

ANNUAL FINANCIAL STATEMENTS

For the period 1 October 2019 to 30 September 2020

Prepared For

23 Darley St

Strata Plan SP 72070

23 Darley St
FORESTVILLE NSW 2087

Manager

Nick Hage
ACE Body Corporate Management (Balmain)

Printed

9 November 2020

Balance Sheet

Administrative & Capital Works Fund

Owners Corporation for Plan No. SP 72070

As at 30th September 2020

23 Darley St FORESTVILLE NSW 2087

ABN/ACN 48 519 865 142

Assets

2020

Cash

45,049.78

Total Assets

\$ 45,049.78

Liabilities

Levies in Advance

Note 7

5,746.00

Total Liabilities

\$ 5,746.00

Net Assets

\$ 39,303.78

Equity

Administrative Fund

(554.70)

Capital Works Fund

39,858.48

Total Equity

\$ 39,303.78

Income and Expenditure Statement

Administrative Fund

Owners Corporation for Plan No. SP 72070

1 October 2019 to 30 September 2020

23 Darley St FORESTVILLE NSW 2087

ABN/ACN 48 519 865 142

Income	Budget	Actuals	Variance \$	Variance %
Levy Fees - adjustment	0.00	(30.30)	(30.30)	100
Levy Fees - normal	0.00	17,125.30	17,125.30	100
Mutual Revenue - penalty interest	0.00	(11.29)	(11.29)	100
Total Administrative Fund Income	0.00	17,083.71	17,083.71	100

Expenditure	Budget	Actuals	Variance \$	Variance %
Bank Fees & Charges	0.00	28.00	(28.00)	(100)
Cleaning Service - Cleaning and Gardening	0.00	920.00	(920.00)	(100)
Electrical Repairs	0.00	709.50	(709.50)	(100)
Electricity - charges	0.00	575.64	(575.64)	(100)
Garage Door Maintenance	0.00	185.00	(185.00)	(100)
Garden/Lawn Maintenance	0.00	4,890.00	(4,890.00)	(100)
Insurance Premiums	0.00	4,717.19	(4,717.19)	(100)
Owners Corporation Manager - Issuing Levy Notice	0.00	27.90	(27.90)	(100)
Owners Corporation Manager - fees paid to outgoing manager	0.00	1,840.00	(1,840.00)	(100)
Owners Corporation Manager - management fees	0.00	912.20	(912.20)	(100)
Owners Corporation Manager - schedule B fees	0.00	168.75	(168.75)	(100)
Pest Control Services	0.00	1,265.00	(1,265.00)	(100)
Roof - downpipe repairs	0.00	1,210.00	(1,210.00)	(100)
Taxes, Fees & Charges - GST charges	0.00	2.79	(2.79)	(100)
Telephone & Internet Services - MyStrata	0.00	128.70	(128.70)	(100)
Water - charges	0.00	158.29	(158.29)	(100)
Total Administrative Fund Expenditure	0.00	17,738.96	(17,738.96)	(100)

Summary

Opening Administrative Fund Balance as at 1 October 2019	100.55
Total Administrative Fund Revenue during period	17,083.71
Total Administrative Fund Expenditure during period	(17,738.96)
Total Administrative Fund balance as at 30 September 2020	(\$ 554.70)

Income and Expenditure Statement

Capital Works Fund

Owners Corporation for Plan No. SP 72070

1 October 2019 to 30 September 2020

23 Darley St FORESTVILLE NSW 2087

ABN/ACN 48 519 865 142

Income	Budget	Actuals	Variance \$	Variance %
Levy Fees - normal	0.00	9,750.00	9,750.00	100
Mutual Revenue - penalty interest	0.00	(5.68)	(5.68)	100
Total Capital Works Fund Income	0.00	9,744.32	9,744.32	100

Expenditure	Budget	Actuals	Variance \$	Variance %
Air Conditioning Systems	0.00	6,995.00	(6,995.00)	(100)
Consultant - other	0.00	165.00	(165.00)	(100)
Minor Building Maintenance	0.00	5,505.50	(5,505.50)	(100)
Painting	0.00	14,300.00	(14,300.00)	(100)
Taxes, Fees & Charges - income tax	0.00	86.40	(86.40)	(100)
Total Capital Works Fund Expenditure	0.00	27,051.90	(27,051.90)	(100)

Summary

Opening Capital Works Fund Balance as at 1 October 2019	57,166.06
Total Capital Works Fund Revenue during period	9,744.32
Total Capital Works Fund Expenditure during period	(27,051.90)
Total Capital Works Fund balance as at 30 September 2020	\$ 39,858.48

Notes To Financial Statements

Owners Corporation for Plan No. SP 72070
23 Darley St FORESTVILLE NSW 2087

ABN/ACN 48 519 865 142

Note 1 Summary of Accounting Policies

This special purpose financial report has been prepared for distribution to owners to fulfill the owners corporation's financial reporting requirements. The accounting policies used in the preparation of this report, as described below, are in the opinion of the owners corporation manager appropriate to meet the needs of owners. (a) The financial report has been prepared on the Accrual basis of accounting including the historical cost convention and the going concern assumption. (b) The requirements of Accounting Standards and other professional reporting requirements in Australia do not have mandatory applicability to the body corporate because it is not a "reporting entity" as defined in those Standards.

