

SydneyStrataReport

property strata inspections

0478 151999 | (02) 80114701 | servicedesk@stratareport.net.au | www.stratareport.net.au



STRATA REPORT

Client	Infinity Property Group
Address of property	Unit 7/8 Avona Avenue, Glebe, NSW.
Lot	7
Strata Plan	SP 11656
Name of Strata Management Co.	Strata Choice
Telephone Number of Strata Agent	1300 322 213
Report Date	5 May 2021

General Information

Owner's Name	Sibrits Pty Ltd
Unit Entitlement.	49
Total Unit Entitlement.	1,000

Levy Contributions

Administration Fund contribution.	\$520.65
Capital Works contribution.	\$159.25
Are There any Special Levies?	No on records presented.
Admin. Fund Balance Approx.	\$150.48 Debit.
Sinking Fund Balance.	\$41,192.57 Credit.

Insurances

Building Insurance	Yes
Sum Insured	\$4,760,000.00
Insurance Company	Longitude Insurance
Due Date	1 October 2021
Fire Safety Report ?	N/A
Certificate Date.	N/A
Pet Friendly?	Owners corporation permission needed.

Meetings

Annual General Meeting 14 November 2017	Administration Fund set at \$28,500.00 p.a. Sinking Fund set at \$15,000.00 p.a.
--	---

	<p>Building insurance continued, All other matters were meeting formalities and general maintenance as per the scan below, no major works tabled.</p> <p>Executive Committee Meeting: Maintenance recorded was general in nature as per the scan of this meeting below. Meeting closed.</p>
<p>Annual General Meeting 15 October 2018</p>	<p>Administration Fund set at \$28,500.00 p.a. Sinking Fund set at \$15,500.00 p.a. Building insurance continued, All other matters were meeting formalities and general maintenance as per the scan below, no major works tabled.</p> <p>Executive Committee Meeting: Maintenance recorded was general in nature as per the scan of this meeting below. Meeting closed.</p>
<p>Annual General Meeting 31 October 2019</p>	<p>Administration Fund set at \$36,000.00 p.a. Sinking Fund set at \$12,500.00 p.a. Building insurance continued, All other matters were meeting formalities and general maintenance as per the scan below, no major works tabled.</p> <p>Executive Committee Meeting: Parking issues are recorded as per the attachment of this meeting below. Maintenance recorded was general in nature as per the scan of this meeting below. Meeting closed.</p>
<p>Strata Committee Meeting 24 September 2020</p> <p>Annual General Meeting 20 October 2020 Held as a zoom meeting.</p>	<p>Building insurance renewed only.</p> <p>Administration Fund set at \$42,500.00 p.a. Sinking Fund set at \$13,000.00 p.a. Building insurance continued, All other matters were meeting formalities and general maintenance as per the scan below, no major works tabled.</p> <p>Executive Committee Meeting: Maintenance recorded was general in nature as per the scan of this meeting below. Meeting closed.</p>

Other comments.

This report is to be taken in context and in conjunction with the scans below.
No major works or special levies are planned on records presented.

Current Owner Account

Sibrits Pty Ltd

Lot 7 Unit 7

Strata Plan 11656

8 Avona Avenue, GLEBE POINT NSW 2037

Purchased: 08/08/2013 UE / AE: 49.00 / 1,000.00



Date	Details	Administrative Fund due/paid	Capital Works Fund due/paid	Unallocated	Interest paid	Total	Balance (-)prepaid
	Balance brought forward	0.00	0.00	0.00		0.00	0.00
24/06/2019	Levy payment for 7/11656	-349.15	-189.90	0.00	0.00	-539.05	-539.05
1/07/2019	Levies 01.07.19-30.09.19	349.15	189.90	0.00	0.00	539.05	0.00
20/09/2019	Levy payment for 7/11656	-349.15	-189.90	0.00	0.00	-539.05	-539.05
1/10/2019	Levies 01.10.19-31.12.19	349.15	189.90	0.00	0.00	539.05	0.00
1/01/2020	Levies 01.01.20 - 31.03.20	441.00	153.15	0.00	0.00	594.15	594.15
3/01/2020	Levy payment for 7/11656	-441.00	-153.15	0.00	0.00	-594.15	0.00
16/03/2020	Levy payment for 7/11656	-441.00	-153.15	0.00	0.00	-594.15	-594.15
1/04/2020	Levies 01.04.20 - 30.06.20	441.00	153.15	0.00	0.00	594.15	0.00
12/06/2020	Levy payment for 7/11656	-441.00	-153.15	0.00	0.00	-594.15	-594.15
1/07/2020	Levies 01.07.20 - 30.09.20	441.00	153.15	0.00	0.00	594.15	0.00
18/09/2020	Levy payment for 7/11656	-441.00	-153.15	0.00	0.00	-594.15	-594.15
1/10/2020	Levies 01.10.20 - 31.12.20	441.00	153.15	0.00	0.00	594.15	0.00
30/12/2020	Levy payment for 7/11656	-520.65	-159.25	0.00	0.00	-679.90	-679.90
1/01/2021	Levies 01.01.21-31.03.21	520.65	159.25	0.00	0.00	679.90	0.00
30/03/2021	Levy payment for 7/11656	-520.65	-159.25	0.00	0.00	-679.90	-679.90
1/04/2021	Levies 01.04.21-30.06.21	520.65	159.25	0.00	0.00	679.90	0.00
1/07/2021	Levies 01.07.21-30.09.21	520.65	159.25	0.00	0.00	679.90	
1/10/2021	Levies 01.10.21-31.12.21	520.65	159.25	0.00	0.00	679.90	
05/05/2021	Current balances excluding interest						
	Administrative Fund		0.00				
	Capital Works Fund		0.00				
	Unallocated Money Fund		0.00				
			0.00				
	Interest due as at 05/05/2021		0.00				
	Current balance including interest		\$0.00				

