTRALIA BRANCH)

Date: 11 March 2022

Axis Underwriting Services Pty Ltd
as Agents of the Insurers

sageview

Capital Works Fund Plans / WH&S Reports / Asbestos Management Plans / Insurance Valuations / Dilapidation Reports / Project Management

Capital Works Fund Plan

Strata Plan 54471

1-3 Burns rd, Wahroonga

NSW 2076



Compiled by Edward Malek

4th September 2018

Proud Members of:

strata community australia NSW member

SAGEVIEW [NSW] PTY LTD
Phone: 1300 094 648
Email: enquiries@sageview.com.au
Web: www.sageview.com.au
PO Box 155 Parramatta CBD NSW 2124

4th September 2018

The Owner's Corporation for SP 54471
John Sachs
Exec-Estate Pty Ltd
PO Box 212
Gordon NSW 2072

Dear Owners,

Capital Works Fund Plan – SP 54471

Thank you for obtaining your capital works fund plan from Sageview.

As requested by the Owners Corporation Sageview has compiled a Capital Works Fund Budget for the common areas of the subject property. The 15 year plan will provide for long-term maintenance and repair of the building as well as replacement of common property items. The aim of a capital works fund is to regulate levies over time so there won't be excessively heavy assessments during any one year. This information is also useful and must be made available to lot owners and potential buyers to ensure transparency of incumbent property costs.

The capital works fund report consisted of a site inspection identifying and assessing the condition of the common property and materials used and estimating their life expectancy. Our experienced building inspectors use rates commonly used in the industry today. Life expectancies and life cycles used in the report are intended as a guide for the purpose of determining a reasonable budget allowance for every year covered by this report. It is not a maintenance report and should only be used as a guide for maintenance.

The Owners Corporation was requested to make available to Sageview all relevant information regarding the property including financial details and any expected maintenance issues and costs which would likely impact the Capital Works Fund Plan.

The Capital Works Fund plan has been set out for the next 15 years but it should be noted that it should be reviewed every few years, (relative to size of complex) to update any changes caused by abnormal expenditure, government legislations, differences between tender prices and monies allocated in the report, building material availability and condition of the building.

Report Imputations

Strata Plan	54471
Date Plan Registered	1997
Number of Units	6
Number of Entitlements	690
Estimated Capital Works Fund Balance at start of financial year	$131,790
Start date of Financial Year	1 July 2018
Total previous Sinking Fund Levy (ex GST)	na
Assumed Interest Rate on invested funds	1.5%
Taxation Rate on income from Invested Funds	30%
Contingency Allowance - For minor and/or unforeseen expenses.	10%
Assumed Rate of Inflation for Building Maintenance / Construction Costs	4%

The estimated second year total contribution for the Capital Works Fund is:

$8,000 ex GST

The estimated levies have been recommended for the following reasons:

- Long term expenditure, or a portion of, which may be beyond the 15 years of the plan have been included due to the high costs of such items. Eg. Window replacements
- Items which were not included in previous plans due to being outside the 10 or 15 time frame, or previously determined as being 'life of building' which our extensive experience has proved not to be the case. Eg. Gutter, downpipe, garage door replacements
- The increase in construction related costs beyond that of inflation and consumer price index over the years since the last plan was completed.
- The age of the complex requires substantial expenditure for replacement and refurbishment of numerous items within the time frame of this plan. Eg. fencing replacements.

These reasons also reinforce the need to ensure the capital works fund plan be regularly reviewed and updated every 2 - 5 years (relative to size of complex) to minimise such substantial rises in the future.

Please contact Sageview should further information or clarification be required on 1300 094 648

Yours sincerely

Edward Malek

Table 1 - Estimated Cash Flow

Yr	Period	Opening Balance	Annual Contributions	Estimated Expenditure	Interest on Investment	Estimated Tax	Closing Balance	Contribution per unit Entitlement
1	01 Jul 2018 - 30 Jun 2019	131790	0	40543	1976	592	92631	0.00
2	01 Jul 2019 - 30 Jun 2020	92631	8000	7205	1389	416	94399	11.59
3	01 Jul 2020 - 30 Jun 2021	94399	8320	12848	1415	424	90862	12.06
4	01 Jul 2021 - 30 Jun 2022	90862	8652	8089	1362	408	92379	12.54
5	01 Jul 2022 - 30 Jun 2023	92379	8998	0	1385	415	102347	13.04
6	01 Jul 2023 - 30 Jun 2024	102347	9357	36129	1535	460	76650	13.56
7	01 Jul 2024 - 30 Jun 2025	76650	9731	13878	1149	344	73308	14.10
8	01 Jul 2025 - 30 Jun 2026	73308	10120	9116	1099	329	75082	14.67
9	01 Jul 2026 - 30 Jun 2027	75082	10524	14451	1126	337	71944	15.25
10	01 Jul 2027 - 30 Jun 2028	71944	10944	10234	1079	323	73410	15.86
11	01 Jul 2028 - 30 Jun 2029	73410	11381	41870	1101	330	43692	16.49
12	01 Jul 2029 - 30 Jun 2030	43692	11836	26920	655	196	29067	17.15
13	01 Jul 2030 - 30 Jun 2031	29067	12309	422	436	130	41260	17.84
14	01 Jul 2031 - 30 Jun 2032	41260	12801	11535	618	185	42959	18.55
15	01 Jul 2032 - 30 Jun 2033	42959	13313	20572	644	193	36151	19.29

Table 2 - Estimated Expenditure

No.	Location and Item	Work Description	Qnty	Est Item Life	Year Next Due	Est Cost	Estimated Expenditure													
							2018 - 2019	2019 - 2020	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033
							Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
	Building Exteriors																				
1	Painting	Paint roof overhang soffits	280 lm	10	1	5880	5880										8703				
2	Painting	Paint entry soffits	24 sqm	10	1	528	528										781				
3	Painting	Paint timber fascia	280 lm	10	1	6160	6160										9118				
4	Painting	Paint door face inc frames	14 No	10	1	1890	1890										2797				
5	Painting	Paint gables and cladding	1 item	10	1	2200	2200										3256				
6	Painting	Scaffold/boomlift allowance	1 item	10	1	2200	2200										3256				
7	Painting	Paint metal entry gates	6 No	10	1	1110	1110										1643				
8	Doors	Replace garage doors and hardware	6 unit	30	6	11100						13504									
9	Windows	Alluminium window and door replacement allowance 10%	1 ea	3	3	9600			10383			11679			13138			14778			16624
	Roof Area																				
10	Roofing	Replace bedding and pointing to tile roof	161 lm	24	7	8533							10796								
11	Gutters	Replace / maintain gutters (Total 224 lm 20%)	44 lm	2	2	2860		2974		3217		3479		3763		4070		4402		4762	
12	Downpipes	Replace / maintain downpipes (Total 123 lm 20%)	24 lm	2	2	1320		1372		1484		1605		1737		1878		2032		2197	
	Building Services																				
13	Electrical	Electrical Allowance	1 Item	2	2	380		395		427		462		500		540		584		632	
14	Lighting	Replace external light fittings	1 unit	3	1	240	240			269			303			341			384		
15	Plumbing	Plumbing allowance	1 Item	4	3	1200			1297				1518				1776				2078
	External Areas																				
16	Gardens and	Landscaped areas allowance	1 Item	10	11	2200											3256				

No.	Location and Item	Work Description	Qnty	Est Item Life	Year Next Due	Est Cost	2018 - 2019	2019 - 2020	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033
							Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
17	Gardens and Grounds	Tree trimming or removal	1 No	10	1	2350	2350										3478				
18	Fencing	Replace lattice courtyard fencing allowance	65 lm	20	1	14300	14300														
19	Fencing	Replace / maintain boundary timber fencing (Total 94 lm 20%)	18 lm	2	2	810		842		911		985		1065		1152		1246		1348	
20	Fencing	Replace / maintain internal brushwood fencing (Total 34 lm 20%)	6 lm	2	2	930		967		1046		1131		1223		1323		1431		1548	
							36858	6550	11680	7354	0	32845	12617	8288	13138	9304	38064	24473	384	10487	18702
		Yearly Estimated Expenditure including 10.00% Contingency					40543	7205	12848	8089	0	36129	13878	9116	14451	10234	41870	26920	422	11535	20572

Table 3 - Estimated Expenditure Summary

Item	2018 2019	2019 2020	2020 2021	2021 2022	2022 2023	2023 2024	2024 2025	2025 2026	2026 2027	2027 2028	2028 2029	2029 2030	2030 2031	2031 2032	2032 2033
Doors, Windows			10383			25183			13138			14778			16624
Drainage		4346		4701		5084	10796	5500		5948		6434		6959	
Fencing	14300	1809		1957		2116		2288		2475		2677		2896	
Grounds Maintenance	2350										6734				
Electrical, Lighting	240	395		696		462	303	500		881		584	384	632	
Painting	19968										29554				
Plumbing			1297				1518				1776				2078
Contingency	3685	655	1168	735	0	3284	1261	828	1313	930	3806	2447	38	1048	1870
Total	**40543**	**7205**	**12848**	**8089**	**0**	**36129**	**13878**	**9116**	**14451**	**10234**	**41870**	**26920**	**422**	**11535**	**20572**

Table 4 - Years 1 - 5 unit Contributions

unit No.	unit	Annual & Quarterly Contributions									
	Entitlements	Year 1 - 2018		Year 2 - 2019		Year 3 - 2020		Year 4 - 2021		Year 5 - 2022	
		Per Year	Per Quarter	Per Year	Per Quarter	Per Year	Per Quarter	Per Year	Per Quarter	Per Year	Per Quarter
1	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	120	0.00	0.00	1391.30	347.83	1446.96	361.74	1504.70	376.17	1564.87	391.22
5	110	0.00	0.00	1275.36	318.84	1326.38	331.59	1379.30	344.83	1434.46	358.62
6	120	0.00	0.00	1391.30	347.83	1446.96	361.74	1504.70	376.17	1564.87	391.22
7	100	0.00	0.00	1159.42	289.86	1205.80	301.45	1253.91	313.48	1304.06	326.01
8	140	0.00	0.00	1623.19	405.80	1688.12	422.03	1755.48	438.87	1825.68	456.42
9	100	0.00	0.00	1159.42	289.86	1205.80	301.45	1253.91	313.48	1304.06	326.01
Total	**690**	**0.00**		**8000.00**		**8320.00**		**8652.00**		**8998.00**	