Note 2 Levies in Arrears, in Advance, not Due and payments unidentified

Any items shown as "Levies in Arrears" and "Levies in Advance" in the Balance Sheet represent the position of all levies in arrears or advance, as the case may be, as at the balance date. Any items shown as "Levies not Due" in the Balance Sheet represent levies which have a due date after the balance date. Any items shown as "Levy payments unidentified" in the Balance Sheet represent levy payments that have been received, however could not be identified and therefore allocated to a unit correctly, these funds are held as a liability until they can be correctly allocated. Any other charges against unit owners in arrears or payments in advance appear as liabilities and assets, as the case may be, elsewhere in the Balance Sheet.

Note 3 Unallocated Monies Received

Any items shown as "Unallocated Monies Received" in the Balance Sheet represents amounts received for levies and/or items not yet billed and are recognised as revenue on the day the levy and/or invoice is billed.

Note 4 Income Tax

Assessable income such as interest, dividends and other investment income derived by the Owners Corporation, is taxable at the current company tax rate of 30%. Assessable income received by the Owners Corporation in respect of common property, other than as stated above, is taxable in the hands of individual owners as determined by Tax Ruling 2015/3.

Note 5 Depreciation

Common property, including assets fixed to it, is not beneficially owned by the owners corporation and is therefore not depreciable. Non-fixed assets that are purchased by the owners corporation are beneficially owned by it, but the purchase cost is expensed upon acquisition and not depreciated.

Note 6 Unearned Revenue

Any items shown as "Unearned Revenue" in the Balance Sheet represents money received for a service or product that has yet to be fulfilled. For example, pre-payment on a lease agreement. The revenue is a liability until it has been 'earned' by the owners corporation.

Note 7 Levies in Advance - also see note 2

Detail	Amount
Lot: 1 Unit: 1	699.14
Lot: 2 Unit: 2	704.68
Lot: 3 Unit: 3	704.68
Lot: 4 Unit: 4	704.68
Lot: 5 Unit: 5	630.86
Lot: 6 Unit: 6	630.86
Lot: 7 Unit: 7	959.71
Lot: 9 Unit: 9	711.39
	\$ 5,746.00

These notes (other than notes added by the owners corporation manager) are the subject of copyright and are generated by the software program "Strataware", developed by Mystrata Pty Ltd (www.mystrata.com). These notes explain how the accounts were prepared, what specific policies/rulings apply and further clarify the figures in the financial statement. The form of accounts produced by Strataware has been settled by a prominent national firm of Chartered Accountants. The accuracy of data used to generate the accounts is the responsibility of the software user.

Insurance Report

Owners Corporation for Plan No. SP 72070

23 Darley St FORESTVILLE NSW 2087

Policy number : P-008688

Insurance Policy Details

Policy Number: P-008688
Period of Insurance: 16 March 2020 to 16 March 2021
Insurance Company: Axis Underwriting
Broker (if any):
Amount of Premium: \$ 12,345.00
Paid Date:

Policy Type	Amount of cover	Excess
Damage (i.e. Building) Policy	\$ 3,520,000	0.00
Common Area Contents	\$ 35,200	0.00
Loss of Rent	\$ 528,000	0.00
Property, Death and Injury (Public Liability)	\$ 20,000,000	0.00
Personal Accident	\$ 200,000/2000	0.00
Fidelity Guarantee Insurance	\$ 100,000	0.00
Office Bearers Liability Insurance	\$ 250,000	0.00
Government Audit Costs	\$ 25,000	0.00
Appeal Expenses	\$ 100,000	0.00
Legal Defense Expenses	\$ 50,000	0.00

Note

Proposed Annual Budget

Administrative Fund

Owners Corporation for Plan No. SP 72070

1 October 2020 to 30 September 2021

23 Darley St FORESTVILLE NSW 2087

Expenditure	Budget 10/20 - 09/21
Cleaning Service - Cleaning and Gardening	900.00
Electrical Repairs	1,000.00
Electricity - charges	600.00
Garden/Lawn Maintenance	5,000.00
Insurance Premiums	5,000.00
Minor Building Maintenance	1,000.00
Owners Corporation Manager - Bundled Disbursement Fee	520.00
Owners Corporation Manager - management fees	2,300.00
Pest Control Services	1,200.00
Roof - downpipe repairs	1,200.00
Telephone & Internet Services - MyStrata	128.70
Water - charges	200.00
Total Administrative Fund Expenditure	19,048.70

Administrative Fund Summary	Budget 10/20 - 09/21
Opening balance (Deficit)	554.70
Expenditure during budget period	19,048.70
	19,603.40
Less Additional revenue during budget period	0.00
Plus Planned surplus at end of budget period	396.60
Budgeted levies to be raised \$	20,000.00
	Per Ent 20.0000

Total Lot Liability 1000

*May include insurance contributions

Proposed Annual Budget

Capital Works Fund

Owners Corporation for Plan No. SP 72070
23 Darley St FORESTVILLE NSW 2087

1 October 2020 to 30 September 2021

		Budget 10/20 - 09/21
Expenditure		
Consultant - capital works fund forecast		400.00
Total Capital Works Fund Expenditure		400.00

		Budget 10/20 - 09/21	
Capital Works Fund Summary			
Opening balance (Surplus)	39,858.48		
Expenditure during budget period	400.00		
	(39,458.48)		
<i>Less</i> Additional revenue during budget period	0.00		
<i>Plus</i> Planned surplus at end of budget period	46,458.48		
		Per Ent	
Budgeted levies to be raised \$	7,000.00		7.0000
Total Lot Liability	1000		

1 October 2020 to 30 September 2021

**Owners Corporation for Plan No. SP 72070
23 Darley St FORESTVILLE NSW 2087**

Proposed Levy Period Start 01/01/2021
Levy Period Duration 12 month(s)
No. of Instalment(s): 4
GST NO