Detailed Balance Sheet

As at 05/05/2021

Strata Plan 11656

8 Avona Avenue, GLEBE POINT NSW 2037

	Current period
Owners' funds	
Administrative Fund	
Operating Surplus/Deficit--Admin	5,800.65
Owners Equity--Admin	(5,951.13)
	<u>(150.48)</u>
Capital Works Fund	
Operating Surplus/Deficit--Capital Works	4,826.43
Owners Equity--Capital Works	36,366.14
	<u>41,192.57</u>
Net owners' funds	<u>\$41,042.09</u>
Represented by:	
Assets	
Administrative Fund	
Cash at Bank--Admin	1,749.81
Receivable--Levies--Admin	0.01
	<u>1,749.82</u>
Capital Works Fund	
Cash at Bank--Capital Works	41,192.66
	<u>41,192.66</u>
Unallocated Money	
	<u>0.00</u>
<i>Total assets</i>	<u>42,942.48</u>
Less liabilities	
Administrative Fund	
Deposits Received--Keys--Admin	1,900.00
Prepaid Levies--Admin	0.30
	<u>1,900.30</u>
Capital Works Fund	
Prepaid Levies--Capital Works	0.09
	<u>0.09</u>
Unallocated Money	
	<u>0.00</u>
<i>Total liabilities</i>	<u>1,900.39</u>
Net assets	<u>\$41,042.09</u>

Income and Expenditure Statement
for the financial year-to-date
01/07/2020 to 05/05/2021



Strata Plan 11656

8 Avona Avenue, GLEBE POINT NSW 2037

Administrative Fund

Current period

01/07/2020-05/05/2021

Revenue

Interest on Arrears--Admin	1.65
Levies Due--Admin	39,250.80
<i>Total revenue</i>	<u>39,252.45</u>

Less expenses

Admin--Accounting	22.00
Admin--Bank Charges--Account Fees	4.75
Admin--Management Fees--Disbursements	3,326.10
Admin--Management Fees--Management Fee	4,075.22
Admin--Management Fees--Professional Fees	4,092.88
Insurance--Premiums	9,986.63
Insurance--Premiums--Stamp Duty	749.18
Maint Bldg--Cleaning--Carpet/Furniture	470.00
Maint Bldg--Cleaning--Contracts	4,004.00
Maint Bldg--Cleaning--Windows/Glass	880.00
Maint Bldg--Fire Protection--Contract	638.00
Maint Bldg--Locks, Keys & Card Keys	408.00
Maint Bldg--Rubbish Removal	261.43
Utility--Electricity	534.52
Utility--Water & Sewerage	3,999.09
<i>Total expenses</i>	<u>33,451.80</u>

Surplus/Deficit

	<u>5,800.65</u>
Opening balance	(5,951.13)

Closing balance

-\$150.48

Capital Works Fund**Current period**

01/07/2020-05/05/2021

Revenue

Coin Laundry	428.00
Interest on Arrears--Capital Works	0.51
Levies Due--Capital Works	12,750.80

<i>Total revenue</i>	<u>13,179.31</u>
----------------------	------------------

Less expenses

Admin--Tax Agent--Capital Works	275.00
Maint Bldg--Doors & Windows	855.48
Maint Bldg--Electrical	3,390.40
Maint Bldg--Plumbing & Drainage	1,375.00
Maint Bldg--Roof	2,200.00
Maint Bldg--Water Penetration	180.00
Maint Grounds--Trees	77.00

<i>Total expenses</i>	<u>8,352.88</u>
-----------------------	-----------------

Surplus/Deficit

	<u>4,826.43</u>
--	-----------------

Opening balance	36,366.14
-----------------	-----------

Closing balance

	<u><u>\$41,192.57</u></u>
--	---------------------------

Issue date: 8 October 2020

Certificate of Insurance

This document certifies that the policy referred to below is currently intended to remain in force until 4.00pm on the expiry date shown below and will remain in force until that date, unless the policy is cancelled, lapsed, varied or otherwise altered in accordance with the relevant policy conditions or the provisions of the "Insurance Contracts Act, 1984".

INSURED:	The Owners of Strata Plan 11656	
INTERESTED PARTY(S):	Name	Classification
DESCRIPTION OF INSURED BUSINESS:	Residential Strata	
SITUATION OF RISK:	8 Avona Avenue, GLEBE, New South Wales 2037	
SECTION 1:	<u>Property - Physical Damage</u> Buildings - \$4,760,000 Common Contents - \$47,600	
SECTION 2:	<u>Voluntary Workers Personal Accident</u> Death & Disablement - Insured Weekly Benefits - Insured	
SECTION 3:	<u>Office Bearers' Liability</u> Limit of Indemnity - \$5,000,000	
SECTION 4:	<u>Fidelity Guarantee</u> Limit in the Aggregate - \$100,000	
SECTION 6:	<u>Public Liability</u> Limit of Indemnity - \$20,000,000	
SECTION 7:	<u>Government Audit Costs, Workplace Health and Safety Breaches and Legal Expenses</u> (a) Government Audit Costs Limit of Indemnity - \$30,000 (b) Workplace Health and Safety Breaches Limit of Indemnity - \$150,000 (c) Legal Defense Expenses Limit of Indemnity - \$50,000	
POLICY NUMBER:	LNG-STR-97536	
PERIOD OF INSURANCE:	1 October 2020 expiring on 1 October 2021 at 4pm Local Standard Time	
INSURER:	Chubb Insurance Australia Limited and Swiss Re International SE Australia Branch	

This certificate has been arranged by us in our capacity as agents for the insurer/s named above. It does not reflect in detail the policy terms or conditions and merely provides a very brief summary of the insurance that is, to the best of our knowledge, in existence at the date we have issued this certificate. If you wish to obtain details of the policy terms, conditions, restrictions, exclusions or warranties, you must refer to the policy contract.