Table 5 - Quarterly Contributions

Period	Total Net Contribution excluding GST	Total unit Entitlements	Annual Contribution Per unit Entitlement excluding GST	Quarterly Contribution Per unit Entitlement excluding GST
01 Jul 2018 - 30 Jun 2019	0	690	0.00	0.00
01 Jul 2019 - 30 Jun 2020	8000	690	11.59	2.90
01 Jul 2020 - 30 Jun 2021	8320	690	12.06	3.01
01 Jul 2021 - 30 Jun 2022	8652	690	12.54	3.13
01 Jul 2022 - 30 Jun 2023	8998	690	13.04	3.26
01 Jul 2023 - 30 Jun 2024	9357	690	13.56	3.39
01 Jul 2024 - 30 Jun 2025	9731	690	14.10	3.53
01 Jul 2025 - 30 Jun 2026	10120	690	14.67	3.67
01 Jul 2026 - 30 Jun 2027	10524	690	15.25	3.81
01 Jul 2027 - 30 Jun 2028	10944	690	15.86	3.97
01 Jul 2028 - 30 Jun 2029	11381	690	16.49	4.12
01 Jul 2029 - 30 Jun 2030	11836	690	17.15	4.29
01 Jul 2030 - 30 Jun 2031	12309	690	17.84	4.46
01 Jul 2031 - 30 Jun 2032	12801	690	18.55	4.64
01 Jul 2032 - 30 Jun 2033	13313	690	19.29	4.82

Chart 1 - Expenditure, Contributions & Closing Balance

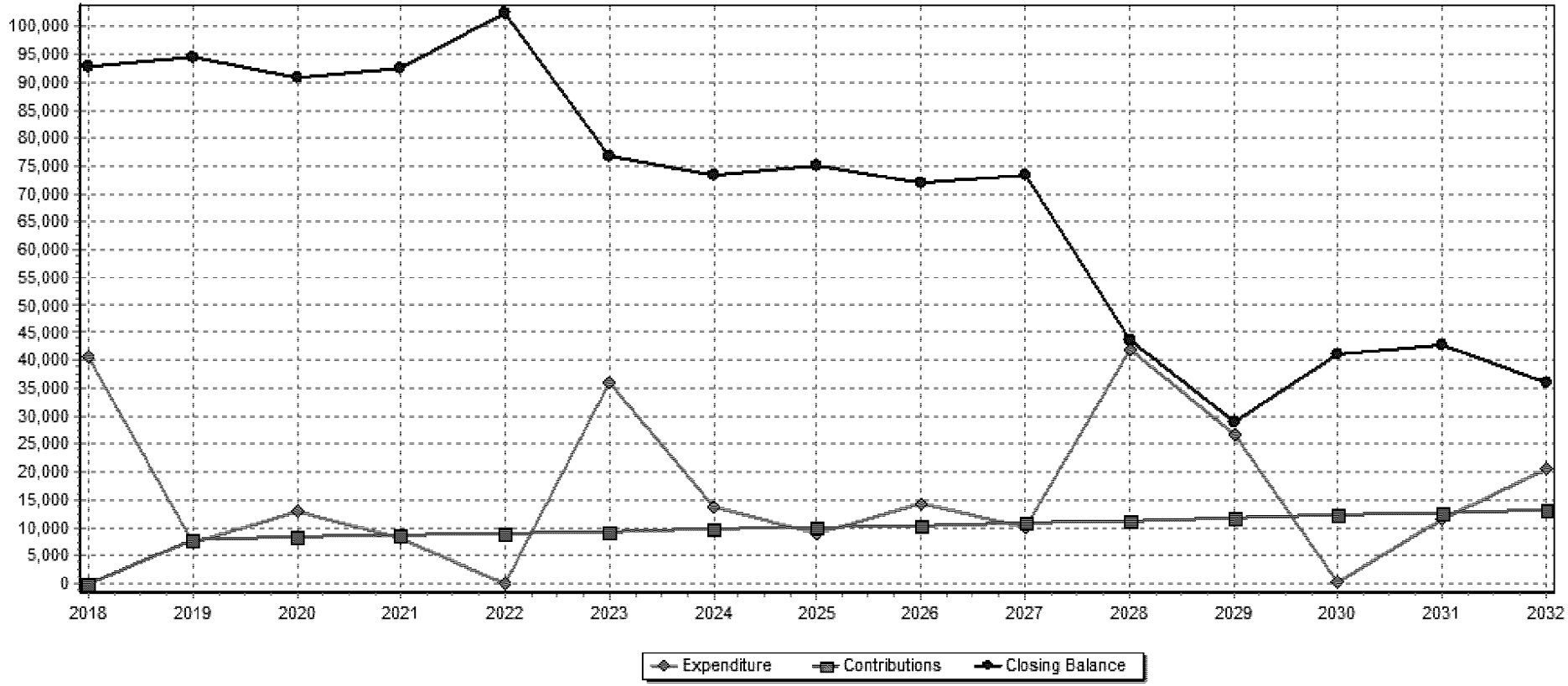
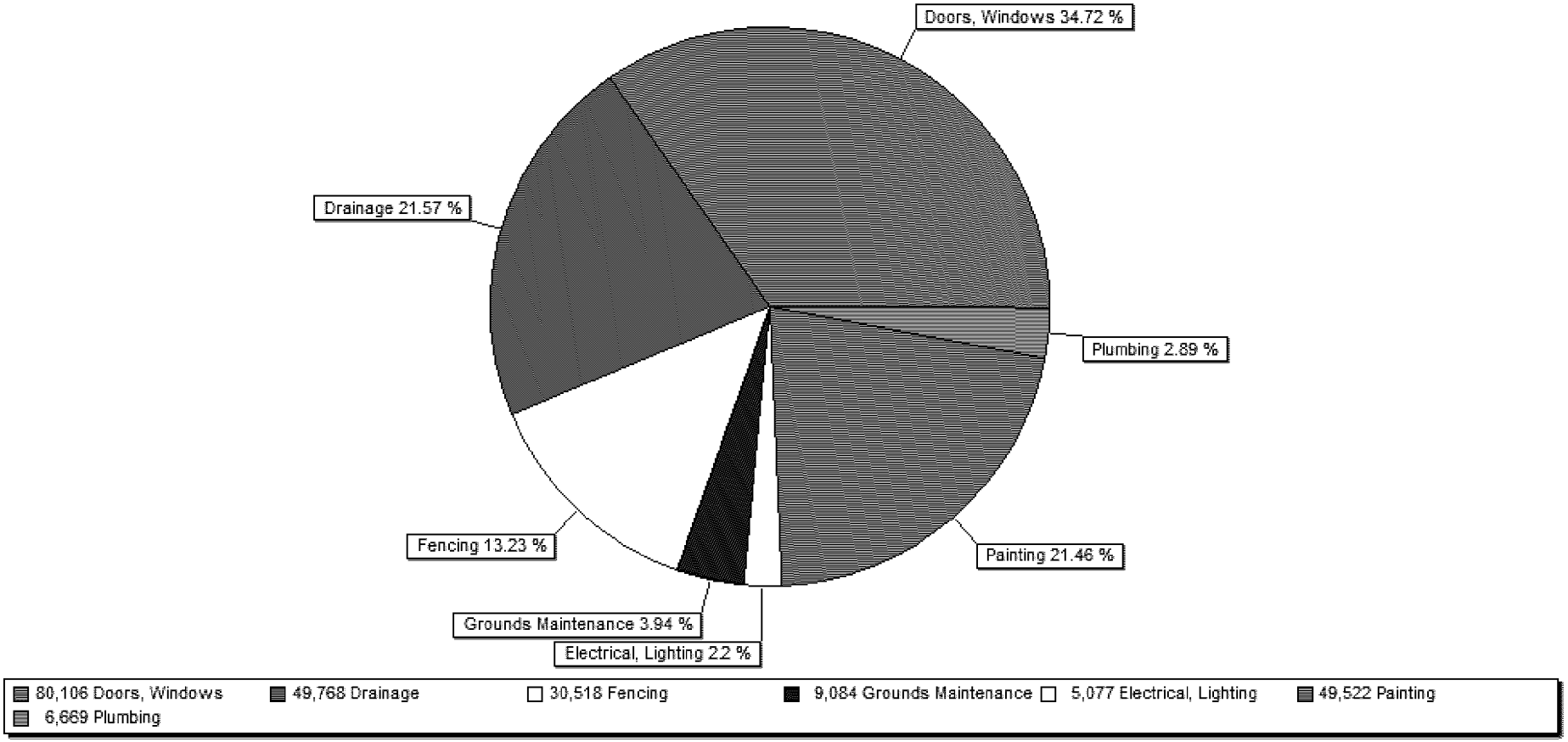


Chart 2 - Areas of Expenditure



Explanatory Notes

An allowance has been included to replace the courtyard lattice fencing. It is recommended that the Owners Corporation obtain quotes well in advance of the job time to allow for any shortfall or excess in funds.

It is recommended that the powder coat / colourbond finished items throughout the property be maintained with accordance to the manufacturers' recommendations to maximize the lifespan of these items. The re-painting of these items can be included in the second paint cycle if needed.

Cost cycles for different items are used to accumulate funds for the replacement and/or maintenance of the specific item when necessary. Eg gutter and downpipe replacements and the cost accumulation towards the window and fencing replacements.

A 100% replacement/maintenance allowance has been included for fencing that divides private courtyards that are part of the strata plan. A 50% allowance has been included for the strata plans boundary fencing that is adjoining neighbouring properties.

An allowance to trim trees around the building façade to provide access during the painting cycle has been included.

It is recommended that the Owners Corporation obtain quotes for painting and other large planned expenditures well in advance of the job time to allow for any shortfall or excess in funds.

An allowance has been included to replace/maintain aluminium windows. It is recommended that the Owners Corporation obtain quotes well in advance of the job time to allow for any shortfall or excess in funds.

It is recommended that if there are major expenditures that are not included in this report then it should be updated well before any other large expenditures are planned as to ensure sufficient funds are available.

This building requires major work on building upgrades in the future, Sageview can assist in providing services such as planning, cost estimating, Scope of Works, tendering, supervision of works etc. please contact us for further information on 1300 094 648.

DISCLAIMER

Contaminants such as asbestos, chemicals, toxic wastes or other potentially hazardous materials could if present, adversely affect the Capital Works Fund Plan. Unless otherwise stated in this report, the extent of hazardous substances, which may or may not be represented on or in the property, was not considered. No responsibility is assumed for any such conditions and the recipient of this report is advised that we are not qualified to detect such substances, quantify the impact on values, or estimate the remedial cost.

We emphasise that we have not carried out a structural survey of the improvements nor have we examined them for signs of timber infestation, concrete cancer and the like, and accordingly cannot be responsible for the consequence of such defects. No soil analysis or geological studies were ordered or made in conjunction with this report.

