



Ace Body Corporate Management (Gippsland Region)

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ABN: 23 431 923 108

Professional Personal Service

www.acebodycorp.com.au

MINUTES OF ANNUAL GENERAL MEETING

Owners Corporations Act 2006 Section 81, Owners Corporations Regulations 2018

OWNERS CORPORATION PLAN NO. RP 15660

46-48 Strathcole Drive, Traralgon

The meeting was held on Tuesday, 22 August 2023 at 01:00 PM via Zoom.

PRESENT: Nil Attendance - Manager Vote

IN ATTENDANCE: Stephen Nippers representing Owners Corporation

1. Meeting Chairperson.:

Motion to appoint the manager to chair the meeting and to take minutes.

Passed by Manager's Choice

2. Quorum.:

Noting of attendances, proxies, apologies and determination of a quorum.

NO Quorum Achieved:

No Quorum achieved means the meeting may proceed but all decisions made will be interim decisions. A notice (minutes) of all interim decisions will be forwarded to all owners within 14 days. If a petition is NOT received (within 29 days of the meeting) from members representing at least 25% of the total lot liability, for a meeting to review the decisions made, these interim decisions will become final decisions of the Owners Corporation.
(OC Act 2006 - Section 78)

(1A) Subject to subsections (1B) and (1C), the manager of an owners corporation may pass an interim resolution at a general meeting of the owners corporation if no lot owner is present (whether in person or by proxy) at the meeting.

(1B) The manager must not pass an interim resolution under subsection (1) that—

(a) affects the contract of appointment of the manager; or

(b) involves an amount that is greater than 10% of the annual budget of the owners corporation; or

(c) if the annual budget has not been set for the relevant year, involves an amount that is greater than 10% of the annual budget of the owners corporation for the previous year.

3. Electronic Voting:

Owners please be aware of the following if voting online.

1. When motions or details concerning motions are changed during the meeting, the online voters are unable to vote on the changed resolution. Their vote is therefore recorded as Abstain which will be deemed the correct vote.

2. If two users access the voting platform or you share your access details, the last person saving the vote records the vote and no warning is given to other users. If two users access the portal at the same time the vote may be corrupted and therefore recorded as Abstain which will be deemed the correct vote.

3. If you select for your letting agent to receive correspondence, they become an authorised contact and that gives them access to the voting portal and allows them to vote on your behalf.

Motion that the owners corporation authorises the use of electronic voting & paper voting papers in addition to the voting on a resolution requirements of Sections 88 & 89 (1) of the Owners Corporation Act 2006. This includes votes received before the meeting date and time.

Passed by Manager's Choice

4. Adoption of Minutes.:

Motion to accept that the minutes of the last annual general meeting of the Owners Corporation be taken as a true and accurate account of the proceedings of that meeting.

Passed by Manager's Choice

5. Financial Statement.:

The administration account balance (excluding prepaid levies) at the end of the financial year was \$3,033.35.

Motion that the financial statement tabled for the period 31 MAR 2023 is accepted.

There are currently no outstanding levies.

Passed by Manager's Choice

6. Election of Committee - No Committee:

Motion NOT to have a committee of the Owners Corporation.

Passed by Manager's Choice

7. Appointment of Owners Corporation Manager (OCM).:

The existing Contract of Appointment for 2 years, the contract expires 5 AUG 2023 or is current until the next Annual General Meeting (whichever is the longer).

Motion that the owners corporation re-appoint Kideston Dairy Pty Ltd (A.B.N. 23 431 923 108) (Registered Manager No. 766) trading as Ace Body Corporate Management (Gippsland Region) in accordance with the existing Contract of Appointment for another 1 year, the contract now expires 22 AUG 2024 or is current until the next Annual General Meeting (whichever is the longer).

Management Fee - \$800 p.a. Disbursement Fee - \$200 p.a.

Motion that the Owners Corporation delegates to the Manager the powers and functions of the Owners Corporation necessary to enable the Manager to perform his duties in accordance with those of the Owners Corporation Act 2006 and the Contract of Appointment.

Motion Pursuant to OC Act 2006 - section 82 that the following decisions, in the interest of the Owners Corporation, can only be made at a General Meeting: - Appointment and Termination of a Manager

Passed by Manager's Choice

8. Managers' report.:

The manager performed all the normal accounting (accounts payable & receivable), administrative, banking, general enquiries and record maintenance for the Owners Corporation.

The manager does not offer a 24/7 service. For afterhours - emergencies and insurance claims - please contact Whitbread Brokers 24/7 Emergency makesafe repair line. **Phone: 1300 945 945**

If the incident is not an approved insurance claim you may be responsible for the associated call out fees & repairs applicable.

For lot owner urgent maintenance please contact the required contractor and these costs are an owners responsibility.

***** Online Voting & Meeting Access - Owners please note that if you nominate your letting agent to receive correspondence they also have meeting documents forwarded to them and are able to vote on your behalf. Owners must advise us in writing that letting agents are authorised to receive correspondence. If we do not have this on file letting agents will be removed from receiving your documents. Letting agents will still receive levies if that is your current set up *****.