<u>TOTAL LEVIES</u>		<u>TOTAL LIABILITIES</u>	
	Per Period	Per Year	
Admin Fund	5,000.00	20,000.00	Admin Fund
Capital Fund	1,750.00	7,000.00	Capital Fund
Total Contribution	6,750.00	27,000.00	Total Per Lot Liability
			Per Period
			5,000
			1,750
			6,750
			27,000

Yearly Levy By Period (Estimate Only)				
Lot No.	Unit No.	Lot Liability	Lot Entitlement	Period
1	1	105	105	1
				2
				3
				4
2	2	105	105	1
				2
				3
				4
3	3	105	105	1
				2
				3
				4
4	4	105	105	1
				2
				3
				4
5	5	94	94	1
				2
				3
				4
6	6	94	94	1
				2
				3
				4
7	7	143	143	1
				2
				3
				4

Lot No.	Unit No.	Lot Liability	Lot Entitlement	Period	Administrative Fund	Capital Works Fund	Total
				2	715.00	250.25	965.25
				3	715.00	250.25	965.25
				4	715.00	250.25	965.25
8	8	143	143	1	715.00	250.25	965.25
				2	715.00	250.25	965.25
				3	715.00	250.25	965.25
				4	715.00	250.25	965.25
9	9	106	106	1	530.00	185.50	715.50
				2	530.00	185.50	715.50
				3	530.00	185.50	715.50
				4	530.00	185.50	715.50
		1000	1000		20,000.00	7,000.00	27,000.00

Meeting Notes:

1. Voting – (Required by clause 8(1)(g) of Schedule 1 of the Strata Schemes Management Act 2015)

Voting or other rights may be exercised in person (if the addressee is an individual) or by a company nominee (if the addressee is a corporation), or by a proxy appointed by the addressee.

Proxy delivery: The instrument is ineffective unless it contains the date on which it was made and it is given to the secretary of the owners corporation:

- (a) at least 24 hours before the first meeting in relation to which the instrument is to operate (in the case of a large corporation); or
- (b) at or before the first meeting in relation to which the instrument is to operate (in any other case).

2. Priority Votes (Required by clause 8(1)(e) of Schedule 1 of the Strata Schemes Management Act 2015)

Priority votes: A vote by an owner does not count if a priority vote is cast for the lot in relation to the same matter.

A "priority vote" is defined in clause 24 of Schedule 1 of the Strata Schemes Management Act 2015. It essentially means an owner's vote does not count if a vote is cast on the same motion by:

- (1) The mortgagee shown on the strata roll for the lot;
- (2) The covenant charge shown on the strata roll for the lot; or
- (3) In the case of multiple mortgagees or covenant charges, the priority mortgage or charge shown on the strata roll for the lot,

but only applies to limited classes of motions, and only if prescribed conditions are met.

3. Voting by unfinancial owners, mortgagees or covenant chargees (Required by clause 8(1)(f) of Schedule 2 of the Strata Schemes Management Act 2015)

An unfinancial owner, mortgagee or covenant chargee cannot vote at a meeting on a motion (other than a motion requiring a unanimous resolution) unless payment has been made before the meeting of all contributions levied on the owner, and any other amounts recoverable from the owner, in relation to the lot.

Clause 23(8) of Schedule 1 of the Strata Schemes Management Act 2015 provides:

23(8) Voting rights cannot be exercised if contributions not paid

A vote at a general meeting (other than a vote on a motion requiring a unanimous resolution) by an owner of a lot or a person with a priority vote in respect of the lot does not count if the owner of the lot was an unfinancial owner at the date notice of the meeting was given and did not pay the amounts owing before the meeting.

Please note:

- (1) Cheques will be accepted on the basis that they are subject to clearance and on the basis that payment will not be considered made until the cheque clears.
- (2) Votes will not be counted, where there is an arrears, if the relevant owner has provided a cheque for the arrears and the cheque has not cleared prior to the commencement of the meeting.

4. Quorum – Clause 17, Schedule 1 – (Required by clause 8(1)(h) of Schedule 1 of the Strata Schemes Management Act 2015)

17 Quorum

(1) Quorum required for motion or election

A motion submitted at a meeting must not be considered, and an election must not be held at a meeting, unless there is a quorum present to consider and vote on the motion or on the election.

(2) When quorum exists

A quorum is present at a meeting only in the following circumstances:

- (a) if not less than one-quarter of the persons entitled to vote on the motion or election are present either personally or by duly appointed proxy,
- (b) if not less than one-quarter of the aggregate unit entitlement of the strata scheme is

- represented by the persons who are present either personally or by duly appointed proxy and who are entitled to vote on the motion or election,
- (c) if there are 2 persons who are present either personally or by duly appointed proxy and who are entitled to vote on the motion or election, in a case where there is more than one owner in the strata scheme and the quorum otherwise calculated under this subclause would be less than 2 persons.
- (3) A person who has voted, or intends to vote, on a motion or at an election at a meeting by a permitted means other than a vote in person is taken to be present for the purposes of determining whether there is a quorum.
- (4) **Procedure if no quorum**
 If no quorum is present within the next half-hour after the relevant motion or business arises for consideration at the meeting, the chairperson must:
- (a) adjourn the meeting for at least 7 days, or
 - (b) declare that the persons present either personally or by duly appointed proxy and who are entitled to vote on the motion or election constitute a quorum for considering that motion or business and any subsequent motion or business at the meeting.
- (5) **Quorum for adjourned meeting**
 If a quorum is not present within the next half-hour after the time fixed for the adjourned meeting, the persons who are present either personally or by duly appointed proxy and who are entitled to vote on the motion or election constitute a quorum for considering that motion or business and any subsequent motion or business at the meeting.