This Capital Works Fund Plan has been prepared on the basis that full disclosure of all information and facts which may affect the Capital Works Fund has been made to us. We do not accept any liability or responsibility whatsoever for the Capital Works Fund Plan if full disclosure has not been made. Furthermore, we do not accept responsibility for any consequential error or defect in the Capital Works Fund which has resulted from any error, omission or inaccuracy in data or information supplied by the client or its officers and agents. No assessment has been carried out on any internal ceiling space or floor space as well as a roof area where access requiring the use of ladders or safety harnesses is needed. Underground or internal plumbing, drainage or electrical services cannot be properly assessed and is also not included in the report.

This Capital Works fund plan does not include:
- items that are usually paid for by the Administration fund
-an allowance for GST if plan is registered for GST
-repair or replacement of items resulting from malicious or wilful acts, abnormal usage, accidents or unforeseeable failure
-local government or legislative charges
-data or telecommunications cabling replacement
-non-essential improvements or refurbishments allowances
-defective construction repairs costs
-maintenance contract costs

The Capital Works Fund Plan is solely for the use of the party by whom we were instructed and for no other purpose. We owe no duty of care to any third party who becomes aware of this Capital Works Fund Plan and, without our knowledge, chooses to act or rely on the whole or any part of it.

Neither the whole nor any part of this Capital Works Fund Plan nor any reference thereto may be included in any document, circular or statement without our approval of the form and context in which it will appear.

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Capital Works Fund Plans / WH&S Reports / Asbestos Management Plans / Insurance Valuations / Dilapidation Reports / Project Management

Asbestos Management Plan

SP 54471
1-3 Burns rd, Wahroonga
NSW 2076



Inspected by Edward Malek

30th August 2018

Proud Members of:

strata community australia NSW member

SAGEVIEW [NSW] PTY LTD
Phone: 1300 094 648
Email: enquiries@sageview.com.au
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PO Box 155 Parramatta CBD NSW 2124

DOCUMENT CONTROL

	Date	Responsible officer
Version 1.0 Final	30th August 2018	Edward Malek
Scheduled review date	30th August 2023	Edward Malek
Actual review date		

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FOREWORD

This plan is developed to assist agents managing owners corporations comply with government policy and legislative requirements in the management of asbestos containing materials (ACM) in workplaces.

Statutory Requirement

A controller of premises must identify any foreseeable hazard arising from the premises that has the potential to harm the health or safety of any person accessing, using or egressing from the premises.

An Owners Corporation has a responsibility to maintain a safe working environment under the provisions of:

- NSW Work Health & Safety Act 2011
- NSW Occupational Health & Safety Regulation 2001
- NSW OHS Amendment (Chrysotile Asbestos) Regulations 2003
- Code of Practice for the Management and Control of Asbestos in Workplaces NOHSC:2018 2005
- Code of Practice for the Safe Removal of Asbestos 2nd Edition NOHSC:2002 – 2005
- Code of Practice – How to Manage and Control Asbestos in the Workplace - Safe Work Australia 2011
- Protection of the Environment Operations Waste Regulations 2005 (EPA)

Government Policy

The long-term aim is for all buildings occupied or managed to be free of ACM.
Whilst working towards this goal, agencies have an obligation to identify and manage ACM in buildings to meet the Occupational Health and Safety requirements.
ACM in sound condition, left undisturbed, presents negligible risk to building occupants and the general community. Therefore removal of asbestos may not be immediately necessary but should take into consideration immediate health risks and be completed prior to demolition, partial demolition, renovation or refurbishment if these works are likely to disturb ACM.

Remaining ACM should be regularly inspected and actions taken to minimise health risk, where practical.
All work conducted on ACM must be undertaken in such a manner as to minimise health risks.

ASBESTOS SITE SURVEY REPORT

STRATA COMPANY: Exec - Estate Pty Ltd

SP No. : 54471

ADDRESS: 1-3 Burns rd, Wahroonga NSW 2076

ASSESSOR: Edward Malek

Date of Inspection: 30th August 2018

The subject property is developed as a residential complex comprising of 6 townhouses.
A main driveway provides access to each garage. Construction is of masonry external walls with aluminum framed windows. Pitched roofs are clad with concrete roof tiles. Surrounding properties generally comprise of residential units.

The SP registration year is 1997 a time when Asbestos Containing Material was still occasionally used in the building industry.

The roof overhang soffits, porch soffits, façade cladding and roof gables are clad with Fibre Cement sheeting which is assumed a chance of containing asbestos taking into consideration the time of when the building was actually constructed. The FC sheeting appears to be in good condition considering that the sheets are painted which helps encapsulate the materials fibres. The FC sheeting is assumed as containing asbestos until tested and determined asbestos free.

The backing boards of electrical switchboards have also been known to contain asbestos. Considering the time of when the building was constructed there is a chance of asbestos being present. The main electrical switchboards are assumed to contain traces of asbestos until tested and determined asbestos free.

Some buildings may contain ACM's such as access panels and pipe lagging within individual units or inaccessible areas that are still regarded as common property. Access to these items may not have been possible at the time of inspection. If there is concern that these areas may contain asbestos please follow the actions outlined in the asbestos register regarding removal and handling of ACM's.

While most building products containing asbestos were phased out in the mid 1980's, other materials continued to be used in plant rooms and other equipment until the national ban on the use of all forms of asbestos in 2003.

The health risk is low if asbestos is present. The asbestos register needs to be available to anyone who is to carry out work on the building. If they need to carry out work in an area that has a possibility of containing an asbestos product as shown in the register then they need to follow the applicable precautionary actions that are tabled.

ASBESTOS REGISTER

A matrix comprising the condition of the ACM and the likelihood of disturbance has been applied to all material found or assumed to contain asbestos during survey. A qualitative risk ranking has subsequently been assigned to each occurrence of ACM.

ASBESTOS REGISTER

30th August 2018

SP 54471
1-3 Burns rd, Wahroonga NSW 2076

Photo and Location of Suspected ACM	Findings	Condition	Material	Risk Rating	Actions
 All electrical switchboards.	Electrical switchboard mounting boards have been known to be made with asbestos containing material. Considering the year of installation was before 2004 it is presumed an ACM.	Good	Non Friable	4	Due to the low risk it is recommended the material be left undisturbed. Should any renovation, maintenance or demolition work be planned in these areas it is recommended the material be tested and if Asbestos is detected then please ensure the persons involved can confirm their ability and intention to comply with the requirements for the Safe Handling and Removal of ACM, available from the National Occupational Health and Safety Commission (NOHSC and Safe Work Australia. **Ref. NOHSC:2018 (2005) Code of Practice for the Management and Control of Asbestos in Workplaces.** **Safe Work Australia (2011) Code of Practice – How to Manage and Control Asbestos in the Workplace.**

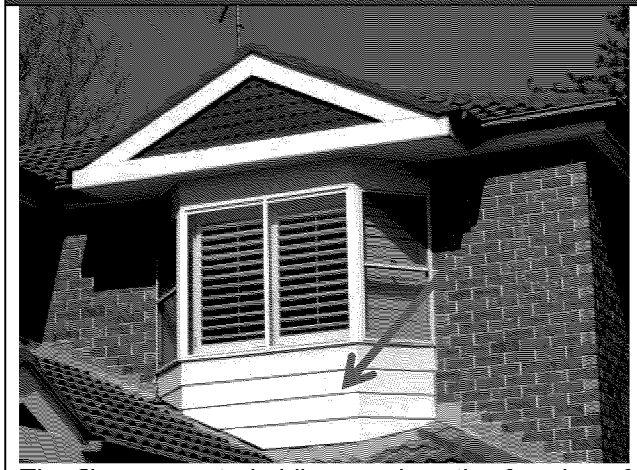
Actioned by	Date	Scope of the work done	Testing or clearance certificate details

Photo and Location of Suspected ACM	Findings	Condition	Material	Risk Rating	Actions
  The fibre cement roof eave cladding surrounding the perimeter of all the townhouses.	The fibre cement sheeting used as roof overhang soffit cladding has been known to contain traces of asbestos. Considering the year of installation was before 2004 it is presumed an ACM.	Good	Non Friable	4	Due to the low risk it is recommended the material be left undisturbed. Should any renovation, maintenance or demolition work be planned in these areas it is recommended the material be tested and if Asbestos is detected then please ensure the persons involved can confirm their ability and intention to comply with the requirements for the Safe Handling and Removal of ACM, available from the National Occupational Health and Safety Commission (NOHSC) and Safe Work Australia. **Ref. NOHSC:2018 (2005) Code of Practice for the Management and Control of Asbestos in Workplaces.** **Safe Work Australia (2011) Code of Practice – How to Manage and Control Asbestos in the Workplace.**

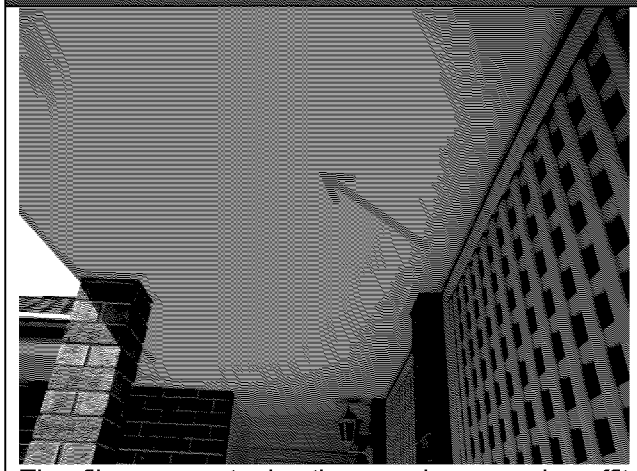
Actioned by	Date	Scope of the work done	Testing or clearance certificate details

Photo and Location of Suspected ACM	Findings	Condition	Material	Risk Rating	Actions
 The fibre cement sheeting used as roof gable cladding on the townhouses.	The fibre cement sheeting used as gable cladding has been known to contain traces of asbestos. Considering the year of installation was before 2004 it is presumed an ACM.	Good	Non Friable	4	Due to the low risk it is recommended the material be left undisturbed. Should any renovation, maintenance or demolition work be planned in these areas it is recommended the material be tested and if Asbestos is detected then please ensure the persons involved can confirm their ability and intention to comply with the requirements for the Safe Handling and Removal of ACM, available from the National Occupational Health and Safety Commission (NOHSC) and Safe Work Australia. **Ref. NOHSC:2018 (2005) Code of Practice for the Management and Control of Asbestos in Workplaces.** **Safe Work Australia (2011) Code of Practice – How to Manage and Control Asbestos in the Workplace.**