- Convened, minuted and circulated minutes to members for the Annual General Meeting
- Prepared financial reports, prepared proposed budget
- Struck levies as resolved, collected and followed debt collection procedures
- Attended to management of expense payments; reconciled bank account
- Liaised with owners throughout the year, providing advice on OC Rules and general concerns raised by owners
- Re quoted insurance policy and renewed as instructed, provided Certificate of Currency upon request to owners
- Maintained the Owners Corporation Register and attended to all administrative duties, record keeping etc.

Grievance Report - No matters were referred to V.C.A.T.

October 2022 - The Son of Lot 4 contacted us requesting the maintenance notification for the guttering to be sent to them. They advised their father had passed away and requested all correspondence be sent to them.

November 2022 - Gauci Electrical attended onsite to carry out the annual common group meter box maintenance at a cost of \$165.00. Gauci confirmed there is a common supply point but meters are located at each unit.

December 2022 - Shelley's Mowing attended to carry out the annual gutter cleaning at a cost of \$120.00.

March 2023 - An enquiry was received from Lot 2 with regard to the levy amount as they thought it seemed quite high. They were advised the levies were as per the budget noted in the minutes of the AGM and that they could access this information from the portal.

June 2023 - The insurance was renewed with SCI and the building sum increased from \$1,280,000 to \$1,344,000. The annual premium increased slightly from \$2,802.87 to \$3,107.66 and the excess for success insurance claims increased to \$1,000 from \$500.

Motion that the Managers report as tabled is accepted.

Passed by Manager's Choice

9.1. Insurance.:

Current Insurance Company: Strata Community Insurance (SCI)

Policy Details: - Refer Insurance Report

Broker: Whitbread Brokers - **Phone: 1300 424 627**

For afterhours - emergencies and insurance claims - please contact Whitbread Brokers 24/7 Emergency makesafe repair line. **Phone: 1300 945 945**

If the incident is not an approved insurance claim you may be responsible for the associated call out fees & repairs applicable.

Insurance Claims Since Last AGM: Nil

Motion that the OC have Strata Insurance to cover all buildings within the private lots, common area infrastructure and public liability as per Owners Corporation Act, Section 4 (c) and 62. All excesses are payable by the affected lot owners as determined under the benefit rule. (Contents and owner Public liability is not covered)

Passed by Manager's Choice

9.2. Insurance - Building Valuation.:

The valuation must be obtained every 5 years or earlier, as determined by the owners' corporation.

An insurance valuation was undertaken on **2nd of November 2021** and the policy endorsed with the recommended replacement value of **\$1,280,000.00**

The current building sum insured is **\$1,344,000.00**

Motion that a building valuation is obtained, 5 years after the last valuation (**Due - November 2026**), the limits of cover are set according to the report and a special levy is raised (as required) to fund the cost of valuation and the difference in premium.

Passed by Manager's Choice

9.3. Insurance - Renew Options:

Motion to renew insurance policy without further approval from the Owners Corporation. Renew as per Brokers' recommendation.

(Broker obtains up to 4 comparative quotes)

Passed by Manager's Choice

9.3. Alternatives for Insurance - Renew Options:

(Option A) The sum insured to be increased as per the insurance companies indexed sum insured recommendation.

0 A 0 B 0 Invalid Option A carried (override/current option)

10.1. Common Area Maintenance:

Motion that the manager arrange common area minor building & general maintenance as per C.O.A. Accrued funds to be utilised. If there are insufficient accrued funds then a special levy will be issued.

Passed by Manager's Choice

10.2. Lawn Mowing & Gardening:

Owners determine the quality and aesthetic standards of the complex. It is not the manager's responsibility. Common area inspections can be organised from around \$500.00. Owners are required to report issues to the manager and supply photos to support their claim.

Motion that the manager is responsible to arrange lawn mowing, garden maintenance and tidiness or cleaning of the common property to a standard that does not affect the Aesthetics of the common area. The current contractor is to continue with existing service schedule. (Owners to advise if extra visits required during growth periods)

Pruning of Large Trees : Shelley's Gardening. Trees were pruned on 28-05-2021. This service is as requested.

Current Scope: 14 Mows & 1 Prune

Current Contractor: John O'Brien - LV Lawns

Passed by Manager's Choice

10.3. Gutter Cleaning:

Motion that the roof gutters are to be inspected on a yearly basis and cleaned as required.

This is a lot owner responsibility, but annual cleaning can be arranged collectively.

(This is a maintenance issue which could affect insurance claims).

Passed by Manager's Choice

10. Alternatives for Gutter Cleaning:

(Option B)

Motion that the manager is responsible to arrange this annual clean.

Current Contractor: Shelley's Mowing

0 A 0 B 0 Invalid Option B carried (override/Option B current option)

11.1. Storm Water Pits:

Motion that the owners arrange for the stormwater pits to be inspected on a yearly basis and cleaned as required. Manager to assist when requested.