DISCLAIMER - In arranging this certificate, we do not guarantee that the insurance outlined will continue to remain in force for the period referred to as the policy may be cancelled or altered by either party to the contract at any time in accordance with the terms and conditions of the policy or in accordance with the terms of the "Insurance Contracts Act 1984". We accept no responsibility or liability to advise any party who may be relying on this certificate of such alteration or cancellation to the policy of insurance.

This policy is issued by Longitude Insurance Pty Ltd (ABN 86 152 337 267) as an Authorised Representative (AR 424867) of Austagencies Pty Ltd (ABN 76 006 09 464) (Austagencies). Austagencies have binding authority from Chubb Insurance Australia Limited (ABN 23 001 642 020, AFSL 239687) (80%) and Swiss Re International SE Australia Branch (ABN 38 138 873 211, AFSL 355088) (20%).

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS - STRATA PLAN NO. 11656
HELD ON TUESDAY 14th NOVEMBER 2017 IN UNIT 5, 8 AVONA AVENUE GLEBE POINT NSW
2065. THE MEETING COMMENCED AT 6:30pm.**

PRESENT: A Yee (Lot 4), B Dunphy (Lot 5), T Levine (Lot 8)

IN ATTENDANCE: Aleks Vurmeski, Strata Choice CBD

CHAIRPERSON: Aleks Vurmeski

QUORUM: A quorum was not present at 6:00pm

Pursuant to Schedule 1, Clause 17(4)(b) of the *Strata Schemes Management Act 2015* after half an hour the Chairperson therefore declared that those persons present in person and/or by proxy constituted a quorum for considering the motions of the agenda of the meeting.

At 6:30pm the meeting commenced.

1. MINUTES: **RESOLVED** that the Minutes of the previous General Meeting of the Owners Corporation held on 11th October 2016 be confirmed as a true record and account of the proceedings of that Meeting.

FINANCES:

2. FINANCIAL STATEMENTS: **RESOLVED** that the un-audited Financial Statements for the period ended 30th June 2017 be adopted.

3. AUDITOR: **MOTION LOST** that an auditor be appointed for the Owners Corporation for the financial year ending 30th June 2018.

4. CAPITAL WORKS FUND PLAN: **RESOLVED** that the Owners Corporation considered the Capital Works Fund Plan from Leary and Partners dated 22nd January 2008 and determined to implement the plan in relation to the setting of the Capital Works Fund budget.

RESOLVED that the Owners Corporation authorise and instruct the Managing Agent to obtain on behalf of the Owners Corporation a Capital Works Fund Plan or update thereof that will make recommendations as to the Owners Corporation's future Capital Works Fund expenditure needs. Further, that the Owners Corporation direct the Strata Committee to develop a Capital Works Fund Expenditure Plan that takes into account the recommendations contained within the Capital Works Fund Plan so that funding arrangements are in place to meet anticipated future capital expenditure. The Capital Works Fund Plan is to be presented to the next General Meeting for consideration by Owners.

Note: Work order to be issued to Solutions IE to complete new report.

5. BUDGET: **RESOLVED** that the statement of estimated receipts and payments ("Budget") presented by Strata Associates Pty Limited was adopted.

6. ESTIMATES FOR ADMINISTRATIVE & CAPITAL WORKS FUNDS: **RESOLVED** that the following consideration of the statement of existing financial situation and of estimated receipts and payments presented at the meeting that:

- (a) Contributions to the administrative fund are estimated and determined at \$28,500 no GST
- (b) Contributions to the capital works fund are estimated and determined at \$15,000 no GST

- (c) The proportion of said contributions payable by the owners of each lot shall be in accordance with the proposed levy schedule approved at the meeting;
- (d) The contributions of each owner to be payable by equal quarterly instalments in advance, the first such instalment to be due on 1st January 2018, 1st April 2018, 1st July 2018 and 1st October 2018 until amended by resolution at a subsequent meeting; and
- (e) These minutes shall serve as a notice to each lot owner of the amount and due date of each instalment of such contributions.

7. AGENCY AGREEMENT:

RESOLVED that The Owners – Strata Plan 11656, pursuant to Part 4, Division 1 of the Strata Schemes Management Act 2015 (“Act”) the following: –

- (a) Appoint Strata Associates Pty Limited (“Agent”) under the instrument of appointment (Agreement), a copy is attached to the agenda at which this resolution is made.
- (b) Delegate to the Agent all of the functions of:
 - (i) The Owners Corporation (other than those listed in Section 52(2) of the Act); and
 - (ii) Its chairperson, treasurer, secretary, and strata committee, necessary to enable the Agent to carry out the ‘*agreed services*’ and ‘*additional services*’ as defined in the Agreement;
- (c) That the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and
- (d) That it will execute the Agreement to give effect to this appointment and delegation;
- (e) That two persons, being owners of lots or members of the Strata Committee, execute the agreement in accordance with Section 273 of the Act. In the absence of a determination, the secretary and any other member of the strata committee shall execute the Agreement.