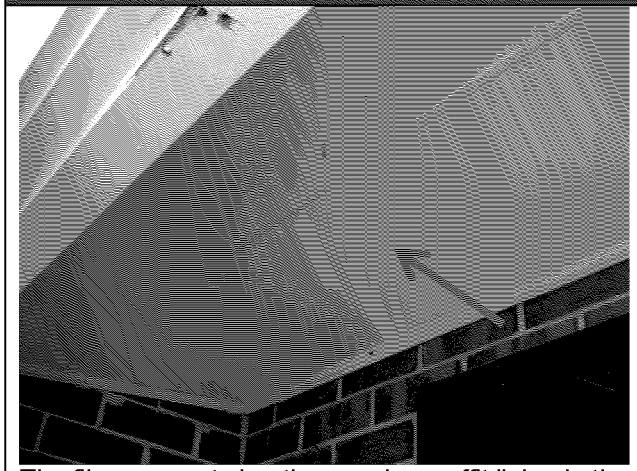
Actioned by	Date	Scope of the work done	Testing or clearance certificate details

Photo and Location of Suspected ACM	Findings	Condition	Material	Risk Rating	Actions
 The fibre cement cladding used on the façades of the townhouses.	The fibre cement sheeting used as exterior cladding has been known to contain traces of asbestos. Considering the year of installation was before 2004 it is presumed an ACM.	Good	Non Friable	4	Due to the low risk it is recommended the material be left undisturbed. Should any renovation, maintenance or demolition work be planned in these areas it is recommended the material be tested and if Asbestos is detected then please ensure the persons involved can confirm their ability and intention to comply with the requirements for the Safe Handling and Removal of ACM, available from the National Occupational Health and Safety Commission (NOHSC) and Safe Work Australia. **Ref. NOHSC:2018 (2005) Code of Practice for the Management and Control of Asbestos in Workplaces.** **Safe Work Australia (2011) Code of Practice – How to Manage and Control Asbestos in the Workplace.**

Actioned by	Date	Scope of the work done	Testing or clearance certificate details

Photo and Location of Suspected ACM	Findings	Condition	Material	Risk Rating	Actions
 The fibre cement sheeting used as porch soffit cladding on all townhouses.	The fibre cement sheeting used as exterior porch soffit cladding has been known to contain traces of asbestos. Considering the year of installation was before 2004 it is presumed an ACM.	Good	Non Friable	4	Due to the low risk it is recommended the material be left undisturbed. Should any renovation, maintenance or demolition work be planned in these areas it is recommended the material be tested and if Asbestos is detected then please ensure the persons involved can confirm their ability and intention to comply with the requirements for the Safe Handling and Removal of ACM, available from the National Occupational Health and Safety Commission (NOHSC) and Safe Work Australia. **Ref. NOHSC:2018 (2005) Code of Practice for the Management and Control of Asbestos in Workplaces.** **Safe Work Australia (2011) Code of Practice – How to Manage and Control Asbestos in the Workplace.**

Actioned by	Date	Scope of the work done	Testing or clearance certificate details

Photo and Location of Suspected ACM	Findings	Condition	Material	Risk Rating	Actions
 The fibre cement sheeting used as soffit lining in the electrical cupboard.	The fibre cement sheeting used as soffit cladding has been known to contain traces of asbestos. Considering the year of installation was before 2004 it is presumed an ACM.	Good	Non Friable	4	Due to the low risk it is recommended the material be left undisturbed. Should any renovation, maintenance or demolition work be planned in these areas it is recommended the material be tested and if Asbestos is detected then please ensure the persons involved can confirm their ability and intention to comply with the requirements for the Safe Handling and Removal of ACM, available from the National Occupational Health and Safety Commission (NOHSC) and Safe Work Australia. **Ref. NOHSC:2018 (2005) Code of Practice for the Management and Control of Asbestos in Workplaces.** **Safe Work Australia (2011) Code of Practice – How to Manage and Control Asbestos in the Workplace.**

Actioned by	Date	Scope of the work done	Testing or clearance certificate details

CONTROL MEASURES

The recommended control measures that have been considered and approved by Sageview management are as follows:

Category 1
- Risk Ranking {See asbestos register report}
- Immediate isolation until remedial action completed
- Immediate removal of asbestos containing material

Category 2
- Risk Ranking {See asbestos register report}
- Remove source of disturbance; or
- Isolate asbestos containing material

Category 3
- Risk Ranking {See asbestos register report}
- Remove before possible disturbance, such as demolition, partial demolition, renovation or refurbishment to ensure potential health risks do not arise.
- Monitor risk until remedial action is completed

Category 4
- Risk Ranking {See asbestos register report}
- Monitor and manage in accordance with the review of risk assessments

Category 1 Risk Ranking items

All category 1 items identified at survey have been reported by the asbestos surveyor and immediate remedial action taken. Category 1 items identified in the future, through register review, prior oversight or damage, are to be reported and immediately rectified through normal agency maintenance channels. Any friable, unstable ACM must be treated as a category 1 risk.

Category 2 Risk Ranking items

Category 2 risks are characterised by an elevated risk due to likely disturbance and the control measure is designed to reduce or eliminate the possibility of disturbance.

Category 3 Risk Ranking items

Category 3 items are programmed for removal prior to a time of likely disturbance for another purpose, such as renovation. Management decision is necessary as to when this should be done.

Category 4 Risk Ranking items

These items are low risk due to good condition with a low probability of disturbance and need only future management and monitoring. Generally they are well bonded, for example in a cement matrix, stable and relatively inaccessible.

Monitoring and Management

The following elements of monitoring and management, all requirements under the code of practice, have been determined after consideration of the asbestos surveyor's recommendations relating to the building.

Access

1. No access restriction required (unless specifically noted in the register) as all remaining ACM is well bonded and unlikely to be disturbed.

Work Permits

1. Work permits not considered necessary (unless specifically noted in the register)

Recording Work on ACM

Work done on ACM that materially changes a register entry is to be recorded in the asbestos register by and will include details of:

- The company conducting the work
- The date of the work
- The scope of the work done
- Any clearance/testing certificates

Maintenance of Asbestos Register

The asbestos register needs to be maintained and controlled by the Strata manager or Building Manager. If any changes have occurred to the building that may directly affect the contents of the Asbestos Management plan or Register then Sageview need to be immediately notified and appointed to update and amend the information contained in these.

Access to Asbestos Register

The asbestos register is to be made available to contractors on every occasion that work may be done which could possibly disturb ACM. Reasonable requests by staff members or contractors for inspection of the asbestos register will be granted.

Safe Work Methods

Refer to the Actions identified in the Asbestos Register

CONSULTATION, INFORMATION SHARING AND TRAINING

Advice regarding ACM is to be included in induction training procedures and follow up briefings are to be conducted after each review of the ACM register, after any material change in the ACM register.

Induction briefings for contractors who may work within the building(s) are to be conducted.

Briefings will include details as per Attachment A and/or Attachment B

Where necessary, the briefings will be site specific.

Updates, where a change to the AMP or extensive work to buildings is planned, are to be delivered by

1. Occupational Safety and Health newsletter
2. Briefing meetings
3. Other

AGENCY OPERATIONAL CONSIDERATIONS

A workplace is defined as "a place, whether or not in an aircraft, ship, vehicle, building or other structure, where employees or self employed persons work or are likely to be in the course of their work." Accordingly, this plan also needs to account for work outside the usual office building.

As part of this plan, all agency operations have been reviewed and particular precautions and control measures are to be taken in accordance with Attachment A.
(This will include such tasks as visits to external places etc.)

REVIEW

The register of ACM is to be reviewed every 5 years or when an addition to the register has been made.

The asbestos management plan is to be reviewed 5 years from date of inspection or when a change to the register has been recorded, to ensure effectiveness of management processes in:

- Preventing exposure to airborne asbestos fibres;
- Controlling maintenance workers and contractors;
- Highlighting the need for action to maintain or remove ACM;
- Raising awareness among all workers; and
- Maintaining the accuracy of the register of ACM.

ATTACHMENTS

Attachment A
Schedule of Operational Precautions and Practices

Attachment B
Health aspects of Exposure to Airborne Asbestos Fibres
Extract from *Code of Practice for the Management and Control of Asbestos in Workplaces* [NOHSC:2018(2005)] Part 6

Attachment C
Training Workers About Asbestos or ACM
Extract from *How to Manage and Control for the Management of Asbestos in Workplace - Code of Practice (*Safe Work Australia*)* Part 6.3 – Training Workers About Asbestos or ACM

Attachment D
Schedule of Briefings

Attachment A – Schedule of Operational Precautions and Practices

Task	*Location*	*Precaution*	*By Whom*

Attachment B - Health aspects of Exposure to Airborne asbestos Fibres

Extract from *Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC:2018(2005)] Part 6*

Asbestos is a known carcinogen. The inhalation of asbestos fibres is known to cause mesothelioma, lung cancer and asbestosis.
Malignant mesothelioma is a cancer of the outer covering of the lung (the pleura) or the abdominal cavity (the peritoneum). It is usually fatal.
Mesothelioma is caused by the inhalation of needle-like asbestos fibres deep into the lungs where they can damage mesothelial cells, potentially resulting in cancer.
The latency period is generally between 35 and 40 years, but it may be longer, and the disease is very difficult to detect prior to the onset of illness.
Mesothelioma was once rare, but its incidence is increasing throughout the industrial world as a result of past exposures to asbestos. Australia has the highest incidence rate in the world.
Lung cancer has been shown to be caused by all types of asbestos. The average latency period of the disease, from the first exposure to asbestos, ranges from 20 to 30 years. Lung cancer symptoms are rarely felt until the disease has developed to an advanced stage.
Asbestosis is a form of lung disease (pneumoconiosis) directly caused by inhaling asbestos fibres, causing a scarring (fibrosis) of the lung tissue which decreases the ability of the lungs to transfer oxygen to the blood. The latency period of asbestosis is generally between 15 and 25 years.
Asbestos poses a risk to health by inhalation whenever asbestos fibres become airborne and people are exposed to these fibres.
Accordingly, exposure should be prevented. The NES of 0.1 fibres/mL should never be exceeded, and control measures should be reassessed whenever air monitoring indicates the 'control level' of 0.01 fibres/mL has been reached. The Code of Practice for the Safe Removal of Asbestos [NOHSC:2002(2005)] provides additional information on control levels.
ACM can release asbestos fibres into the air whenever they are disturbed, and especially during the following activities:

- any direct action on ACM, such as drilling, boring, cutting, filing, brushing, grinding, sanding, breaking, smashing or blowing with compressed air (State and Territory legislation prohibits most of these actions, and the relevant laws should be checked before performing any activity on ACM);
- the inspection or removal of ACM from workplaces (including vehicles, plant and equipment);
- the maintenance or servicing of materials from vehicles, plant, equipment or workplaces; or
- the renovation or demolition of buildings containing ACM.

Non-friable ACM that has been subjected to extensive weathering or deterioration also has a higher potential to release asbestos fibres into the air.