Note: Pipes are not being inspected - this requires a camera inspection.

(This is a maintenance issue that could affect insurance claims).

Passed by Manager's Choice

11.2. Other Items Raised from the floor:

*** Lot 3 – please advise as to the colours of the roof and exterior painted surfaces - if known. ***

12.1. Group Meter Box Maintenance:

Motion that the manager arranges the annual maintenance, safety inspection and cleaning as required of the group meter box(s)

Electrical Contractor: Gauci Electrical

Passed by Manager's Choice

12.2. Essential Safety Measures (ESM):

Common Area Lighting:- There is no common area lighting. (No common Power)

Essential Services (Common Area):- Inspections of Essential Services for the common area are carried out according to the Certificate of Occupancy. As required under the Building Act 1993, Building Regulations 2018, Australian Standards and Building Codes of Australia.

Motion that the Owners Corporation resolves that each owner is to ensure that the essential service items are attended to in accordance with the Building Act 1993, Building Regulations 2018, Australian Standards and Building Codes of Australia.

Fire Appliances (Common Area): N/A - Nil Installed

Emergency Lighting Testing and Inspection (Common Area): N/A

Electrical Safety: Owners are required to arrange the annual maintenance and cleaning of their meter/fuse box.

Passed by Manager's Choice

12.3. OH&S Obligations:

Current Policy: Motion that the Owners Corporation discharges its obligations under the OHS Act 2004 by:

- a). Undertaking contractor validation utilising the manager's Contractor OH&S Checklist',
- b) Owners and Committee to undertake regular inspections and to monitor the safety of the common area. Faults will be reported to the manager and he is authorised to arrange repairs. If there are insufficient saving, Special Levies will be raised to fund these issues.

It was resolved NOT to obtain Safety Audit of common property or other professional services to perform OHS inspections. .

Motion to reconfirm existing OHS policy.

Passed by Manager's Choice

13. Proposed Budget:

Owners Corporation Financial Year Ending: - 31st of March 2024

Motion that the proposed Administration Fund budget totalling \$6,600.00 per annum adopted. (attached) That the levy period, due date and amounts based on lot liability are as attached. Budget apportioned according to lot liability and commence at the start of the financial year. The levy period is also to commence at the start of the financial year.

The Administrative Fund Balance at the end of the financial year be approximately \$3,347.04.

Motion that the Administration Fund plans on a maximum balance of approximately \$3,000 for contingencies.

Motion that all levies be paid in advance in yearly instalments, the first levy is due on 1st day of the financial year. Levies will continue at the same yearly rate or as required by the next proposed budget or until changed by a resolution of the Owners Corporation at a General Meeting.

Motion in accordance to Section 24 of the Owners Corporation Act 2006 that should there be a shortfall in the funds of the Owners Corporation to meet its statutory commitments, including maintaining a current insurance policy then the OCM may raise a special levy to meet the shortfall in funds to comply with that statutory and or contractual obligations.

Next Budget estimated at \$6,600.00

Passed by Manager's Choice

14.1. Debt Recovery & Penalty Interest:

Penalty Interest:- Pursuant to Section 29(1) & (2) of the Owners Corporation Act 2006, to charge penalty interest on monies owed by a member to the Owners Corporation after the due date for fees and charges. The penalty interest rate is set at the maximum rate of interest payable in accordance with the Penalty Interest Rate Act 1983. The rate under the Act is currently set at 10 %.

Debt Recovery: -

a. Levy payment is required by the due date. Penalty Interest will be charged on any overdue amount. A reminder notice will be forwarded when approximately 15 days overdue.

b. When a Levy is more than 28 days overdue, a statement will be sent confirming interest is being charged on the overdue levy. A fee of \$30.00 will be charged and recoverable from the indebted lot owner.

c. When a Levy is more than 60 days overdue a Final Notice will be sent stating that the Owners Corporation intends to take action under Part 11 to recover the amount due. A fee of \$100.00 will be charged and recoverable from the indebted lot owner.

d. If no payment is made after 28 days from the date of the final notice, the Owners Corporation will make an application to V.C.A.T. or the Magistrates Court (via LFS Legal) for an order requiring the lot owner to pay all overdue fees, charges and interest owing. A letter confirming this action will be sent and the indebted lot owner charged \$30.00.

e. Where a lot is in arrears, and a Final Notice has been issued, any new levy is overdue after the due date of that new levy. When the new levy is more than 28 days overdue a Final Notice will be sent stating that the Owners Corporation intends to take action under Part 11 to recover the amount due. A fee of up to \$100.00 will be charged and recoverable from the indebted lot owner.

f. The costs incurred by the Owners Corporation in recovering fees and levies due under Section 32 of the Owners Corporation Act 2006, will be fully recoverable from the indebted lot owner. This includes administrative fees charged to the Owners Corporation by the manager and all legal fees incurred as a result of the failure to pay levies, fees and charges due. VCAT or Magistrates Court action to recover a debt via LFS Legal and this cost payable by the indebted lot owner.

g. The manager has the authority to enter into payment plans (manager discretion) and is also authorised to remove small amounts of interest as a management tool. Penalty interest may be reversed if the payment plan was authorised prior to the levy being in arrears. Debt policy is suspended whilst complying with an approved payment plan. This debt policy will be re-activated when a payment plan is breached.