That upon execution of the Agreement, the Owners Corporation and the Agent mutually agrees that this Agreement supersedes and cancels all previous delegations and instruments of appointment or agreement between the Owners Corporation and the Agent.

8. DEBT COLLECTION:

RESOLVED that The Owners – Strata Plan No 11656, pursuant to the Strata Schemes Management Act 2015 (including section 103) for the purpose of collecting levy contributions to authorise the Strata Managing Agent and/or the Strata Committee to do any one or more of the following:

- (a) to issue arrears notices, reminder notices and/or letters to seek recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs/expenses;
- (b) to engage or appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation and/or experts on behalf of The Owners- Strata Plan No 11656;
- (c) to issue demands, commence, pursue, continue or defend any court, tribunal or any other proceedings against any lot owner, mortgagee in possession and/or former lot owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- (d) Enter and enforce any judgment obtained in the collection of levy contributions including issuing writ for levy of property (personal and real property), garnishee orders, examination notices/orders/hearings, bankruptcy notices, statutory demands and commencing and maintaining bankruptcy proceedings or winding up proceedings;
- (e) Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and

- (f) Liaise, instruct and prepare all matters with the Owners Corporation's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Note: This resolution gives the Owners Corporation the power to take action to recover unpaid levies, interest and recovery costs including commencing proceedings and enforcing judgments obtained in legal proceedings for the recovery of unpaid levies, interest and recovery costs.

- 9. PAYMENT PLAN:** **MOTION LOST** that The Owners – Strata Plan 11656, agree to enter into payment plans generally for matters involving arrears of unpaid contributions/levies or other amounts including interest, legal and other costs/expenses thereon and to delegate to the strata manager and/or the Strata Committee the ability to enter into, arrange and monitor each such payment plan limited to a period of 12 months per payment plan with any further or subsequent payment plan to be entered into as agreed by the Strata Committee or Owners Corporation by resolution.

Note: Pursuant to Sections 85(5) – 85(7) of the Strata Schemes Management Act 2015 and Regulation 18 and 19 of the Strata Scheme Management Regulations 2016 an Owners Corporation may agree to enter into payment plans generally or in particular cases for the payment of overdue contributions by a resolution passed at a general meeting. This resolution provides the power for the Owners Corporation to enter into such payment plans.

- 10. BY-LAW REVIEW:** **RESOLVED** that the consolidated set of registered by-laws of the strata scheme be reviewed as required under Sch 3 Part 2 Clause 4 (1) of the Strata Schemes Management Act 2015.

- 11. REPORT ON COMMISSIONS:** **RESOLVED** that the Strata Managing Agent reported on the commissions and training services received in the past 12 months and an estimate of commissions and training services to be received in the next 12 months. As at the date of the notice of this meeting the strata manager has received the following:

Commissions

\$551.39 in commissions in the past 12 months, and an amount of \$581.00 in commissions is expected to be received in the next 12 months.

Training specific to the Strata Scheme

The equivalent of \$0 in training services in the past 12 months, and an amount of \$0 in training is expected to be received in the next 12 months.

Note: 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.

STRATA COMMITTEE 2017 – 2018

- 12. THE STRATA COMMITTEE** **RESOLVED** that the Owners Corporation elect the members of the Strata Committee and to determine the number to be THREE (3) elected.

Tal Levine – Lot 8

Beverly Dunphy – Lot 5

Adrian Yee – Lot 4

- 13. RESTRICTIONS ON STRATA COMMITTEE** **RESOLVED** That the Owners Corporation decided NO matter or type of matter is to be determined only by the Owners Corporation in General Meeting, pursuant to Section 36 of the Strata Schemes Management Act 2015.

ADMINISTRATIVE & REGULATORY ISSUES

- 14. INSURANCES:** **RESOLVED** the Owners Corporation confirm the following insurances: –
- a) Office Bearers Liability Insurance – \$500,000
 - b) Fidelity Guarantee Insurance – \$100,000
- 15. ELECTRONIC MEETING VOTING:** **RESOLVED** that the Owners Corporation adopt the following alternate means of voting at meetings of the owners corporation and/or meetings of the strata committee (not being annual general meetings):
- (a) Voting by means of the use of a website that facilitates electronic voting.
- Note: 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.*
- 16. COMMON PROPERTY MEMORANDUM** **SPECIALLY RESOLVED** that the Owners Corporation, pursuant to Section 107 of the Strata Schemes Management Act 2015 (NSW) adopt a common property memorandum (attached to the notice of this meeting) subject to any amendments to the memorandum that may be made at this meeting (by the persons entitled to vote, by special resolution) and that notification be lodged for registration at the Registrar-General's Office.
- Note: This motion is to consider adoption of a common property memorandum that would clarify the items of common property for which the Owners Corporation is responsible to repair, maintain or replace, as well as the items that the lot owners are responsible to repair, maintain or replace. It is to be noted that a common property rights by-law made under section 108 of the Strata Schemes Management Act 2015 (NSW) will prevail over this common property memorandum to the extent of any inconsistency. It must be noted that items may only be deleted from the memorandum, additional items are not permitted to be added*
- 17. RISK & HAZARD ASSESSMENT REPORTS:** **MOTION LOST** that whilst Strata Associates Pty Ltd is appointed as the managing agent for the scheme:
- (a) it is requested on an annual basis to engage a suitably qualified consultant to carry out an annual Safety Report in compliance with the Owners Corporation's obligations under the Work Health and Safety Act 2011; and
 - (b) To submit that report annually to the strata committee to determine what action or steps it wishes to undertake, if any; and
 - (c) To charge for providing this service as set out within the agency agreement between Strata Associates Pty Ltd and the Owners Corporation.
- Note: Buildings that are used for commercial purposes or parts of buildings that have residents using their apartment as a home office are considered a workplace and must comply with the WHS Act. To comply with the Act there is a requirement to survey the building and identify any hazard or risks associated with the common property and the level of risk that poses to residents or persons visiting the building. Where risks are found the owners corporation must put in place steps to minimise, manage or eliminate the risk.*
- 18. ELECTRICAL BOARD UPGRADE** **RESOLVED** that the Owners Corporation engage AJ Sparks from the quotations provided, for the common property main electrical board upgrade.
- 19. CLOSURE:** There being no further business, the Chairperson declared the meeting closed at 7:00pm.