Attachment C – Training Workers About Asbestos or ACM

Extract from How to Manage and Control for the Management of Asbestos in Workplace - Code of Practice (Safe Work Australia) Part 6.3 – Training Workers About Asbestos or ACM

Regulation **39** A person conducting a business or undertaking must ensure that information, training and instruction provided to a worker is suitable and adequate, having regard to:

- the nature of the work carried out by the worker
- the nature of the risks associated with the work at the time the information, training or instruction is provided.
- the control measures implemented.

The person must, so far as is reasonably practicable, ensure the information, training and instruction is provided in a way that is readily understandable by any person to whom it is provided.

Regulation **445** A person conducting a business or undertaking must ensure workers who they reasonably believe may be involved in asbestos removal work in the workplace or the carrying out of asbestos-related work are trained in the identification, safe handling and suitable control measures for asbestos and ACM.

This training may include the following topics:

- purpose of the training
- health risks of asbestos
- types, uses and likely presence of asbestos in the workplace
- persons conducting a business or undertaking and the worker's roles and responsibilities
- under the asbestos management plan
- where the asbestos register is located, how it can be accessed and how to understand the information contained in it
- processes and safe work procedures to be followed to prevent exposure, including
- exposure from any accidental release of airborne asbestos
- where applicable, the correct use of PPE including respiratory protective equipment (RPE)
- the implementation of control measures and safe work methods to eliminate or minimise
- the risks associated with asbestos to limit the exposure to workers and other persons
- exposure standard and control levels for asbestos
- purpose of any exposure monitoring or health monitoring that may occur.

This training is more general than the training that a worker undertaking asbestos removal work would receive. Workers who are undertaking licensed asbestos removal work are required to complete specific units of competency. Further information on these specific training requirements is available in the *Code of Practice: How to Safely Remove Asbestos*.

Records of all training must be kept while the worker is carrying out the work and for five years after the day the worker stops carrying out the work. These records must also be available for inspection by the regulator.

Attachment D - Schedule of Briefings

Date	*Group*	*Briefing By*

Disclaimer

This report has been prepared by Sageview Pty Ltd for the purpose of identifying and classifying the location, condition and health risk of ACM (Asbestos Containing Material) on Common Property areas and associated facilities and plant and providing a register to persons working upon or utilizing said property facilities or plant. The report is based upon a visual inspection of the Common Property areas and materials and confines itself to identifying and assessing the hazards and risks associated with the static condition of ACM on the common property on the day of inspection. Only readily accessible areas of the common property and areas fully visible from areas of the common property are inspected. The report must be updated every 5 years or earlier if any major changes occur to the common property areas after the date of the inspection then it is recommended the initial report be updated to incorporate these changes. This report is not a certificate of compliance with respect to any Act, Regulation, Ordinance or By-law. The report is not a structural report and should you require any advice of a structural nature we recommend that a structural engineer be engaged.

Any workers, contractors or others who are engaged to undergo work on the common property of the building must have access to the Asbestos Register and comply with the information it contains. If any material found on the common property, which is not on the register, but is suspected to be an ACM it must be left alone and not damaged, drilled or tampered with until an asbestos inspector is notified and has assessed the material in question.

The inspection did not include breaking apart, dismantling, removing or moving any element of the building and items located on the common property. The report does not and cannot make comment upon: materials that may have been concealed; the assessment of which may rely on certain weather conditions; the presence or absence of timber pests; gas fittings; heritage concerns; fire protection; site drainage; security concerns; detection and identification of illegal building work; durability of exposed finishes; the roof space and under floor space.

The inspection did not include any test samples taken of an assumed asbestos product. No material has not been disturbed or damaged in the inspection. Ensure test samples are taken when recommended to do so in the Asbestos Register.

Whilst every effort has been made to ensure the accuracy of this report, Sageview Pty Ltd will not be held responsible, and extends no warranties as to the suitability of such information or for the consequences of its use.

Likewise, Sageview Pty Ltd will not be held responsible for actions taken by third parties as a result of information contained in this report.

Ref.: LETTER-LLB-16935

Date: 23 November 2021

Attention:
Ms Marguerite Woochuk
Chief Executive – ExecEstate Strata

Copy to:
Steve Levien
Body Corporate Representative

Dear Madam,

Subject:
1 – 3 Burns Road Driveway Pavement - Rectification Works

The LendLease Bouygues Joint Venture (LLB) refers to the Project Company Group (ProCo)'s letter NCX-CR-LLB-CO-3408, dated 20 April 2021, which described defects in the driveway pavement at 1 – 3 Burns Road, Wahroonga, NSW, 2076 (the defect).

Since receiving this letter LLB has worked together with both the ExecEstate Strata and the Body Corporate representatives to rectify this defect.

LLB can now confirm that these rectification works have been completed.

LLB kindly requests that both the ExecEstate Strata and the Body Corporate representatives confirm the defect has been rectified to their satisfaction, see attachment to this present letter.

Yours faithfully,

Nicolas Aplincourt
Director

Cc LLB:
Diarmuid Leahy, Kalil Zeitoun

ATTACHMENT

I confirm that the rectification works on the driveway pavement at 1 – 3 Burns Road, Wahroonga, NSW, 2076 have been completed to my satisfaction and the defect is now closed.

Signed: _____ **Date:** 29/11/21

Steve Levien
Body Corporate Representative

Signed: _____ **Date:** 30/11/21

Marguerite Woochuk
Chief Executive - ExecEstate Strata

SWITCHBOARD INSPECTION REPORT

Switchboard inspection to be carried out by: B M Dean Electrical
(Company Name)

Common Switchboard Yes / No

Bradley Dean
(Inspectors Name)

Strata Plan Number: 54471

Property Address: 1-3 Burns Road Wahroonga NSW 2076

Are there light circuits for the common property Yes / No
If yes, how many? 1

Are there power circuits for the common property Yes / No
If yes, how many? 1

Is there an RCD installed to power circuits Yes / No How many installed 1

Is there an RCD installed to light circuits Yes / No How many installed 1

Are there pump controls in the meter box Yes / No

Is the power located in a: meter box OR Meter room (please circle)

Any access problems? No access problems

Door/gate operating correctly Yes / No Door/gate locked Yes / No
Lock operating Yes / No

Is there control gear for an exhaust system in switchboard Yes / No

Comments: RCD's Tested and logged

Switchboard check:

Bad connections: Y / N Details

Burnt/ Broken equipment: Y / N Details

Room Area clean/tidy: Y / N Details Room Full of Roof Tiles

No Hazchem in room: Y / N Details

Switchboard comments Switchboard inspection - satisfactory.

Too much Storage in Switch Room.

Signed by: Bradley Dean (Inspector) Licence No: 36677

Date Inspection carried out: 5/05/2022
(date)

PESTRID
ABN 69 002 762 521

Phone : (02) 9905 4676
Fax : (02) 9907 2610
Email : office@pestrid.com.au
Web : pestrid.com.au

PO Box 389
NEWPORT NSW 2106

Office use only
00051920

Report Number: 18077

Date of Inspection: 21/05/2021

STANDARD TIMBER PEST DETECTION REPORT

This Standard Timber Pest Detection Report (hereinafter called "the Report") is issued subject to the Scope, Limitations, Exclusions and Definitions of inspection and report as set out on Pages 7 & 8 of this document.

CLIENT:

Exec-Estate Pty Limited
PO Box 212
Gordon NSW 2072

ADDRESS OF PROPERTY INSPECTED:

Strata Plan 54471
1-3 Burns Road
Wahroonga 2076

TERMS AND CONDITIONS. *TO BE READ IN CONJUNCTION WITH THE REPORT*

PLEASE READ THE TERMS AND CONDITIONS IN CLAUSE A.1 OF THIS DOCUMENT

SERVICE REQUESTED As agreed with Client (see also Scope & Limitations No 1, No 2, No 6 & No 7 on page 7).

[ ] **Option 1** A VISUAL ONLY INSPECTION REPORT - No tests were carried out.
[X] **Option 2** A STANDARD INSPECTION REPORT - Tests were carried out.
[ ] **Option 3** A SPECIAL-PURPOSE INSPECTION REPORT - Client requirements to be specified.

SUMMARY ONLY

IMPORTANT DISCLAIMER

- This Summary is supplied to allow a quick and superficial overview of the inspection results.
- This Summary is NOT the Report and CANNOT BE RELIED UPON ON ITS OWN.
- This Summary must be read in conjunction with the full Report and not in isolation from the report.
- If there should happen to be any discrepancy between anything in the Report and anything in the Summary, the information in the Report shall override that in this Summary.

RECOMMENDATIONS

Are there any Area(s) and/or Section(s) to which Access should be gained or any treatment or repairs that should be addressed ?

[See section 9 on page six of this report for any recommendations.]

TIMBER PEST ACTIVITY

Were active subterranean termites (live specimens) found? (See details in section 3.1 on page 3 of this report).	No live termites were located during this inspection.
Was visible evidence of subterranean termite workings or damage found? (See details in section 3.2 on page 4 of this report).	No visible termite damage was noted during this inspection.
Was visible evidence of borers of seasoned timber found? (See details in section 6 on page 5 of this report).	No significant borer damage of seasoned timbers was located during this inspection.
Was evidence of damage caused by wood decay (rot) fungi found? (See details in section 5 on page 4 of this report).	No significant wood decay was noted during this inspection.

END OF SUMMARY

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RESULTS OF INSPECTION

1. GENERAL

1.1 Brief Description of Building (e.g. single storey house: split-level townhouse; multistorey apartment; etc.).

Multistorey strata townhouse complex on a level site.

1.2 Primary Method of Construction (e.g. timber stumps and timber framed; steel framed; concrete; brick; etc.).

Floor Structure: Flooring of timber and concrete slabs on ground.

Wall Structure: Built of timber framed, brick veneer.

Roof Structure: Roofing of tiles on timber frame.

1.3 Occupancy Status Was the building occupied, vacant, furnished, partly furnished or unfurnished?

Common property only.

2. ACCESSIBILITY *See also Clause A.2 on Page 7.*

2.1 Readily Accessible Areas Inspected The inspection covered the Readily Accessible Areas including:

[X] Building Interior (Common Property) [ ] Building Interior [ ] Roof Exterior

[X] Roof Space [ ] Subfloor Space [ ] Outbuildings

[X] The building exterior and grounds including any timber structures such as bridges, landscaping, retaining walls, fences, tree stumps, trees and timber embedded in the soil within the property boundaries up to a distance of 50 m of the building.

[X] Other: Inspection of available common areas and the roof spaces of townhouses 5, 6, 7, 8 & 9.
Townhouse 4 was not home to provide roof space access.

2.2 Areas Not Inspected

The inspection did not include areas which were not readily accessible, inaccessible or obstructed.
Any obstructions which may conceal possible timber pest attack
(See also Limitation No 3 on Page 7).