Amounts owing on a Payment Plan are still considered in arrears and owners will not be able to vote at General Meetings whilst in arrears.

h. Third-party debt collection agencies are authorised and costs of 7.5% to 10% of debt are payable to OC. This amount will be charged to the indebted lot owner. A site visit to the owner's address, by the debt collection agency, may be required at a cost not exceeding \$185.00. This amount will be charged to the indebted lot owner. All fees not recovered at VCAT will remain on the lot ledger and will be the responsibility of the indebted lot owner or any subsequent new owner.

Motion that the above penalty interest and debt recovery policy to be adopted.

Passed by Manager's Choice

14.2. Debt Recovery - Legal Action:

Please note that Solicitor fees are payable by the Owners Corporation and the Debt is recoverable from the indebted lot owner. The manager will also charge additional fees at the hourly rate for services relating to further legal action,

Motion that accrued funds will be used to fund this cost and if there are insufficient funds the manager is approved to raise a special levy to cover the debt collection costs.

Current policy - Special Resolution (2017): Motion that the Owners Corporation (RP 15660) resolved to take legal action in a court of competent jurisdiction, against the registered and equitable owner of ANY Lot in Arrears in Owners Corporation (Plan RP 15660) to recover unpaid fees, levies, interest administration fees, legal fees and breaches of the Owners Corporations Act 2006.

Motion to reconfirm the above debt recovery special resolution.

Passed by Manager's Choice

15.A. Debt Recovery - Legal Action:

Pursuant to section 18A Owners corporation is not required to have or use a common seal

(1) An owners corporation is not required to have or use a common seal.

(2) Section 19 applies only to an owners corporation that has a common seal.

(3) Sections 20, 21 and 22 apply only to an owners corporation that has a common seal and uses the common seal on a document.

(4) An owners corporation that has a common seal under sections 19, 20, 21 and 22 may, by ordinary resolution, determine that the common seal is no longer required and can be destroyed.

Motion that the Owners Corporation does not need a common seal pursuant to OC Act section 18A(4) and the seal can be destroyed.

Passed by Manager's Choice

15. Online Portal Access:

Owners have access to an OC community portal, which allows owners to view and download correspondence for the Owners Corporation including recent fee notices, tax statements and other relevant documents.

This portal also allows owners to view live and up-to-date financials of the Owners Corporation, providing greater transparency for the Owners Corporation financials.

Owners with email addresses known to our office should have received login details. If you need access to My Community or a password reset please contact Ace Body Corporate.

16. Request for Documents:

All Owners Corporation documents are held by the manager as required under the Owners Corporation Act. It is not the manager's duty to automatically forward all or any of these documents free of charge to owners. This is an additional service above the standard management duty of the manager. Filing and holding OC documents is the standard requirement. If owners request a copy of any document the schedule fee applies. This also applies to copies of documents already sent to owners.

The standard Consumer Affairs cost for supplying documents will apply in the future. The scheduled fee is 1.15 x fee unit (\$20.10 FYE 30-06-2024) for a copy of any document.

- <https://www.consumer.vic.gov.au/housing/owners-corporations/finance-insurance-and-record-keeping/fees>

Please note that some documents are automatically uploaded to the Portal and are available free for owners to access. Documents that are not automatically uploaded may incur an above fee to be made available on the portal. Please enquire with the manager

If you require portal access or your portal access needs to be reset please contact us via email.

17. General (Enduring) Resolutions:

The following are enduring resolutions of the Owners Corporation which remain in place from year to year, unless the Owners Corporation resolves to change them:

A request to change a current resolution can only be made by the committee or an owner representing at least 25% of owners.

External Colours.: AGM 2021 - Lot 3 is yet to advise the colour scheme of the complex, including a new roof colour. It is requested that owners (esp. Lot 3) provide the colour scheme ASAP. If an owner obtains a colour match please advise so I can advise all owners.

At this stage Owners must have their contractor colour match and advise manager so this colour can be confirmed and approved by ALL owners.

Common Area Toilet (2021): Owners decided the toilet was not to be regularly cleaned. As there is no cleaner, this toilet must remain locked.

Special Resolution (2018): - Motion that Lot 3 notify the OC of the new roof colour and all owners will be notified and be given 14 days to object. If no objections are received this will be the colour of all future roof restorations (Colour not supplied to date).

Air Conditioners (2023):- Motion that air conditioners must be installed within your lot boundary and has minimal impact on the outward appearance. All external pipes and control panels that are visible (externally installed) must be painted a colour consistent with the complex. (Preference is to have these items installed internally).