(Chairperson)

(Date)

MINUTES OF THE MEETING OF THE STRATA COMMITTEE OF THE OWNERS - STRATA PLAN NO. 11656 HELD ON TUESDAY 14th NOVEMBER 2017, IMMEDIATELY FOLLOWING THE ANNUAL GENERAL MEETING

- PRESENT:** A Yee (Lot 4), B Dunphy (Lot 5), T Levine (Lot 8)
- IN ATTENDANCE:** Nil
- CHAIRPERSON:** Aleks Vurmeski, Stata Choice CBD
- 1. MINUTES:** **RESOLVED** that the Minutes of the previous Meeting of the Strata Committee of the Owners Corporation held on 25th September 2017 be confirmed as a true record and account of the proceedings of that Meeting.
- 2. OFFICE BEARERS:** **RESOLVED** that the following Office Bearers be appointed for the ensuing year:
—
Chairperson: Tal Levine – Lot 8
Secretary: Adrian Yee – Lot 4
Treasurer: Adrian Yee – Lot 4
- 3. POINT OF CONTACT:** Strata Committee Point of Contact for Strata Choice
a. That Tal Levine of the Strata Committee be nominated to liaise with Strata Choice and be the scheme's contact point
b. That Adrian Yee of the Strata Committee be nominated to liaise with Strata Choice and be the scheme's substitute contact point
- 4. CORRESPONDENCE:** **RESOLVED** that correspondence was received and ratified.
- 5. INSURANCE VALUATION:** **RESOLVED** that the Strata Committee obtain a valuation for insurance purposes in accordance with Section 160 & 161 of the Strata Schemes Management Act 2015 and Section 39 of the Strata Schemes Management Regulation 2016.
- 6. INVOICE PAYMENT APPROVAL:** **RESOLVED** that the Strata Committee instruct the Strata Managing Agent to seek approval of invoice payments prior to payment from a person nominated by the Strata Committee.
a. That Adrian Yee of the Strata Committee be nominated as the person to receive and authorise the payment of invoices and delegates the person authority to nominate an alternate person in their absence;
b. To charge for providing this service as set out within the agency agreement between the Strata Managing Agent and the Owners Corporation.
- 7. REPAIRS & MAINTENANCE:** **RESOLVED** that the Strata Committee consider any other repairs and maintenance items:
 - Entry door closer is making noise and needs repair
 - Council bins are broken and need replacing
 - Carpet removed in the rear of the building
- 8. CLOSURE:** There being no further business, the Chairperson declared the meeting closed at 7:10pm.

(Chairperson)

(Date)

P 612 9249 9800 | F 612 9249 9801 | E cbd@stratachoice.com.au | W www.stratachoice.com.au/cbd

MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS - STRATA PLAN NO. 11656 HELD ON MONDAY 15th OCTOBER 2018 IN UNIT 5, 8 AVONA AVENUE, GLEBE POINT, NSW 2037. THE MEETING COMMENCED AT 6:00pm.

PRESENT: Adrian Kin Wah Yee (Lot 4), Beverly Dunphy (Lot 5), Tal Levine (Lot 8)

IN ATTENDANCE: Aleks Vurmeski, Strata Choice CBD

CHAIRPERSON: Aleks Vurmeski

QUORUM: A quorum was not present at 6:00pm

Pursuant to Schedule 1, Clause 17(4)(b) of the *Strata Schemes Management Act 2015* after half an hour the Chairperson therefore declared that those persons present in person and/or by proxy constituted a quorum for considering the motions of the agenda of the meeting.

At 6:30pm the meeting commenced.

1. MINUTES: **RESOLVED** that the Minutes of the previous General Meeting of the Owners Corporation held on 14th November 2017 be confirmed as a true record and account of the proceedings of that Meeting.

FINANCES:

2. FINANCIAL STATEMENTS: **RESOLVED** that the un-audited Financial Statements for the period ended 30th June 2018e adopted.

3. AUDITOR: **MOTION LOST** that **AUDITOR** be appointed as auditors for the Owners Corporation for the financial year ending 30th June 2019.

4. CAPITAL WORKS FUND PLAN: **RESOLVED** that the Owners Corporation considered the Capital Works Fund Plan from Solutions IE dated 25/06/2018 and determined to implement the plan in relation to the setting of the Capital Works Fund budget.

5. BUDGET: **RESOLVED** that the statement of estimated receipts and payments ("Budget") presented by the Managing Agent was adopted.