5. Call for nominations for members of the strata committee

The owners corporation calls for nominations for members of the strata committee in accordance with the requirements of the *Strata Schemes Management Act 2015*.

Relevant provisions of the *Strata Schemes Management Act 2015* and *Strata Schemes Management Regulation 2016* include as follows:

Clause 5 of Schedule 1 of the *Strata Schemes Management Act 2015*:

5 **Nomination of candidates for election prior to meeting**

- (4) The written notice of an annual general meeting is to include a call for nominations for members of the strata committee at least 7 days before the annual general meeting of an owners corporation.
- (5) Any owner, or any person entitled to vote at a general meeting of an owners corporation, may nominate a person for election as a member of the strata committee.
- (6) The nomination is to be made by written notice given to the secretary of the owners corporation or, in the case of the first annual general meeting, to the convenor of the meeting, that states the name of:
 - (a) the person nominated, and
 - (b) the person making the nomination and that the person nominated consents to the nomination.
- (7) The secretary must include the nomination in the notice of the meeting at which the election is to take place. Notice of any subsequent nomination is to be given by the secretary at the meeting.
- (8) A nomination may be made at any time before the election is held and may be made at the meeting.
- (9) An owner or a person may make a nomination even if the owner or person cannot vote because the owner is an unfinancial owner.

Section 30 of the *Strata Schemes Management Act 2015*:

30 **Members of strata committee**

- (1) The strata committee of an owners corporation is to consist of the number of persons determined by the owners corporation (not being more than 9).
- (2) The strata committee of a large strata scheme must consist of at least 3 members.
- (3) A strata committee for a strata scheme comprising 2 lots is to consist of the following persons:
 - (a) the owner of each lot who is a sole owner or the company nominee of a lot if the sole owner is a corporation,
 - (b) for each lot that is owned by co-owners, the co-owner nominated by the other co-owners or (if the co-owner nominated is a corporation) the company nominee of that co-owner, or if there is no such nomination, the co-owner first named on the strata roll.
- (4) The elected members of a strata committee must be elected at each annual general meeting of the owners corporation.
- (5) Nomination for election as a member of a strata committee (other than a tenant

- representative) may be made before or at the meeting at which the election is held.
- (6) The regulations may provide for the procedures for nomination of members of the strata committee.

Section 31 of the Strata Schemes Management Act 2015:

31 Persons who are eligible to be appointed or elected to strata committee

- (1) The following persons are eligible for appointment or election to the strata committee of an owners corporation:
- (a) an individual who is a sole owner of a lot in the strata scheme,
 - (b) a company nominee of a corporation that is a sole owner of a lot in the strata scheme,
 - (c) an individual who is a co-owner of a lot or a company nominee of a corporation that is a co-owner of a lot in the strata scheme, if the person is nominated for election by an owner who is not a co-owner of the lot or by a co-owner of the lot who is not a candidate for election as a member,
 - (d) an individual who is not an owner of a lot in the strata scheme, if the person is nominated for election by an owner of a lot who is not a member, or is not seeking election as a member, of the strata committee.
- (2) To avoid doubt, an individual who is a sole owner of a lot may nominate himself or herself, and an owner that is a corporation may nominate the corporation's company nominee, for election as a member of the strata committee.
- (3) A sole owner of a lot in a strata scheme may not nominate more than one person for election as a member of the strata committee, except as provided by subsection (5).
- (4) Only one co-owner (including a company nominee of a co-owner) of the same lot may be a member of a strata committee at the same time, except as provided by subsection (5).
- (5) A person who is an owner of more than one lot in the strata scheme may nominate one person for election as a member of the strata committee for each lot for which the person is an owner.

Section 32 of the Strata Schemes Management Act 2015:

32 Persons who are not eligible to be appointed or elected to strata committee

- (1) The following persons are not eligible for appointment or election to a strata committee or to act as members of a strata committee unless they are also the owners of lots in the strata scheme:
- (a) the building manager for the strata scheme,
 - (b) a person who acts as an agent for the leasing of a lot or lots in the strata scheme to tenants,
 - (c) a person who is connected with the original owner of the strata scheme or the building manager for the scheme, unless the person discloses that connection at the meeting at which the election is held and before the election is held or before the person is appointed to act as a member,
 - (d) any other person prescribed by the regulations for the purposes of this section.
- (2) An owner of a lot in a strata scheme who was an unfinancial owner at the date notice was given of the meeting at which the election of a strata committee is to be held and who did not pay the amounts owing by the owner before the meeting is not eligible for appointment or election to the strata committee.
- (3) A person who becomes ineligible for appointment or election to a strata committee after being appointed or elected to the strata committee must disclose that fact to the secretary or chairperson of the owners corporation as soon as possible after becoming aware of that fact.
- (4) A disclosure by a person under this section, other than a disclosure that is made at a meeting of an owners corporation or strata committee, is to be made by written notice given to the secretary or chairperson.