Solar Panels (2022):- Motion that solar panels are permitted on roofs, but they must be flat mounted, entirely within lot boundaries and professionally installed. All external pipes and control panels that are visible (externally installed) must be painted a colour consistent with the complex. (Preference is to have these items installed internally)

Letter Boxes (2019):- Motion that each owner (or occupant) is responsible to clear mail and junk mail from their letter box.

Exterior Lighting (2017):- Motion that lot owners are authorised to install subtle solar or sensor lighting upon their lots and along the common area driveway / footpaths in front of their lots. Maintenance of these lights will be the lot owners responsibility.

Rubbish Bins (2017):- Motion that each lot is responsible for putting out and collecting their individual bins. Bins are to be put out the night before collection and returned ASAP after collection. Bins are to be kept within each lot boundary or other authorised area. Bins are not to be left in or within the view of the common area.

Council has the authority to fine occupants for rubbish bins that have been left on the nature strip and not returned to a person's property.

Dumping of Rubbish: - Members are reminded not to dump or leave rubbish on the common property.

Collection of Fees and Bank Account (2019):- Motion that the Manager (or the manager's delegate), pursuant to its appointment as manager for the Owners Corporation, is authorised to collect the fees for the Owners Corporation and to operate a bank account on behalf of the Owners Corporation.

The Strata Manager will not issue a Work Order or engage any Contractors for the provision of any goods or services, unless they have complied with the minimum requirements as defined in Contractor OH&S form. Minor works of cost of \$1000 or less will be actioned with one quote. Additional quotes will incur an additional management fee.

18. Insurance Information:

Insurance: - The manager discloses that he is an Authorised Representative (per Corporations Act 2001 and registered with A.S.I.C.) for the Insurance Company. The Financial Services Guide (FSG) and Product Disclosure Statement (PDS) are tabled at the meeting. Owners are advised they are available online or from the managers office. Please contact the manager if you require a copy of these documents.

Motion that the manager upload the PDS & FSG to the online portal each renewal and this is deemed as service to all owners of the owners corporation.

General Advice:- Any advice I give is General Advice please read the P.D.S. before making a decision. All insurance claims are handled by either the manager or direct with the insurance company.

For lot owner urgent maintenance please contact the required contractor and these costs are an owners responsibility.

Current Insurance Company: Strata Community Insurance (SCI) Policy Details: - AS per Insurance Report Broker: Whitbread Brokers
- Phone: 1300 424 627

For afterhours - emergencies and insurance claims - please contact Whitbread Brokers 24/7 Emergency makesafe repair line. Phone: 1300 945 945

If the incident is not an approved insurance claim you may be responsible for the associated call out fees & repairs applicable.

Owners Corporation Act requires Insurance valuations to be conducted every 5 years.

The manager discloses that as an Authorised Representative we receive a commission of up to 20% of base premium for placing the insurance, processing and follow-up of insurance claims. The commission in no way affects the Owners Corporation insurance premiums.

Manager advises that lot owners are responsible for their own insurance needs, including, but not limited to, contents and public liability insurance inside their lots. It is important that owners organise their own insurance.

19. Essential Services and OHS:

Owners noted that the Owners Corporation is in charge of the common property that is a defined workplace under the Occupational Health and Safety Act. As an occupier of a workplace the Owners Corporation has an obligation to ensure that the workplace (common property) including the means of access and egress from the workplace are safe and without risk to the health and safety of visitors and workers alike. Workers include voluntary and contractors engaged by the Owners Corporation. Prosecution and or substantial fines may result should an incident occur.

The Owners Corporation reviewed its mandatory responsibility in accordance with the Building Act 1993, Building Regulations 2006 (Part 11) & OHS Act 2004, Section 21 (3) in relation to the fire services, safety and risk management including:

- Identifying hazards on common property;
 - Assessing risks that may result because of the hazards;
 - Deciding on control measures to prevent or minimise the level of the risks;
 - Implementation of control measures;
 - Monitoring and reviewing the effectiveness of the measures;
 - Ensure that all Owners Corporation work is carried out by properly qualified tradespeople holding appropriate insurances.
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20. Asbestos:

Asbestos:- Any buildings built before 2003 is considered to contain asbestos.

Owners should note that a liability may exist in the event that a person residing, working in or visiting a building containing asbestos, that has not been properly managed, can identify that they contracted an asbestos related illness from the Owners Corporation. There is a requirement under Sect 226 of the OHS Regulations 2017 to identify whether asbestos is present. As the Owners Corporation is in charge of the common property an asbestos audit is required.

Owners aware of Asbestos, within their lots, are to notify manager of location of the Asbestos. Owners are to arrange for an inspection and to treat suspected Asbestos as per recommendation in the inspection report. This may be treatment or removal of the suspected Asbestos.

Motion that in the common area the Owners Corporation can manage this by:

- i. Instruct each contractor that there is NO asbestos report and to assume that asbestos is present. Any suspected asbestos must be treated pursuant to Australian Standards.
- ii. The manager is authorised to have any suspected asbestos tested and a quote is to be obtained for the treatment or removal of such Asbestos.