6. ESTIMATES FOR ADMINISTRATIVE & CAPITAL WORKS FUNDS: **RESOLVED** that the following consideration of the statement of existing financial situation and of estimated receipts and payments presented at the meeting that:

- (a) Contributions to the administrative fund are estimated and determined at \$28,500.00 no GST
- (b) Contributions to the capital works fund are estimated and determined at \$15,500.00 no GST
- (c) The proportion of said contributions payable by the owners of each lot shall be in accordance with the proposed levy schedule approved at the meeting;
- (d) The contributions of each owner to be payable by equal quarterly instalments in advance, the first such instalment to be due on 1st January 2019, 1st April 2019, 1st July 2019, and 1st October 2019, until amended by resolution at a subsequent general meeting; and
- (e) These minutes shall serve as a notice to each lot owner of the amount and due date of each instalment of such contributions.

7. DEBT COLLECTION: **RESOLVED** that The Owners – Strata Plan No 11656, pursuant to the Strata Schemes Management Act 2015 (including section 103) for the purpose of collecting

levy contributions to authorise the Strata Managing Agent and/or the Strata Committee to do any one or more of the following:

- (a) to issue arrears notices, reminder notices and/or letters to seek recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs/expenses;
- (b) to engage or appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation and/or experts on behalf of The Owners- Strata Plan No 11656;
- (c) to issue demands, commence, pursue, continue or defend any court, tribunal or any other proceedings against any lot owner, mortgagee in possession and/or former lot owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- (d) Enter and enforce any judgment obtained in the collection of levy contributions including issuing writ for levy of property (personal and real property), garnishee orders, examination notices/orders/hearings, bankruptcy notices, statutory demands and commencing and maintaining bankruptcy proceedings or winding up proceedings;
- (e) Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- (f) Liaise, instruct and prepare all matters with the Owners Corporation's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Note: This resolution gives the Owners Corporation the power to take action to recover unpaid levies, interest and recovery costs including commencing proceedings and enforcing judgments obtained in legal proceedings for the recovery of unpaid levies, interest and recovery costs.

- 8. PAYMENT PLAN:** **MOTION LOST** that The Owners – Strata Plan 11656, agree to enter into payment plans generally for matters involving arrears of unpaid contributions/levies or other amounts including interest, legal and other costs/expenses thereon and to delegate to the strata manager and/or the Strata Committee the ability to enter into, arrange and monitor each such payment plan limited to a period of 12 months per payment plan with any further or subsequent payment plan to be entered into as agreed by the Strata Committee or Owners Corporation by resolution.

Note: Pursuant to Sections 85(5) – 85(7) of the Strata Schemes Management Act 2015 and Regulation 18 and 19 of the Strata Scheme Management Regulations 2016 an Owners Corporation may agree to enter into payment plans generally or in particular cases for the payment of overdue contributions by a resolution passed at a general meeting. This resolution provides the power for the Owners Corporation to enter into such payment plans.

- 9. REPORT ON COMMISSIONS:** **RESOLVED** that the Strata Managing Agent reported on the commissions and training services received in the past 12 months and an estimate of commissions and training services to be received in the next 12 months. As at the date of the notice of this meeting the strata manager has received the following:

Commissions

\$551.39 in commissions in the past 12 months, and an amount of \$580.00 in commissions is expected to be received in the next 12

Training specific to the Strata Scheme

The equivalent of \$0 in training services in the past 12 months, and an amount of \$0 in training is expected to be received in the next 12 months.

Note: 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.

STRATA COMMITTEE 2018 – 2019

- 10. THE STRATA COMMITTEE** **RESOLVED** that the Owners Corporation elect the members of the Strata Committee and to determine the number to be elected.
Tal Levine (Lot 8) Beverly Dunphy (Lot 5) Adrian Yee (Lot 4)
- 11. RESTRICTIONS ON STRATA COMMITTEE** **RESOLVED** That the Owners Corporation decide no matter or type of matter is to be determined only by the Owners Corporation in General Meeting, pursuant to Section 36 of the Strata Schemes Management Act 2015.

ADMINISTRATIVE & REGULATORY ISSUES

- 12. INSURANCES:** **RESOLVED** the Owners Corporation confirm the following insurances: –
a) Office Bearers Liability Insurance – \$5,000,000
b) Fidelity Guarantee Insurance – \$100,000
- 13. COMMON PROPERTY MEMORANDUM** **SPECIALLY RESOLVED** that the Owners Corporation, pursuant to Section 107 of the Strata Schemes Management Act 2015 (NSW) adopt a common property memorandum (attached to the notice of this meeting) subject to any amendments to the memorandum that may be made at this meeting (by the persons entitled to vote, by special resolution) and that notification be lodged for registration at the Registrar-General's Office.
Note: This motion is to consider adoption of a common property memorandum that would clarify the items of common property for which the Owners Corporation is responsible to repair, maintain or replace, as well as the items that the lot owners are responsible to repair, maintain or replace. It is to be noted that a common property rights by-law made under section 108 of the Strata Schemes Management Act 2015 (NSW) will prevail over this common property memorandum to the extent of any inconsistency. It must be noted that items may only be deleted from the memorandum, additional items are not permitted to be added
- 14. RISK & HAZARD ASSESSMENT REPORTS:** **MOTION LOST** that whilst the Managing Agent is appointed to the scheme:
(a) it is requested on an annual basis to engage a suitably qualified consultant to carry out an annual Safety Report in compliance with the Owners Corporation's obligations under the Work Health and Safety Act 2011; and
(b) To submit that report annually to the strata committee to determine what action or steps it wishes to undertake, if any; and
(c) To charge for providing this service as set out within the agency agreement between the Managing Agent and the Owners Corporation.
Note: Buildings that are used for commercial purposes or parts of buildings that have residents using their apartment as a home office are considered a workplace and must comply with the WHS Act. To comply with the Act there is a requirement to survey the building and identify any hazard or risks associated with the common property and the level of risk that poses to residents or persons visiting the building. Where risks are found the owners corporation must put in place steps to minimise, manage or eliminate the risk.
- 15. ANNUAL FIRE SAFETY STATEMENT:** **RESOLVED** that the Owners Corporation authorise and instruct the Managing Agent, when an Annual Fire Safety Statement is required in accordance with Part 9, Division 5 of the NSW Environmental Planning and Assessment Regulations 2000:
(a) To engage a competent fire safety practitioner on an annual basis to provide an annual fire safety statement; and
(b) Subject to receipt of the statement from the competent person, it is instructed to forward to the Strata Committee the Annual Fire Safety Statement and supporting documentation for instruction by the Strata Committee. In the event that the Managing Agent receives no response from the Strata Committee, the Managing Agent is instructed to sign on behalf of the scheme