[ ] Building Interior (e.g. floor coverings):

[ ] Building Exterior (e.g. stored articles):

[ ] Roof Exterior (e.g. vegetation):

[X] Roof Space (e.g. thermal insulation): Insulation, sarking, A/C ducting & restricted access obstruct full inspection of roofing timbers.

[ ] Subfloor Space (e.g. thermal insulation):

[ ] Other:

2.2 Areas Not Inspected-*Continued from previous page*

Any areas which did not permit entry. (e.g. the laundry was locked; there was no visible means of access to the subfloor space; the small size of the existing entry aperture did not allow for bodily access to the roof space; etc.).

No inspection was made of the interiors of the units. This was a common property inspection only.
Townhouse 4 was not home to provide roof space access.

2.3 Timber Pest Risk Assessment

Due to the level of accessibility for inspection including the presence of obstructions, the overall degree of risk of **undetected** timber pest attack and conditions conducive to timber pest attack was considered:

[ ] Low [X] Moderate [ ] Moderate - High [ ] High

RECOMMENDATION: Where risk is considered "**Moderate**" or "**Moderate-High**" or "**High**", a further inspection is *strongly recommended of areas that were not readily accessible and of inaccessible or obstructed areas* once access has been provided or the obstruction removed. This may require the moving, lifting or removal of obstructions such as floor coverings, furniture, stored items, foliage and insulation. In some instances, it may also require the removal of wall linings, the cutting of traps and access holes, etc. For further advice consult your Timber Pest Detection Consultant.

3. TERMITES *See also Clause A.3 on Page 8.*

The genus or species of drywood or subterranean termites listed below have the potential to cause significant structural damage (see also Limitations No 4 & No 5 on Page 7).

3.1 Active Termites

Were active termites present at the time of inspection? [No.]

Have any specimens been collected for the purpose of positive identification? [No.]

The genus or species has been positively identified as:

[ ] *Cryptotermes brevis* [ ] *Mastotermes darwiniensis* [ ] *Schedorhinotermes*

[ ] *Coptotermes Species* [ ] *Nasutitermes* [ ] Undetermined (explain)

[ ] *Heterotermes ferox* [ ] Other (explain)

Details and location of (include any recommendation for further expert advice, e.g. from a licensed pest control operator)

No live termites were found in inspected areas. If termite damage is noted, (see section 3.2 on page 4) -but live termites not located, there is a possibility that they may be concealed in areas that did not permit adequate inspection.

Was a termite nest found?

No termite nest was found during this inspection. Termite nests can be concealed in trees, concealed areas of subfloors & roof voids, wall cavities or beneath the ground.

Has the consultant been authorised to perform any treatment by the building owner? [No.]

If "Yes", in addition to this inspection report, a full written treatment proposal in strict accordance with AS 3660 must be supplied and agreed to by the Client (see also Exclusion No 1 on Page 7).

3.2 Termite Workings and/or Damage

Was evidence of termite workings or damage found? [No.] (If "Yes" continue. If "No" go to item 3.3).

The extent of any visible damage appears: [ ] Localised [ ] Widespread [ ] Undetermined

Location of all accessible timbers and other materials showing signs of attack and a description of any termite workings found:

No visible evidence of termite damage or termite workings were found in any visually accessible timbers of the property during this inspection.

RECOMMENDATION: Where evidence of damage to building timbers exists, competent advice (e. g. from a licensed or registered building contractor) *should be obtained to determine the extent of any structural damage* and as to the need or otherwise for rectification or repair work. See also 'Future Inspections' recommendation Clause 3.4

3.3 Previous Termite Management Program

Evidence of a possible previous termite management program. (Including the location of any 'Protection Notice' or 'Treatment Notice' affixed at the entrance to the crawl space or some other place where it was protected from damage, e.g. in the case of slab-on-ground construction, in an external meter box).

No attached notice was located during this inspection.

3.4 Frequency of Future Inspections

The next inspection to detect any future termite infestation is recommended in:

This property should be inspected at least annually for evidence of termite activity.

4. CHEMICAL DELIGNIFICATION *See also Clause A.4 on Page 8.*

Was evidence of Chemical Delignification found? [No.] (If "Yes" continue. If "No" go to item 5).

The extent of any visible damage appears: [ ] Localised [ ] Widespread [ ] Undetermined

Details & Location (including any recommendation for further expert advice, e.g. from a licensed building contractor)

No delignification was found in any of the inspected timbers. This condition often affects the roofing timbers of older structures located near the sea.

5. FUNGAL DECAY *See also Clause A.5 on Page 8.*

Was evidence of Fungal Decay found? [No.] (If "Yes" continue. If "No" go to item 6).

The condition of the timber appears: [ ] Decaying [ ] Decayed [ ] Undetermined

The extent of any visible damage appears: [ ] Localised [ ] Widespread [ ] Undetermined

Details & Location (including any recommendation for further expert advice, e.g. from a licensed building contractor)

No notable evidence of wood decay was found in any visually accessible timbers during this inspection.

6. WOOD BORERS *See also Clause A.6 on Page 8.*

Was evidence of Wood Borers found? [No.] (If "Yes" continue. If "No" go to item 7).

The borer appears to be: [ ] Lyctid Borer [ ] Anobiid Borer [ ] Other (explain)

The extent of any visible damage appears: [ ] Localised [ ] Widespread [ ] Undeterminec

Details & Location (including any recommendation for further expert advice, e.g. from a licensed building contractor)

No evidence of wood borers or borer damage was found in any visually accessible timbers of the property during this inspection.

7. CONDITIONS CONDUCIVE TO TIMBER PEST ATTACK See *also Clause A.7 on Page 8.*

The timber Pest Detection Consultant sought evidence of noticeable building deficiencies or environmental factors that may contribute to the presence of timber pests. Competent advice (e.g. from a licensed or registered building contractor or plumbing contractor) should be obtained in regard to removing any condition conducive to timber pest attack and as to the need or otherwise for rectification or repair work.

7.1 Lack of Adequate Subfloor Ventilation

Was evidence of lack of subfloor ventilation found? [Not Applicable]

Details & Location (including any recommendation for further expert advice, e.g. from a licensed building contractor):

There is no subfloor void or it was not accessed.

7.2 The Presence of Excessive Moisture

Prevailing weather conditions at the time of inspection: [X] Wet [ ] Dry

Was evidence of the presence of excessive moisture found? [No.]

Details & Location (including any recommendation for further expert advice, e.g. from a licensed building contractor)

No excessive moisture or drainage problems were evident during this inspection. Wet or moist soil can favour termite activity.

7.3 Bridging or Breaching of a Termite Barrier System and/or 'Insufficient Slab Edge Exposure'

Was the finished ground or paving level above the adjacent internal floor level or damp-proof-course or obstructing any weephole or vent face on external walls? [No.]

Was evidence of bridging or breaching of a termite barrier or insufficient slab edge exposure found? [Yes.] (Visible evidence of barriers 'bridged' or 'breached' or slab edges obstructed by):

[ ] Carports	[ ] Verandahs	[ ] Steps/Ramps	[ ] Trellis/Fences
[X] Cladding or brickwork	[X] Pipework	[X] Paths/Paving	[X] Driveways
[X] Earth	[X] Landscaping	[ ] Additional Slabs	[ ] Other (explain)

Details & Location:

The edges of the concrete slabs are not fully visible. Where the edge of a concrete slab is obscured from view, termites may be able to enter a structure with no visible evidence.

7.4 Earth-Wood or Damp Masonry-Wood Contact

Was evidence of earth-wood or damp masonry-wood contact found? [Yes.]

Details & Location

Any untreated timbers in continual contact with the soil, moist foundations or wet exterior concrete slabs are at particular risk of termite attack and fungal rot. These include boundary fencing timbers.

7.5 Other Conditions Conducive to Timber Pest Attack

For example, evidence of non-existent or defective termite shields installed to isolated piers; storage of timber and stored goods under/adjacent to the building, tree stumps and vegetation in subfloor spaces, cracks in concrete slabs or foundations, defective downpipes and guttering, etc.

Was evidence of any other condition conducive to timber pest attack found? [No.]

Details & Location

8. RISK MANAGEMENT OPTIONS *See Clause A.8 on Page 9.*

9. ADDITIONAL COMMENTS

Pestrid recommends that this property be inspected at intervals not exceeding 12 months, for evidence of termites and conditions conducive to termite attack.

CERTIFICATION - This document certifies that the property described in this Report has been inspected by the Timber Pest Detection Consultant in accordance with the level of service requested by the Client and the terms and conditions as set out on Pages 5 & 6 of this Report and in strict accordance with the current edition of the Report Systems Australia (RSA) Handbook *Timber Pest Detection Reports* 'Uniform Inspection Guidelines for Timber Pest Detection Consultants'.

NAME OF CONSULTANT:	Michael Heid
AUTHORISED SIGNATORY:	Gary Eastwood
DATE OF ISSUE:	24/05/2021

Report Number: 18077

PLEASE READ THE TERMS AND CONDITIONS ON THE FOLLOWING PAGES

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A.1 TERMS AND CONDITIONS. *TO BE READ IN CONJUNCTION WITH THE REPORT*