It was resolved not to Obtain a report that identifies the location and type of asbestos.

21. General Information and meeting closure:

Rules: - The Owners Corporation will be bound by the Special Rules (if applicable) of the Owners Corporation & Model Rules (Updated 2021) under the Owners Corporation Regulations 2018. Please contact manager if you require a copy. **New Model Rules 2021 - attached**

All owners are reminded it is their responsibility to ensure all tenants are provided with a copy of the Model Rules and all owners, occupiers and tenants are bound by the Rules. A copy of the Rules are attached to the Owners Corporation Certificate (part of Section 32 documents).

General Complaints - Breach of OC Rules:- All breaches of OC Rules require a grievance meeting. The manager will issue a breach notice for any proven breaches of the Rules. The notice is subject to a \$60.00 Admin Fee charged to the lot owner of the offending lot via a special levy.

Owners are responsible for the general tidiness, lawn mowing, garden maintenance and building maintenance within their own lots to a standard that does not affect the Aesthetics of the Owners Corporation. Owners are responsible to ensure tenants maintain the appropriate standard.

Owners Details: - Members are reminded that it is the responsibility of the lot owners to ensure their contact details (including e-mail address) are kept up to date on the Owners Corporation Register.

Manager's Professional Indemnity - Strata Managers - Insurer: Chubb Insurance Company
Policy Number: 93312084 Limit: \$5,000,000 Expiry date: 4.00 P.M on 1 July 2023

Owners are advised that the seal of the Owners Corporation is fixed to the following documents as required: -

- i. Contract of Appointment of the Owners Corporation Manager.
- ii. Owners Corporation Certificates.
- iii. Documents forwarded to the Titles Office.
- iv. Instrument of Delegation - To the Committee.

Motion that the manager is permitted to apply seal as required to above documents.

Electricity & Gas Meter Numbers:- New Owners and tenants sometimes have difficulty connecting power and gas services. The manager can record the MNI of their power meter and the gas meter number for each lot. Please forward these details if you want them stored on your file.

OH&S:- The Manager advises owners to be aware of their obligations under OH&S and Work-Cover Victoria when they engage the services of a contractor, especially to works carried out at height. It is advised that each owner (within their lot) is to ensure that all OH&S and Work-Cover requirements are adhered to in accordance with the Building Codes of Australia.

Essential Services:- It is advised that each owner (within their lot) is to ensure that the essential service items are attended to in accordance with the Building Codes of Australia. This includes but not limited to: Emergency Exit Lighting, Fire Doors and Walls, Paths of Egress, Air Conditioning units and extraction ducts and fans. Tested as required by relevant standards

Fire Appliances:- It is the responsibility of individual lot owners (within their lot) to ensure that the servicing of all fire appliances within their lots are carried out as per the essential services requirements of the Building Codes of Australia. This includes fire extinguishers, fire hoses and reels, hydrants, fire blankets, alarms, detectors, and any other fire equipment. Tested every 6 months.

Smoke Detectors:- Members are reminded that smoke detectors are mandatory inside residential lots. They must be always kept operational as per provisions of Australian Standards AS3786. It is the responsibility of the lot owners to notify their tenants of this requirement. Please note that detectors have a 10-year expiry date and should be replaced if past expiry date.

Parking:- Members are reminded that there is no parking in common driveway (other than designated) and under no circumstances are the vehicles to be parked on the lawns. Members with tenants must advise their tenants as this is a breach of the Rules of the Owners Corporation.

Levy Payments -

If paying by cheque - Please make cheques payable to:
Owners Corporation for Plan No. RP 15660

By post: Mail this slip with your cheque to:
DEFT Payment Systems, GPO Box 2174, MELBOURNE VIC 3001

Similar time for the next Annual General Meeting. (There is NO preferred time)

Closing time of the meeting: 1.15 p.m.

Insurance Report

Owners Corporation for Plan No. RP 15660

46 - 48 Strathcole Drive TRARALGON VIC Victoria 3844

Policy number : VRSC21004010

Insurance Policy Details

Policy Number:	VRSC21004010
Period of Insurance:	28 June 2023 to 28 June 2024
Insurance Company:	Strata Community Insurance (SCI)
Broker (if any):	Whitbread Insurance Brokers
Amount of Premium:	\$ 3,107.66
Paid Date:	22 June 2023

Policy Type	Amount of cover	Excess
Lot Owner's Fixtures and Improvements	300,000.00	1,000.00
Legal Defence Expenses	50,000.00	1,000.00
Appeal Expenses	100,000.00	1,000.00
Governance Audit Costs	25,000.00	1,000.00
Fidelity Guarantee Insurance	100,000.00	1,000.00
Voluntary Workers Insurance	200,000 / 2,000	1,000.00
Property, Death and Injury (Public Liability)	20,000,000.00	1,000.00
Floating Floors	Included	1,000.00
Flood	Included	1,000.00
Loss of Rent	201,600.00	1,000.00
Common Area Contents	5,000.00	1,000.00
Damage (i.e. Building) Policy	1,344,000.00	1,000.00