and lodge the statement with local Council and cause a copy of the statement to be given to the Fire Commissioner.

- (c) Subject to receipt of the statement, is authorised to affix the common seal to the statement on behalf of the Owners Corporation

Note: Strata Agent is to obtain a quote to service the fire equipment in the common areas.

16. CLOSURE:

There being no further business, the Chairperson declared the meeting closed at 6:45pm.

(Chairperson)

(Date)

MINUTES OF THE MEETING OF THE STRATA COMMITTEE OF THE OWNERS - STRATA PLAN NO. 11656 HELD ON MONDAY 15th OCTOBER 2018, IMMEDIATELY FOLLOWING THE ANNUAL GENERAL MEETING

- PRESENT:** Adrian Kin Wah Yee (Lot 4), Beverly Dunphy (Lot 5), Tal Levine (Lot 8)
- IN ATTENDANCE:** Aleks Vurmeski, Strata Choice CBD
- CHAIRPERSON:** Aleks Vurmeski
- 1. MINUTES:** **RESOLVED** that the Minutes of the previous Meeting of the Strata Committee of the Owners Corporation held on 14th November 2017 be confirmed as a true record and account of the proceedings of that Meeting.
- 2. OFFICE BEARERS:** **RESOLVED** that the following Office Bearers be appointed for the ensuing year:
—
Chairperson: Tal Levine - Lot 8
Secretary: Adrian Yee – Lot 4
Treasurer: Adrian Yee – Lot 4
- 3. POINT OF CONTACT:** Strata Committee Point of Contact for Strata Choice
a. That Tal Levine of the Strata Committee be nominated to liaise with Strata Choice and be the scheme's contact point
b. That Adrian Yee of the Strata Committee be nominated to liaise with Strata Choice and be the scheme's substitute contact point
- 4. CORRESPONDENCE:** **RESOLVED** that NO correspondence was received and ratified.
- 5. INSURANCE VALUATION:** **MOTION LOST** that the Strata Committee obtain a valuation for insurance purposes in accordance with Section 160 & 161 of the Strata Schemes Management Act 2015 and Section 39 of the Strata Schemes Management Regulation 2016.
- 6. INVOICE PAYMENT APPROVAL:** **RESOLVED** that the Strata Committee instruct the Strata Managing Agent to seek approval of invoice payments prior to payment from a person nominated by the Strata Committee.
a. That Adrian Yee of the Strata Committee be nominated as the person to receive and authorise the payment of invoices and delegates the person authority to nominate an alternate person in their absence;
b. To charge for providing this service as set out within the agency agreement between the Strata Managing Agent and the Owners Corporation.
- 7. REPAIRS & MAINTENANCE:** **RESOLVED** that the following repairs and maintenance items are to be considered.
 - Engage Eastpoint Plumbing to investigate the pipe noise coming from unit 13.
 - Cement sticking up at the front main entry door, front building closest to Avona Avenue. Engage Strata Choice Property Care to rectify.
 - Engage Kim Kong to fix the switch for lights next to unit 5 in common property.
 - Arrange same contractor as previously used to clean external windows.
 - Replace unit 8 bathroom window and service the window rollers. Engage Magic Glass to carry out work.

MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS - STRATA PLAN NO. 11656

- 8. CLOSURE:** There being no further business, the Chairperson declared the meeting closed at 7:00pm.

(Chairperson)

(Date)

MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS - STRATA PLAN NO. 11656 HELD ON THURSDAY 31st OCTOBER 2019 IN UNIT 5/8 AVONA AVENUE, GLEBE POINT NSW 2037. THE MEETING COMMENCED AT 6:30pm.