Strata Schemes Management Regulation 2016

9 Election of strata committee

- (1) At a meeting of an owners corporation at which the strata committee is to be elected, the chairperson must:
- (a) announce the names of the candidates already nominated in writing for election to the strata committee, and
 - (b) call for any oral nominations of candidates eligible for election to the strata committee.
- (2) A written or oral nomination made for the purposes of the election is ineffective if it is made by a person other than the nominee unless it is supported by the consent of the nominee given:
- (a) in writing, if the nominee is not present at the meeting, or
 - (b) orally, if the nominee is present at the meeting.
- (3) After the chairperson declares that nominations have closed, the owners corporation is to decide, in accordance with the Act, the number of members of the strata committee.
- (4) If the number of candidates:
- (a) is the same as, or fewer than, the number of members of the strata committee decided on—those candidates are to be declared by the chairperson to be, and are taken to have been, elected as the strata committee, or
 - (b) is greater than the number so decided on—a ballot is to be held.

That the Owners Corporation insurances be confirmed or varied. (If no valuation being obtained, building sum insurance should be increased by CPI / 5% / \$ amount. Delete accordingly.) ☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

6 INSURANCE FIDELITY GUARANTEE AND OFFICE BEARERS Ordinary resolution

The Committee

That the Owners Corporation arrange for / continuation of fidelity guarantee and office bearers liability insurance covers. ☐ Yes
☐ No
☐ Abstain

FIDELITY GUARANTEE Current Policy Coverage \$ 100,000

OFFICE BEARERS LEGAL LIABILITY Current Policy Coverage \$250,000

See explanatory notes schedule attached.

7 Insurance - By Agent Ordinary resolution

Proposed by: The Committee

That the Owners Corporation authorise and instruct Ace Body Corporate Management to renew the current annual strata building insurance policy, when no majority decision has been made by the Strata Committee at a Strata Committee Meeting held to approve the insurance quote(s). ☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

8 ANNUAL FIRE SAFETY STATEMENT Ordinary resolution

Proposed by: The Committee

That the Owners Corporation authorise and instruct Ace Body Corporate Management to obtain annually on behalf of the Owners Corporation an Annual Fire Safety Statement and to arrange maintenance of all fire safety equipment currently installed in the property in accordance with the provisions of Environmental Planning and Assessment Regulation ("EPAR"). ☐ Yes
☐ No
☐ Abstain

That the Strata Managing Agent be authorised to appoint an accredited "Competent Fire Safety Practitioner" as defined in the legislation to undertake the necessary assessments and inspections prior to issuing any Fire Safety Statement.

See explanatory notes schedule attached.

9 PEST CONTROL TREATMENT Ordinary resolution

Proposed by: The Committee

That an annual pest control treatment be carried out on the Common Property. ☐ Yes
☐ No
☐ Abstain

Last service - PESTRID - October 2019

See explanatory notes schedule attached.

10 CAPITAL WORKS FUND FORECAST**Ordinary resolution**

Proposed by: The Committee

That the Owners Corporation resolve to do the following:

- (a) Review the current Capital Works Fund Analysis report **NOT AVAILABLE**; and
- (b) Engage a suitably qualified consultant to review, carry out and/or assess the capital upgrade and maintenance requirements of the building for the next ten (10) years or an updated report each five (5) years, and provide the Capital Works Fund Analysis report; and
- (c) To submit that report to the Strata Committee to determine what action is required, if any; and
- (d) To delegate to the strata manager the function pursuant to the Agency Agreement additional duties schedule to undertake the seeking of quotations and engaging the contractor to prepare the report and any ancillary work approved by the Strata Committee.

☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

11 REPAIRS AND MAINTENANCE**Ordinary resolution**

Proposed by: The Committee

That the Owners Corporation review repairs and maintenance to the common property and decide on appropriate action. (Any maintenance within the individual lot which is not common property is the responsibility of the lot owner of the day.)

☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

12 BUDGET AND LEVY CONTRIBUTIONS**Ordinary resolution**

Proposed by: The Committee - Statutory motion

That the proposed budget as presented be received and that levies determined under Section 79(1), 79(2) and 81 of the Strata Schemes Management Act 2015 ("the Act") be **CONFIRMED / VARIED / EXTENDED** for the next financial year.

☐ Yes
☐ No
☐ Abstain

That the following levy contributions be determined pursuant to section 81 of the Act:

Administration Fund at a rate of **\$20,000.00 per annum**
Capital Works Fund at a rate of **\$7,000.00 per annum**

Those amounts are to be equal quarterly instalments in advance commencing 1 January 2020 and so on.

See explanatory notes schedule attached.

13 DEBT COLLECTION**Ordinary resolution**

Proposed by: The Committee

That the Strata Managing Agent is authorized from time to time to take such action as may be necessary or desirable (including in accordance with ACE Body Corporate Management's Debt Collection Policy, as per Explanatory Note) to recover arrears of maintenance contributions and other debts, including penalties, interest, legal and other costs, owing to the Owners Corporation by lot owners, mortgagees in possession and former lot owners and, subject to legislative restrictions but otherwise without limitation, to:

- i) make demands;
- ii) engage the services of a suitably qualified person; or
- iii) the services of a Solicitor and Licensee be engaged at scale fees; and
- iv) commence and prosecute legal proceedings.

☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

14 STRATA COMMITTEE ELECTION Ordinary resolution

Statutory Motion

That the Owners Corporation by ordinary resolution to:

- i. Call for nominations for members of the strata committee;
- ii. The candidates for election to the strata committee disclose any connections with the original owner or building manager for the scheme;
- iii Determine the number of members of the strata committee; and
- iv. Elect the strata committee

☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

15 RESTRICTED MATTERS Ordinary resolution

Proposed by: The Committee

That this meeting determine whether any additional limitations be placed on the decision making powers of the Strata Committee for the coming year.

☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

16 COMMISSIONS AND TRAINING SERVICES Ordinary resolution

Proposed by: The Committee - Statutory motion

That a report be received from the Strata Managing Agent on commissions and training services received/paid in the past 12 months and estimate of commissions and training services to be received/paid in the next 12 months.

☐ Yes
☐ No
☐ Abstain

See explanatory notes schedule attached.

17 OTHER MEANS OF VOTING Ordinary resolution

Proposed by: The Committee

That the Owners Corporation resolve to adopt the following alternate means of voting (not being elections) at meetings of the Owners Corporation and/or meetings of the strata committee: ☐ Yes
☐ No
☐ Abstain

(a) Voting by means of teleconference while participating in a meeting from a remote location (when available);

(b) Voting by means of video-conferencing while participating in a meeting from a remote location (when available);

(c) Voting by means of email while participating in a meeting from a remote location;

(d) Voting by means of other electronic means while participating in a meeting from a remote location;

(e) Voting by means of email before the meeting; or

(f) Voting by means of other electronic means before the meeting.

See explanatory notes schedule attached.

EXPLANATORY NOTE SCHEDULE

1	ADOPTION OF GENERAL MEETING MINUTES	Ordinary resolution
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Proposed by: The Committee

This is a required motion under section 8(1)(a) of Schedule 1 of the Strata Schemes Management Act 2015.

2	KEY FINANCIAL INFORMATION	Ordinary resolution
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Proposed by: The Committee - Statutory Motion

The Financial Statements are a formal record of the financial activities and position of the strata scheme. A copy of the key financial information of the Owners Corporation is attached. The accounting records of the Owners Corporation are kept by the Strata Managing Agent. Please direct any inquiries regarding the accounts to the Strata Managing Agent at least 48 hours prior to the meeting.

3	AUDIT OF STATEMENT OF ACCOUNTS	Ordinary resolution
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Proposed by: The Committee - Statutory Motion (optional for non prescribed)

The Owners Corporation for a large strata scheme, or a strata scheme for which the annual budget exceeds \$250,000 (as determined by clause 21 of the Strata Schemes Management Regulations 2016) must ensure that the accounts and financial statements of the Owners Corporation are audited before presentation to the annual general meeting in accordance with section 95 of the Strata Schemes Management Act 2015. It is optional for any other strata scheme.

4	INSURANCE VALUATION	Ordinary resolution
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Proposed by: The Committee

Having damage insurance is an important protection for all lot owners.

To ensure that your strata scheme has the right amount of insurance cover, regular building valuations are essential. It is suggested that a building valuation is done at least evadequate insurance cover.

5	Insurance - CONFIRMATION	Ordinary resolution
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The Committee

The Owners Corporation is required to consider its insurances from time to time and where current insurances are in place the Owners Corporation may review those insurances.

That current insurance valuation be amended by either a standard Consumer Price Indexes, a fixed percentage increase each year or by a fixed amount prior to insurance being effected.

Insurance Companies utilise the Insurance Valuation Report as a guide to determine the insurable value of the common property.

6	INSURANCE FIDELITY GUARANTEE AND OFFICE BEARERS	Ordinary resolution
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The Committee

The Owners Corporation is required to consider its insurances from time to time and where current insurances are in place the Owners Corporation may review those insurances.

FIDELITY GUARANTEE

Provides protection against fraudulent misappropriation of Body Corporate funds or property.

OFFICE BEARERS LEGAL LIABILITY

Protects office bearers and committee members against legal liability to pay compensation for wrongful acts, errors or omissions in carrying out their duties.

7 Insurance - By Agent

Ordinary resolution

Proposed by: The Committee

The Owners Corporation is required to consider its insurances from time to time and where current insurances are in place the Owners Corporation may review those insurances.

In the event that the Strata Committee NOT decide on insurance options as have been provided to the Strata Committee to review, for the Owners Corporation, the agent is to ensure that the building insurance is maintained with the existing insurer for the new term.

8 ANNUAL FIRE SAFETY STATEMENT

Ordinary resolution

Proposed by: The Committee

The EPAR imposes an obligation on the owner of a building (i.e. the Owners Corporation) to maintain each essential fire safety measure in the building, to have those measures assessed annually by appropriately qualified persons and to provide the local Council and Fire Commissioner with an annual fire safety statement. Clause 80GB of EPAR 1994 refers: "Each year, the owner of a building to which an essential fire safety measure is applicable must cause the Council to be given an Annual Fire Safety Statement for the building."

The local Council imposes significant fines for each week that an Owners Corporation remains in breach of its obligation to provide an annual fire safety statement to the local council and the Fire Commissioner.

9 PEST CONTROL TREATMENT

Ordinary resolution

Proposed by: The Committee

The owners have the opportunity to decide if they wish for pest control treatment and/or inspections, including a termite report, for the strata plan. The Strata Committee may still at any time organise pest control as required. A periodic termite report is recommended if there is timber construction in the property.

10 CAPITAL WORKS FUND FORECAST

Ordinary resolution

Proposed by: The Committee

The Owners Corporation must prepare a plan of anticipated major expenditure to be met from the capital works fund over the 10-year period commencing on the date of the first annual general meeting. The capital works fund plan must be reviewed at least once every 5 years. The preparation of this plan is a significant exercise and the legislation allows the Owners Corporation to engage expert assistance in its preparation. The meeting must discuss the preparation or review of this plan.

A copy of the current plan is available from the strata manager and a copy will be available at the meeting.

11	REPAIRS AND MAINTENANCE	Ordinary resolution
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Proposed by: The Committee

This gives the owners the opportunity to review and make decisions about works required at the property to assist the strata committee with their deliberations and planning.