Note

Terrorism Cover Under section 1 Part A2 Applies

Approved Annual Budget

Administrative Fund

Owners Corporation for Plan No. RP 15660

1 April 2023 to 31 March 2024

46 - 48 Strathcole Drive TRARALGON VIC Victoria 3844

Expenditure	Actuals 04/22 - 03/23	Budget 04/22 - 03/23	Budget 04/23 - 03/24	Variance \$
Administrative Fees & Charges - Deft, Banking & Software Fees	66.31	66.31	66.31	-
Debt Collection Service	160.00	-	-	-
Electrical Circuits	165.00	180.00	180.00	-
Garden/Lawn Maintenance	582.00	1,360.00	1,360.00	-
Garden/Lawn Maintenance - gutter clearing	120.00	160.00	160.00	-
Insurance Premiums	2,802.87	2,802.87	3,220.00	417.13
Minor Building Maintenance	-	100.00	100.00	-
Strata Manager - disbursements	160.00	160.00	200.00	40.00
Strata Manager - management fees	800.00	800.00	800.00	-
Water - charges	-	200.00	200.00	-
Total Administrative Fund Expenditure	4,856.18	5,829.18	6,286.31	457.13

Administrative Fund Summary

Opening balance (Surplus)	3,033.35
Expenditure during budget period	6,286.31
	3,252.96

Less Additional revenue during budget period	0.00
Plus Planned surplus at end of budget period	3,347.04

Budgeted levies to be raised \$	Per Ent
6,600.00	66.0000
Last years budgeted levies raised	6,200.00
Variance \$	400.00

Total Lot Liability 100

*May include insurance contributions

1 April 2023 to 31 March 2024

Owners Corporation for Plan No. RP 15660
46 - 48 Strathcole Drive TRARALGON VIC Victoria 3844

Levy Period Start 01/04/2023
Levy Period Duration 12 month(s)
No. of Instalment(s): 1
GST NO

<u>TOTAL LEVIES</u>		<u>TOTAL LIABILITIES</u>	
Admin Fund	<u>Per Period</u> 6,600.00	Admin Fund	<u>Per Period</u> 66.0000
Total Contribution	6,600.00	Total Per Lot Liability	66.0000

Yearly Levy By Perio (Estimate Only)				
Lot No.	Unit No.	Lot Liability	Lot Entitlement	Administrative Fund
1	1	25	25	1,650.00
2	2	25	25	1,650.00
3	3	25	25	1,650.00
4	4	25	25	1,650.00
		100	100	6,600.00
				Total 1,650.00
				1,650.00
				1,650.00
				1,650.00
				6,600.00
				6,600.00

1 Health, safety and security**1.1 Health, safety and security of lot owners, occupiers of lots and others**

A lot owner or occupier must not use the lot, or permit it to be used, so as to cause a hazard to the health, safety and security of an owner, occupier, or user of another lot.

1.2 Storage of flammable liquids and other dangerous substances and materials

(1) Except with the approval in writing of the owners corporation, an owner or occupier of a lot must not use or store on the lot or on the common property any flammable chemical, liquid or gas or other flammable material.

(2) This rule does not apply to—

- (a) chemicals, liquids, gases or other material used or intended to be used for domestic purposes; or
- (b) any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

1.3 Waste disposal

An owner or occupier must ensure that the disposal of garbage or waste does not adversely affect the health, hygiene or comfort of the occupiers or users of other lots.

1.4 Smoke penetration

A lot owner or occupier in a multi-level development 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.

1.5 Fire safety information

A lot owner must ensure that any occupier of the lot owner's lot is provided with a copy of fire safety advice and any emergency preparedness plan that exists in relation to the lot prior to the occupier commencing occupation of the lot.

2 Committees and sub-committees**2.1 Functions, powers and reporting of committees and sub-committees**

A committee may appoint members to a sub-committee without reference to the owners corporation.

3 Management and administration**3.1 Metering of services and apportionment of costs of services**

- (1) The owners corporation must not seek payment or reimbursement for a cost or charge from a lot owner or occupier that is more than the amount that the supplier would have charged the lot owner or occupier for the same goods or services.
- (2) If a supplier has issued an account to the owners corporation, the owners corporation cannot recover from the lot owner or occupier an amount which includes any amount that is able to be claimed as a concession or rebate by or on behalf of the lot owner or occupier from the relevant supplier.
- (3) Subrule (2) does not apply if the concession or rebate—
 - (a) must be claimed by the lot owner or occupier and the owners corporation has given the lot owner or occupier an opportunity to claim it and the lot owner or occupier has not done so by the payment date set by the relevant supplier; or
 - (b) is paid directly to the lot owner or occupier as a refund.