SERVICE
As requested by the Client, the inspection carried out by the Timber Pest Detection Consultant ("the Consultant") was a "Standard Timber Pest Detection Report".
PURPOSE
The purpose of this inspection is to assist the Client to identify and understand any Timber Pest issues observed at the time of inspection.
SCOPE OF INSPECTION
This Report only deals with the detection or non detection of Timber Pest Attack and Conditions Conducive to Timber Pest Attack discernable at the time of inspection. The inspection was limited to the Readily Accessible Areas of the Building & Site and was based on a visual examination of surface work (excluding furniture and stored items), and the carrying out of Tests.
ACCEPTANCE CRITERIA
Where possible, the building being inspected was compared with a similar building. To the Consultant's knowledge the similar building used for comparison was constructed in accordance with generally accepted timber pest management practices and has since been maintained during all its life not to attract or support timber pest infestation.
Note. If the building was not comparable to a similar building (e.g. due to unusual design or construction techniques), then the inspection was based on the general knowledge and experience of the Consultant.
Unless noted in "Special Conditions or Instructions", this Report assumes that the existing use of the building will continue.
This Report only records the observations and conclusions of the Consultant about the readily observable state of the property at the time of inspection. This Report therefore cannot deal with:
(a) possible concealment of defects, including but not limited to, defects concealed by lack of accessibility, obstructions such as furniture, wall linings and floor coverings, or by applied finishes such as render and paint; and
(b) undetectable or latent defects, including but not limited to, defects that may not be apparent at the time of inspection due to seasonal changes, recent or prevailing weather conditions, and whether or not services have been used some time prior to the inspection being carried out.
These matters outlined above in (a) & (b) are excluded from consideration in this Report.
If the Client has any doubt about the purpose, scope and acceptance criteria on which this Report is to be based please discuss your concerns with the Consultant before ordering the Report or on receipt of this Report.
The Client acknowledges that, unless stated otherwise, the Client as a matter of urgency should implement any recommendation or advice given in this Report.
LIMITATIONS
The Client acknowledges:
1. 'Visual only' inspections are not recommended. The Consultant does not warrant that a 'visual only' inspection completely complies with Australian Standard AS 4349.3 "Inspections of Buildings. Part 3: Timber Pest Inspections", and may be of limited use to the Client. In addition to a visual inspection, AS 4349.3 recognises to better assess timber pest activity and damage requires the consultant to carry out when ever necessary appropriate tests with instruments.
2. This Report does not include the inspection and assessment of matters outside the scope of the requested inspection and report.
3. The inspection only covered the Readily Accessible Areas of the Building and Site. The inspection did not include areas which were inaccessible, not readily accessible or obstructed at the time of inspection. Obstructions are defined as any condition or physical limitation which inhibits or prevents inspection and may include – but are not limited to – roofing, fixed ceilings, wall linings, floor coverings, fixtures, fittings, furniture, clothes, stored articles/materials, thermal insulation, sarking, pipe/duct work, builder's debris, vegetation, pavements or earth.
4. The detection of drywood termites may be extremely difficult due to the small size of the colonies. No warranty of absence of these termites is given.
5. European House Borer (Hylotrupes bajulus) attack is difficult to detect in the early stages of infestation as the galleries of boring larvae rarely break through the affected timber surface. No warranty of absence of these borers is given. Regular inspections including the carrying out of appropriate tests are required to help monitor susceptible timbers.
6. This is not a structural damage report. Neither is this a warranty as to the absence of Timber Pest Attack.
7. If the inspection was limited to any particular type(s) of timber pest (e.g. subterranean termites), then this would be the subject of a Special-Purpose Inspection Report, which is adequately specified.
8. This Report does not cover or deal with environmental risk assessment or biological risks not associated with Timber Pests (e.g. toxic mould) or occupational, health or safety issues. Such advice may be the subject of a Special-Purpose Inspection Report which is adequately specified and must be undertaken by an appropriately qualified inspector. The choice of such inspector is a matter for the Client.
9. This Report has been produced for the use of the Client. The Consultant or their firm or company are not liable for any reliance placed on this report by any third party.

EXCLUSIONS
The Client acknowledges:
1. This Report does not deal with any timber pest preventative or treatment measures, or provide costs for the control, rectification or prevention of attack by timber pests. However, this additional information or advice may be the subject of a timber pest management proposal which is adequately specified.
DEFINITIONS
Timber Pest Attack means Timber Pest Activity and/or Timber Pest Damage.
Timber Pest Activity means telltale signs associated with 'active' (live) and/or 'inactive' (absence of live) Timber Pests at the time of inspection.
Timber Pest Damage means noticeable impairments to the integrity of timber and other susceptible materials resulting from attack by Timber Pests.
Conditions Conducive to Timber Pest Attack means noticeable building deficiencies or environmental factors that may contribute to the presence of Timber Pests.
Readily Accessible Areas means areas which can be easily and safely inspected without injury to person or property, are up to 3.6 metres above ground or floor levels, in roof spaces where the minimum area of accessibility is not less than 600 mm high by 600 mm wide and subfloor spaces where the minimum area of accessibility is not less than 400 mm high by 600 mm wide, providing the spaces or areas permit entry. The term 'readily accessible' also includes:
(a) accessible subfloor areas on a sloping site where the minimum clearance is not less than 150 mm high, provided that the areas is not more than 2 metres from a point with conforming clearance (i.e. 400 mm high by 600 mm wide); and
(b) areas at the eaves of accessible roof spaces that are within the consultant's unobstructed line of sight and within arm's length from a point with conforming clearance (i.e. 600 mm high by 600 mm wide).
Client means the person or persons for whom the Timber Pest Detection Report was carried out or their Principal (i.e. the person or persons for whom the report was being obtained).
Timber Pest Detection Consultant means a person who meets the minimum recommended competency standard set out in Australian Standard AS 4349.3 Inspections of Buildings. Part 3: Timber Pest Inspection Reports.
Building and Site means the main building (or main buildings in the case of a building complex) and all timber structures (such as outbuildings, landscaping, retaining walls, fences, bridges, trees, tree stumps and timber embedded in soil) and the land within the property boundaries up to a distance of 50 metres from the main building(s).
Timber Pests means one or more of the following wood destroying agents which attack timber in service and affect its structural properties:
(a) Chemical Delignification - the breakdown of timber through chemical action.
(b) Fungal Decay - the microbiological degradation of timber caused by soft rot fungi and decay fungi, but does not include mould, which is a type of fungus that does not structurally damage wood.
(c) Wood Borers - wood destroying insects belonging to the order 'Coleoptera' which commonly attack seasoned timber.
(d) Termites - wood destroying insects belonging to the order 'Isoptera' which commonly attack seasoned timber.
Tests means additional attention to the visual examination was given to those accessible areas which the consultant's experience has shown to be particularly susceptible to attack by Timber Pests. Instrument Testing of those areas and other visible accessible timbers/materials/areas showing evidence of attack was performed.
Instrument Testing means where appropriate the carrying out of Tests using the following techniques and instruments:
(a) electronic moisture detecting meter - an instrument used for assessing the moisture content of building elements;
(b) stethoscope - an instrument used to hear sounds made by termites within building elements;
(c) probing - a technique where timber and other materials/areas are penetrated with a sharp instrument (e.g. bradawl or pocket knife), but does not include probing of decorative timbers or finishes, or the drilling of timber and trees; and
(d) sounding - a technique where timber is tapped with a solid object.

A.2 ACCESSIBILITY

Unless specified in writing, the inspection only covered the Readily Accessible Areas of the Building and Site.

The inspection did not include areas which were inaccessible, not readily accessible or obstructed at the time of inspection. Areas which are not normally accessible were not inspected and include - but not limited to – inside walls, the interior of a flat roof or beneath a suspended floor filled with earth.

Building Interior The Consultant did not move or remove any ceilings, wall coverings, flooring, floor coverings (including carpeting), furnishing, equipment, appliances, pictures or other household goods. In an occupied property, furnishings or household items may be concealing evidence of timber pest attack which may only be revealed when the items are moved or removed.

NOTE. In the case of strata and company title properties or other Class 2 buildings or equivalent, if the inspection was limited to assessing the interior of a particular unit or lot, the Client may have additional liability for timber pest activity and damage in the common property. This additional liability can only be addressed through the undertaking of a special-purpose inspection report which is adequately specified.

Building Exterior, Roof Exterior and Site The Consultant did not move or remove any obstructions such as wall cladding, awnings, trellis, earth, plants, bushes, foliage, stored materials, debris or rubbish. Due to the 'secretive' nature of timber pests, it is possible that hidden damage may exist in concealed areas, e.g. wall framing. Damage may only be found when the obstruction is removed. In the case of buildings constructed on concrete slabs, if the edge of the slab or any weephole or vent at the base of external walls is concealed by pavements, gardens, lawns or landscaping then it is possible for termites to gain undetected entry into the building. The building of gardens or planting of shrubs close to the perimeter of the building can promote and conceal termite entry points. The storage of cellulose materials such as building materials and firewood in close proximity to the ground or building may encourage termite activity.

Roof Space Obstructions such as roofing, stored articles, thermal insulation, sarking and pipe/duct work may be concealing evidence of timber pest attack which may only be revealed when the obstructions are moved or removed. Also, bodily access should be provided to the interior of all accessible roof spaces. In accordance with Australian Standard As 4349 the minimum requirement is a 450 mm by 400 mm access manhole.

Subfloor Space Subfloor areas should be kept free from all vegetation (including tree stumps) and other cellulose material which may encourage timber pest activity. Also, storage of materials in subfloor areas is not recommended as it reduces ventilation and makes inspection difficult. Obstructions may be concealing evidence of timber pest attack which may only be revealed when the obstructions are moved or removed. Bodily access should be provided to all accessible subfloor areas. In accordance with Australian Standard AS 4349 the minimum requirement is a 500 mm x 400 mm access manhole. In the case of suspended floors, if the clearance between the ground and structural components is less than 400 mm, then the ground should be excavated to provide the required clearance, subject to maintaining adequate drainage and support to footings. If the subfloor has been sprayed for subterranean termites or if the area is susceptible to mould growth, appropriate health precautions must be followed before entering the area. Also, special care should be taken not to disturb the treated soil. Always seek further advice from the Consultant.

A.3 TERMITES

General Description of Attack Timber hollowed beneath; some cracking at the surface of timber; earthen channels present; or pale faecal spots present.

IMPORTANT NOTE. As a delay may exist between the time of an attack and the appearance of telltale signs associated with the attack, it is possible that termite activity and damage exists though not discernible at the time of inspection.

Treatment After discovery of an active infestation, it is imperative that the species of termite is accurately identified before costly (and sometimes unnecessary or inappropriate) methods of treatment are initiated. Only economically important species which are known to attack timber structures should be treated.

In the case of economically important species, it is important that the termite workings are not further disturbed until the proposed method of control has been determined by a licensed pest control operator. Premature attempts to repair or replace infested timber may cause the termites to withdraw from the area temporarily, thereby hindering effective treatment. Any repair or replacement of infested timber should be carried out after the appropriate treatment has been completed.

Where evidence of active termites is detected within a building or within 50 metres of any building, it must always be assumed that the termites may also be active in areas of the property not inspected. Accordingly, where the termites are known to be of economic significance, a further (more invasive) inspection is strongly recommended of areas which were inaccessible, not readily accessible or obstructed at the time of inspection.

Termite Workings and Damage Where evidence of damage to building timbers exists, competent advice (e.g. from a licensed or registered building contractor) should be obtained to determine the extent of any structural damage and as to the need or otherwise for rectification or repair work.

Where evidence of inactive termites is located within the building, it is possible that termites are still active in areas of the property not inspected and they may continue to cause damage. A further more invasive inspection is strongly recommended of areas which were inaccessible, not readily accessible or obstructed at the time of inspection.

Where evidence of an inactive termite infestation exists, it is not possible, without benefit of further investigation and inspections over a period of time, to ascertain whether any infestation is active or inactive. Continued, regular, inspections are essential.

Where evidence of termite attack exists to any trees or tree stumps a more conclusive search should be undertaken. This may require the tree or stump to be drilled to determine the existence of a termite nest. In addition, the soundness and stability of any standing trees identified as being affected by termite attack should be confirmed. Always seek further advice from the Consultant.