12	BUDGET AND LEVY CONTRIBUTIONS	Ordinary resolution
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Proposed by: The Committee - Statutory motion

Levy contributions provide funds to operate your scheme. All contributions must be calculated in proportion to the unit entitlements. The funds raised towards the administrative fund are to pay for the annual day to day recurrent expenses. The funds raised in the capital works fund are to pay for future capital expenditure. The Owners Corporation may also have a special fund for specific purposes.

13	DEBT COLLECTION	Ordinary resolution
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Proposed by: The Committee

The Owners Corporation must determine how they wish to deal with the recovery of outstanding levy arrears. Interest is not chargeable on outstanding levies until after 1 month from the due date and legal action cannot be taken unless 21 days written notice is given of such action in accordance with Section 86 of the Strata Schemes Management Act 2015.

ACE Body Corporate Management's Debt Collection Policy is as follows:

- A contribution, if not paid at the end of one month after it becomes due and payable, bears until paid simple interest at an annual rate of 10 percent from the due date.
- A Notice of Overdue Levy will be sent to the lot owner if the debt remains unpaid after 30 days;
- A Second Notice of Overdue Levy will be sent to the lot owner if the debt remains unpaid after 60 days and in excess of \$200. (\$49.00 per notice to be charged to the lot owner.);
- A Final & 21 Days Notice of Overdue Levy will be sent to the lot owner if the debt remains unpaid after 90 days and in excess of \$200. (\$160.00 per notice to be charged to the lot owner.);
- If the levy remains unpaid 21 days after the Final Notice, instructions will be sent to a debt collector or solicitor to recover the debt. (\$350.00 per instruction and all subsequent costs for debt collections will be charged to the lot owner.)

14	STRATA COMMITTEE ELECTION	Ordinary resolution
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Statutory Motion

The meeting must determine the number of members to be elected to the strata committee. The maximum number of strata committee members permitted by the Strata Schemes Management Act 2015 is nine (9) or in a two lot scheme the number to be elected is two (2).

When the number has been determined, if the number of candidates exceed that number, there will be a strata committee ballot to fill the positions.

The procedure for election of the strata committee is prescribed in Part 2 of the Strata Schemes Management Regulation 2016.

The election of the strata committee cannot be decided by pre-electronic voting

15	RESTRICTED MATTERS	Ordinary resolution
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Proposed by: The Committee

An Owners Corporation may decide in a general meeting that a particular matter or type of matter can only be decided by the Owners Corporation in a general meeting. Such a decision effectively removes that matter or class of matters from the decision making powers of the Strata Committee.

Proposed by: The Committee - Statutory motion

The strata managing agent under Section 60 of the Strata Schemes Management Act 2015 is required to disclose all commissions or training services provided to the Strata Managing Agent for the strata scheme. As at the date of the notice of this meeting the strata manager has received the following:

Commissions

\$NIL in commissions in the past 12 months, and an amount of \$500 in commissions is expected to be received in the next 12 months.

Training

ACE licence holders paid \$534 per person annually for CPD training.

ACE received free training from the following organisations at their 6 weekly meetings:

Bannermans Lawyers

Grace Lawyers

J.S. Mueller & Co

Promaster Protection

Proposed by: The Committee

The Owners Corporation is able to adopt any of the above means of voting by resolution of the Owners Corporation in accordance with clause 28 of Schedule 1 of the Strata Schemes Management Act 2015 and clause 14 of the Strata Schemes Management Regulations 2016.

PRIOR STRATA MANAGEMENT

email: priorstrata@bigpond.com

All Correspondence to
P.O. Box 353
Wahroonga 2076

Phone: 9487.1022
Fax: 9487.1455

Minutes of the Annual General Meeting of Strata Plan 72070 held in the open air at 23 Darley Street, Forestville on Wednesday 29th April 2020 at 1.00pm.

PRESENT:

P.Luxton (1), C.Davis (3), M.Cliff (4), S.Smithers (5), C.Gray (6), J.King (7),
M.Clarke (9).

APOLOGY:

CHAIRPERSON:

PRESENT:

S.Wyatt for Prior Strata management chaired the meeting.
Simon Hage from Ace Body Corporate. Shane Smithers.

RESOLVED:

1. That the minutes of the annual general meeting held 11/11/19 be confirmed.
2. That as Steve Wyatt has advised he is now approaching retirement, that Simon Hage be appointed to take over the strata management of SP72070. In order to provide a seamless transition, Steve Wyatt will liaise with Simon over the months ahead to share the history and background of the building.

MOTION FOR AGENCY APPOINTMENT

RESOLVED:

That in accordance with section 49 of the Strata Schemes Management Act 2015, the Owners Strata Plan No. 72070 appoint ACE Body Corporate Management (ABN 80169558758) ("Agent") as Strata Managing Agent from the date of this meeting, on the terms and conditions set out in the proposed Strata Management Agency Agreement, a copy of which was annexed to the agenda, and the Strata Managing Agent be delegated:

- (i) all of the functions of the Owners Corporation (other than those listed in section 52(2) of the Strata Schemes Management Act 2015) and, the functions of chairperson, secretary and treasurer necessary to enable the agent to carry out the 'agreed services' and the 'additional services' as defined in the Agreement;
- (ii) the delegation to the agent is subject to the conditions and limitations listed in the Agreement;
- (iii) the Owners Corporation is to execute the Agreement to give effect to this appointment and delegation;
- (iv) once elected, the Strata Committee is to nominate a representative under the Agreement; and
- (v) authority is given to: the Owners Corporation and the Agent mutually agree that this Agreement supersedes and cancels all previous delegations and instruments of appointment or agreement between the Owners Corporation and the Agent and, 2 members of the strata committee signed the agreement.