4 Use of common property**4.1 Use of common property**

- (1) An owner or occupier of a lot must not obstruct the lawful use and enjoyment of the common property by any other person entitled to use the common property.
- (2) An owner or occupier of a lot must not, without the written approval of the owners corporation, use for the owner or occupier's own purposes as a garden any portion of the common property.
- (3) An approval under subrule (2) may state a period for which the approval is granted.
- (4) If the owners corporation has resolved that an animal is a danger or is causing a nuisance to the common property, it must give reasonable notice of this resolution to the owner or occupier who is keeping the animal.
- (5) An owner or occupier of a lot who is keeping an animal that is the subject of a notice under subrule (4) must remove that animal.
- (6) Subrules (4) and (5) do not apply to an animal that assists a person with an impairment or disability.
- (7) The owners corporation may impose reasonable conditions on a lot owner's right or an occupier's right to access or use common property to protect the quiet enjoyment, safety and security of other lot owners, including but not limited to imposing operating hours on facilities such as gymnasiums and swimming pools.

4.2 Vehicles and parking on common property

An owner or occupier of a lot must not, unless in the case of an emergency, park or leave a motor vehicle or other vehicle or permit a motor vehicle or other vehicle—

- (a) to be parked or left in parking spaces situated on common property and allocated for other lots; or
- (b) on the common property so as to obstruct a driveway, pathway, entrance or exit to a lot; or
- (c) in any place other than a parking area situated on common property specified for that purpose by the owners corporation.

4.3 Damage to common property

- (1) An owner or occupier of a lot must not damage or alter the common property without the written approval of the owners corporation.
- (2) An owner or occupier of a lot must not damage or alter a structure that forms part of the common property without the written approval of the owners corporation.
- (3) An approval under subrule (1) or (2) may state a period for which the approval is granted, and may specify the works and conditions to which the approval is subject.
- (4) An owner or person authorised by an owner may install a locking or safety device to protect the lot against intruders, or a screen or barrier to prevent entry of animals or insects, if the device, screen or barrier is soundly built and is consistent with the colour, style and materials of the building.
- (5) The owner or person referred to in subrule (4) must keep any device, screen or barrier installed in good order and repair.

5 Lots

5.1 Change of use of lots

An owner or occupier of a lot must give written notification to the owners corporation if the owner or occupier changes the existing use of the lot in a way that will affect the insurance premiums for the owners corporation.

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.

5.2 External appearance of lots

- (1) An owner or occupier of a lot must obtain the written approval of the owners corporation before making any changes to the external appearance of their lot.
- (2) An owners corporation cannot unreasonably withhold approval, but may give approval subject to reasonable conditions to protect quiet enjoyment of other lot owners, structural integrity or the value of other lots and/or common property.
- (3) The owners corporation cannot unreasonably prohibit the installation of sustainability items on the exterior of the lot, including by prohibiting the installation of a sustainability item only on aesthetic grounds.
- (4) The owners corporation may require that the location of a sustainability item, or the works involved in installing a sustainability item, must not unreasonably disrupt the quiet enjoyment of other lot owners or occupiers or impede reasonable access to, or the use of, any other lot or the common property.
- (5) The owners corporation may impose reasonable conditions on the installation of a sustainability item on the exterior of the lot related to the colour, mounting and location of the sustainability item provided that these conditions do not increase the cost of installing the sustainability item or reduce its impact as a sustainability item.

5.3 Requiring notice to the owners corporation of renovations to lots

An owner or occupier of a lot must notify the owners corporation when undertaking any renovations or other works that may affect the common property and/or other lot owners' or occupiers' enjoyment of the common property.

6 Behaviour of persons

6.1 Behaviour of owners, occupiers and invitees on common property

An owner or occupier of a lot must take all reasonable steps to ensure that guests of the owner or occupier do not behave in a manner likely to unreasonably interfere with the peaceful enjoyment of any other person entitled to use the common property.

6.2 Noise and other nuisance control

- (1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.
- (2) Subrule (1) does not apply to the making of a noise if the owners corporation has given written permission for the noise to be made.

7 Dispute resolution

- (1) The grievance procedure set out in this rule applies to disputes involving a lot owner, manager, or an occupier or the owners corporation.
- (2) The party making the complaint must prepare a written statement in the approved form.
- (3) If there is a grievance committee of the owners corporation, it must be notified of the dispute by the complainant.
- (4) If there is no grievance committee, the owners corporation must be notified of any dispute by the complainant, regardless of whether the owners corporation is an immediate party to the dispute.
- (5) The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee or the owners corporation, within 28 calendar days after the dispute comes to the attention of all the parties.
- (5A) A meeting under subrule (5) may be held in person or by teleconferencing, including by videoconference.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
- (6A) Subject to subrule (6B), the grievance committee may elect to obtain expert evidence to assist with the resolution of the dispute.
- (6B) The grievance committee may obtain expert evidence to assist with the resolution of a dispute if the owners corporation or the parties to the dispute agree in writing to pay for the cost of obtaining that expert evidence.
- (7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the **Owners Corporations Act 2006**.
- (8) This process is separate from and does not limit any further action under Part 10 of the **Owners Corporations Act 2006**.