Previous Treatments Where evidence of a possible termite treatment was located, the Client should obtain and keep on file all relevant documents pertaining to the extent of the treatment, any service warranties and advice in regard to the building owner's obligation to maintain the treatment and/or barrier. If evidence of a previous treatment of termite infestation is noted, and appropriate documentation is not available, the Client must assume that the termite infestation may still be active in areas of the property not inspected. Accordingly, a re-treatment may be required. Always seek further advice from the Consultant.

Frequency of Future Inspections Australian Standard AS 3660 recognises that regular inspections will not prevent termite attack, but may help in the detection of termite activity. Early detection will allow remedial treatment to be commenced sooner and damage to be minimised.

Inspections at intervals not exceeding twelve (12) months are recommended. Where the termite risk is high or the building type susceptible to termite attack, more frequent inspections (3-6 months) should be undertaken.

A.4 CHEMICAL DELIGNIFICATION

General Description of Attack Surface of timber appears very hairy; and wood and 'hairs' separate.

Economic Significance Chemical Delignification of wood in service is only rarely encountered and then only in certain areas. Small dimensional timber members such as roof tiling battens may collapse when the wood becomes defribrated. However, in large dimensional timber members such as rafters, bearers and joists, delignification takes many years to affect the strength of timber to the point of collapse.

Where evidence of Chemical Delignification exists, competent advice (e.g. from a licensed or registered building contractor) should be sought to determine the extent of any structural damage, and as to the need or otherwise for rectification or repair work.

A.5 FUNGAL DECAY

General Description of Attack Decaying wood contains sufficient moisture to retain its original shape and may have sufficient strength to withstand normal loads. In contrast decayed wood is reduced both in moisture content and size as indicated by cracking either along or across the grain or fibres coming apart in a stringy manner. Decayed wood will have undergone considerable strength reduction.

Economic Significance Fungal decay can cause at one extreme, structural failure of the affected timber, and at the other purely superficial surface damage. The most critical determination is that of which timber is affected and decaying, because decay will most likely spread (unless sources of moisture are quickly removed). Affected and decayed timber may warrant timber replacement, but the rot should not spread unless a new moisture source becomes available in that area.

Where evidence of decayed timber exists, competent advice (e.g. from a licensed or registered building contractor) should be sought to determine the extent of any structural damage, and as to the need or otherwise for rectification or repair work. It is important to correct any condition conducive to attack prior to replacing decayed wood.

Where evidence of decaying timber exists, competent advice (e.g. from a licensed or registered building contractor) should be sought to remove the condition(s) conducive to attack, and to determine the extent of any structural damage, and as to the need or otherwise for rectification or repair work.

Where the full extent of damage or the overall condition of the timber is undetermined a further inspection is strongly recommended by a competent person (e.g. from a licensed or registered building contractor). This may require monitoring of the timber over a period of time and include the assessment of conditions conducive to attack in different weather conditions (e.g. to determine the adequacy of existing drainage).

Management Program Remove any conditions conducive to attack (e.g. lack of ventilation or the presence of excessive moisture). Regular inspections are recommended at intervals not exceeding 12 months. Always seek further advice from the Consultant.

A.6 WOOD BORERS

General Description of Attack As the attack proceeds, borer larvae eat through the wood leaving a dust called "frass'. Ejection of the frass occurs through the adult beetles flight (exit) holes, and it is usually present beneath any timber that has been attacked. The presence of frass however, does not indicate whether the attack is active or not. Borer larvae cannot be sighted unless the susceptible timber is broken open.

IMPORTANT NOTE: As a delay may exist between the time of an attack and the appearance of telltale signs associated with the attack, it is possible that borer activity and damage exists though not discernible at the time of inspection.

Economic Significance Evidence of borer activity is rarely cause for alarm, but rather for careful consideration of three main points, namely the identification of the particular borer responsible, whether the infestation is still active, and the extent of the damage. Full consideration should be given to each of these items before any action is taken.

The following wood borers cause damage most frequently encountered by building owners.

The Lyctid Borer The most common lyctid borer in Australia is Lyctus brunneus (powder post beetle). Attack usually takes place during the first six to twelve months of the service life of timber. However, the powder post beetle is not considered a significant pest of timber and treatment of infestation is not usually required. As only the sapwood of certain hardwoods is destroyed, larger-dimensional timbers (such as rafters, bearers and joists) in a building are seldom weakened significantly to cause collapse. In small-dimensional timbers (such as tiling and ceiling battens) the sapwood may be extensive, and its destruction may cause collapse. This may require the support or replacement of the affected battens. Competent advice (e.g. from a licenses or registered building contractor) should be sought to determine the extent of any structural damage, and as to the need or otherwise for rectification or repair work.

The Anobiid Borer There are many different species of Anobiid borer, the most frequently encountered being Anobium punctatum (furniture beetle) and Calymmaderus incisus (Queensland pine beetle). Attack mainly occurs to softwoods especially pine timbers such as floorboards that have been in service for at least ten years. Should any structural timbers be attacked by Anobiid borers it is often difficult to determine what extent the borer damage has weakened such timbers and replacement is often the only way of ensuring safety from collapse.

In the case of Anobiid borers, once an attack is initiated it is unlikely to cease or die out of its own accord without some sort of eradication treatment. Therefore, unless proof of treatment is provided, evidence of an attack must always be considered active. Although a chemical treatment is an option, replacement of infested timbers with non-susceptible, or treated timber, is the most effective method of treatment. Before any option is considered, competent advice (e.g. from a licensed building contractor) should be sought to determine the extent of any structural damage, and as to the need or otherwise for rectification or repair work.

Other Borers A further (more invasive) investigation is strongly recommended to determine whether infestation is still active and to positively identify the borer species responsible for the attack. Always seek further advice from the Consultant.

Management Program Wherever practical, remove any conditions conducive to attack (e.g. Anobium borer thrive in badly ventilated subfloor areas). Regular inspections are recommended at intervals not exceeding 12 months. Always seek further advice from the Consultant.

A.7 CONDITIONS CONDUCIVE TO TIMBER PEST ATTACK

Lack of Adequate Subfloor Ventilation Inadequate ventilation provides a condition suitable for timber pest infestation. For example, subterranean termites thrive in damp humid conditions typical of those provided in a poorly ventilated subfloor space. Where evidence of a lack of adequate ventilation has been identified in the report, the Client should seek competent advice (e.g. from a licensed or registered building contractor) in regard to upgrading ventilation.

The Presence of Excessive Moisture Ground levels around the building should be maintained in such a way to minimise water entering under the building. Also the ground surface in subfloor areas should be kept graded to ensure that moisture does not pond or accumulate in any area. Where necessary, sub-surface drains should be installed and maintained to assist with drainage around and under the building. Likewise, the presence of excessive moisture can often be directly related to ventilation limitations and the resultant high humidity.

Also, plumbing oversights and defects such as a leaking drain or tap will provide a microclimate conducive to timber pest attack.

Where necessary, the Client should seek competent advice (e.g. from a licensed or registered plumbing contractor) to determine the adequacy of existing drainage and remove any conditions conducive to the presence of excessive moisture.

The building may need to be monitored over a period of time to detect or confirm a damp problem. The presence of dampness (including moisture) is not always consistent as the prevailing and recent weather conditions at the time an inspection is carried out may affect the detection of damp problems. Importantly, precipitation at or near the time of inspection does not necessarily guarantee that a damp problem will automatically be evident due to such circumstances as prevailing wind conditions or intensity of rainfall. The absence of any dampness at the time of inspection does not necessarily mean the building will not experience some damp problems in other weather conditions. Likewise whether or not services have been used for some time prior to an inspection being carried out will affect the detection of dampness.

Bridging or Breaching of Termite Barriers and Inspection Zones Physical and/or chemical barrier systems are installed to impede concealed subterranean termite entry into buildings. However, termites may easily enter the building if the barrier is bridged or breached.

With a concrete slab building it is essential that the edge of the slab be permanently exposed. An inspection zone of at least 75 mm should be maintained so that termites are forced into the open where they can be detected more readily during regular inspections. In the case of physical sheet material barriers, a minimum inspection zone of 75 mm should be maintained from the sheet material to the finished ground. Importantly, the edge of the slab or sheet material should not be rendered, tiled, clad or concealed by flashings, adjoining structures, paving, soil, turf or landscaping.

Where perimeter termite barriers have been installed, the building owner should ensure that the integrity of the barrier remains intact and that the inspection of possible termite entry points is not impaired. This is especially important where an exposed slab edge is used as an inspection zone around the building (if the edge of the slab or any weepholes at the base of external walls are concealed by pavements, gardens, lawns or landscaping then it is possible for termites to gain undetected entry).

Also, bridging often occurs when items such as attachments to buildings allow termites to gain access to the building over or around a termite barrier. Where attachments to buildings such as steps are not provided with a termite barrier or cannot be easily inspected, they should be separated by a clear gap of at least 25 mm from the main structure. Where it is not possible to separate attachments from the main building, regular inspections of these areas should be undertaken.

In addition, termite barriers are often breached by the installation of services. Any disturbance of the barrier should be promptly repaired.

Where evidence of bridging or breaching exists, to minimise risk of infestation seek further advice from the Consultant.

Untreated or Non-Durable Timber Used in a Hazardous Environment To reduce the risk of timber pest attack, it is essential that timber used in a hazardous environment (e.g. in direct contact with the ground or damp masonry) is of sufficient durability and/or is adequately preservative treated. Where evidence of this condition exists, the Client should seek competent advice (e.g. from a licensed or registered building contractor) in regard to the need or otherwise for rectification or repair work.

Other Conditions Conducive to Timber Pest Attack If the cause or solution to a problem is not obvious, the Client should seek competent advice (e.g. from a licensed or registered building contractor) in regard to removing any conducive condition.

A.8 RISK MANAGEMENT OPTIONS

To help protect against financial loss, it is essential that the building owner immediately control or rectify any evidence of destructive timber pest activity or damage identified in this inspection report. The Client should further investigate any high risk area where access was not gained. It is strongly advised that appropriate steps be taken to remove, rectify or monitor any evidence of conditions conducive to timber pest attack.

To help minimise the risk of any future loss, the Client should consider whether the following options to further protect their investment against timber pest infestation are appropriate for their circumstances:

Undertake thorough regular inspections at intervals not exceeding twelve months or more frequent inspections where the risk of timber pest attack is high or the building type is susceptible to attack. To further reduce the risk of subterranean termite attack implement a management program in accordance with Australian Standard AS 3660. This may include the installation of a monitoring and/or baiting system, or chemical and/or physical barrier. However, AS 3660 stresses that subterranean termites can bridge or breach barrier systems and inspection zones and that thorough regular inspections of the building are necessary.

If the Client has any queries or concerns regarding this Report, or the Client requires further information on a risk management program, please do not hesitate to contact the person who carried out this Report.

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