Motion for change of Notices

RESOLVED that pursuant to Section 265 of the Strata Schemes Management Act 2015, the Owners Corporation SP72070 change its address for service of notices to:

C/- Ace Body Corporate Management (Brookvale)
PO Box 191
Balmain NSW 2041

and to lodge the change in the office of the Registrar-General in the form approved under the Real Property Act 1900 of the change of address.

GENERAL BUSINESS:

CLOSURE: 1.20 pm

CHAIRMAN: S.Wyatt.....(for Prior Strata Management)

PRIOR STRATA MANAGEMENT



ACE BODY CORPORATE MANAGEMENT
PROFESSIONAL PERSONAL SERVICE

Franchisee: LB LANOLIN PTY LTD T/as Ace Body Corporate Management (Brookvale)
Phone: (02) 9818 6842 Fax : (02) 9818 6343
PO Box 6250 Frenchs Forest NSW 2086
brookvale@acebodycorp.com.au www.acebodycorp.com.au
ABN 80 169 558 758 *Member of Strata Community Australia (NSW)*

STRATA SCHEMES MANAGEMENT ACT 2015
Notice of the STRATA COMMITTEE MEETING
for SP 72070

Location of meeting: 23 Darley St, Forrestville - Common Driveway

Date and time of meeting: Monday, 30th November 2020 12:00 PM

This notice is forwarded to all lots and committee members.

Note: Only committee members are required to attend the meeting, owners are invited to attend should they wish.

If a committee member is unable to attend, they can assign their proxy to another committee member.

The following agenda sets out the substance of the motions to be considered at the meeting.

ACE Body Corporate Management (Balmain), for the Secretary

Agenda

1. Attendance record and Apologies.
2. Admittance of proxies and voting papers.

Motions

1. ADOPTION OF STRATA COMMITTEE MEETING MINUTES
2. OFFICE BEARERS
3. REPRESENTATIVE AND SUBSTITUTE REPRESENTATIVE
4. Instructions to Agent

Strata Committee Meeting

Motions

1	ADOPTION OF STRATA COMMITTEE MEETING MINUTES	Ordinary resolution
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Proposed by: The Committee

That the Minutes of the last Strata Committee Meeting be confirmed.	☐ Yes
	☐ No
	☐ Abstain

2	OFFICE BEARERS	Ordinary resolution
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Proposed by: The Committee

That the election of Office Bearers (Chairperson, Secretary and Treasurer) for the ensuing year be determined.	☐ Yes
	☐ No
	☐ Abstain

3	REPRESENTATIVE AND SUBSTITUTE REPRESENTATIVE	Ordinary resolution
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Proposed by: The Committee

a) That a member of the Strata Committee be nominated to liaise with the strata managing agent and be the scheme's contact point.	☐ Yes
	☐ No
	☐ Abstain
b) That a member of the Strata Committee be nominated to liaise with the strata managing agent and be the scheme's substitute contact point.	

4	Instructions to Agent	Ordinary resolution
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Proposed by:

That the Strata Committee instruct the Agent on any other matters.	☐ Yes
	☐ No
	☐ Abstain

Statement of Key financial information

Strata Schemes Management Act 2015 (Section 94 (1))

Reporting period 01/10/2019 to 30/09/2020

A statement of key financial information for an administrative fund and capital works is based on Form 2 in Schedule 1 of the Regulations.

OWNERS CORPORATION DETAILS

Strata Plan: SP 72070

Address of Plan: 23 Darley St FORESTVILLE NSW 2087

ADMINISTRATIVE FUND

Balance carried forward from previous reporting period:	\$100.55
Total income received during reporting period:	\$17,083.71
Total interest earned by fund during reporting period:	(\$11.29)
Total contributions paid during reporting period:	\$17,095.00
Total unpaid contributions payable for reporting period:	\$0.00
Total expenditure for maintenance during reporting period:	\$10,042.13
Total expenditure for administration costs during reporting period:	\$7,696.83
Balance of fund at end of reporting period:	(\$554.70)

List of principal items of expenditure proposed for next reporting period:

Item	Amount
Owners Corporation Manager - management fees	2300.00
Owners Corporation Manager - Bundled Disbursement Fee	520.00
Cleaning Service - Cleaning and Gardening	900.00
Electricity - charges	600.00
Garden/Lawn Maintenance	5000.00
Insurance Premiums	5000.00
Pest Control Services	1200.00
Telephone & Internet Services - MyStrata	128.70
Water - charges	200.00
Electrical Repairs	1000.00
Roof - downpipe repairs	1200.00
Minor Building Maintenance	1000.00

Statement of Key financial information

(Continued)

Reporting period 01/10/2019 to 30/09/2020
For Strata Plan SP 72070

CAPITAL WORKS FUND

Balance carried forward from previous reporting period:	\$57,166.06
Total income received during reporting period:	\$9,744.32
Total interest earned by fund during reporting period:	(\$5.68)
Total contributions paid during reporting period:	\$9,750.00
Total unpaid contributions payable for reporting period:	\$0.00
Total expenditure for maintenance during reporting period:	\$26,800.50
Total expenditure for administration costs during reporting period:	\$251.40
Balance of fund at end of reporting period:	\$39,858.48

List of principal items of expenditure proposed for next reporting period:

Item	Amount
Consultant - capital works fund forecast	400.00