- PRESENT:** Adrian K W Yee (Lot 4), Beverly Dunphy (Lot 5), Tal Levine (Lot 8)
- PRESENT BY PROXY:** Lot 3 in favour of Tal Levine (Chairperson)
Lot 11 in favour of Aleks Vurmeski
Lot 12 in favour of Aleks Vurmeski
- IN ATTENDANCE:** Aleks Vurmeski, Strata Choice CBD
- CHAIRPERSON:** Aleks Vurmeski
- QUORUM:** A quorum was present at 6:30pm
- 1. MINUTES:** **RESOLVED** that the Minutes of the previous General Meeting of the Owners Corporation held on 15 October 2018 be confirmed as a true record and account of the proceedings of that Meeting.
- FINANCES:**
- 2. FINANCIAL STATEMENTS:** **RESOLVED** that the un-audited Financial Statements for the period ended 30 June 2019 be adopted.
- 3. AUDITOR:** **MOTION LOST** that **AUDITOR** be appointed as auditors for the Owners Corporation for the financial year ending 30 June 2020.
- 4. CAPITAL WORKS FUND PLAN:** **RESOLVED** that the Owners Corporation considered the Capital Works Fund Plan from Solutions IE dated 25/06/2018 and determined to implement the plan in relation to the setting of the Capital Works Fund budget.
- 5. BUDGET:** **RESOLVED** that the statement of estimated receipts and payments ("Budget") presented by the Managing Agent was adopted.
- 6. ESTIMATES FOR ADMINISTRATIVE & CAPITAL WORKS FUNDS:** **RESOLVED** that the following consideration of the statement of existing financial situation and of estimated receipts and payments presented at the meeting that:
- (a) Contributions to the administrative fund are estimated and determined at \$36,000.00 no GST
 - (b) Contributions to the capital works fund are estimated and determined at \$12,500.00 no GST
 - (c) The proportion of said contributions payable by the owners of each lot shall be in accordance with the proposed levy schedule approved at the meeting;
 - (d) The contributions of each owner to be payable by equal quarterly instalments in advance, the first such instalment to be due on 1st January 2020, 1st April 2020, 1st July 2020 and 1st October 2020, until amended by resolution at a subsequent general meeting; and
 - (e) These minutes shall serve as a notice to each lot owner of the amount and due date of each instalment of such contributions.
- 7. DEBT COLLECTION:** **RESOLVED** that The Owners – Strata Plan No 11656, pursuant to the Strata Schemes Management Act 2015 (including section 103) for the purpose of collecting levy contributions to authorise the Strata Managing Agent and/or the Strata Committee to do any one or more of the following:

- (a) to issue arrears notices, reminder notices and/or letters to seek recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs/expenses;
- (b) to engage or appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation and/or experts on behalf of The Owners- Strata Plan No 11656;
- (c) to issue demands, commence, pursue, continue or defend any court, tribunal or any other proceedings against any lot owner, mortgagee in possession and/or former lot owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- (d) Enter and enforce any judgment obtained in the collection of levy contributions including issuing writ for levy of property (personal and real property), garnishee orders, examination notices/orders/hearings, bankruptcy notices, statutory demands and commencing and maintaining bankruptcy proceedings or winding up proceedings;
- (e) Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- (f) Liaise, instruct and prepare all matters with the Owners Corporation's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Note: This resolution gives the Owners Corporation the power to take action to recover unpaid levies, interest and recovery costs including commencing proceedings and enforcing judgments obtained in legal proceedings for the recovery of unpaid levies, interest and recovery costs.

- 8. PAYMENT PLAN:** **RESOLVED** that The Owners – Strata Plan 11656, agree to enter into payment plans generally for matters involving arrears of unpaid contributions/levies or other amounts including interest, legal and other costs/expenses thereon and to delegate to the strata manager and/or the Strata Committee the ability to enter into, arrange and monitor each such payment plan limited to a period of 12 months per payment plan with any further or subsequent payment plan to be entered into as agreed by the Strata Committee or Owners Corporation by resolution.

Note: Pursuant to Sections 85(5) – 85(7) of the Strata Schemes Management Act 2015 and Regulation 18 and 19 of the Strata Scheme Management Regulations 2016 an Owners Corporation may agree to enter into payment plans generally or in particular cases for the payment of overdue contributions by a resolution passed at a general meeting. This resolution provides the power for the Owners Corporation to enter into such payment plans.

- 9. REPORT ON COMMISSIONS:** **RESOLVED** that the Strata Managing Agent reported on the commissions and training services received in the past 12 months and an estimate of commissions and training services to be received in the next 12 months. As at the date of the notice of this meeting the strata manager has received the following:

Commissions

\$580.00 in commissions in the past 12 months, and an amount of 670.00 in commissions is expected to be received in the next 12

Training specific to the Strata Scheme

The equivalent of \$0 in training services in the past 12 months, and an amount of \$0 in training is expected to be received in the next 12 months.

Note: 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.

STRATA COMMITTEE 2019 – 2020

- 10. THE STRATA COMMITTEE** **RESOLVED** that the Owners Corporation elect the members of the Strata Committee and to determine the number to be elected.
- Tal Levine (Lot 8)
- Beverly Dunphy (Lot 5)
- Adrian Yee (Lot 4)
- 11. RESTRICTIONS ON STRATA COMMITTEE** **RESOLVED** That there is no restriction on the Owners Corporation to decide if any matter or type of matter is to be determined only by the Owners Corporation in General Meeting, pursuant to Section 36 of the Strata Schemes Management Act 2015.

ADMINISTRATIVE & REGULATORY ISSUES

- 12. INSURANCES:** **RESOLVED** the Owners Corporation confirm the following insurances: –
- a) Office Bearers Liability Insurance – \$5,000,000
- b) Fidelity Guarantee Insurance – \$100,000
- 13. MINOR RENOVATIONS BY-LAW:** **SPECIALLY RESOLVED** that the Owners – Strata Plan No. 11656 pursuant to section 110 of the *Strata Schemes Management Act 2015* (“**the Act**”) to make a by-law on the following terms and that notification of this change to the by-laws be lodged for registration in accordance with section 141 of the Act at the Registrar-General's Office:
- Explanatory Note: The Act and Strata Schemes Management Regulation 2016 (“the Regulations”) allow for “Minor Renovations” to be approved by the Owners Corporation by ordinary resolution at a general meeting without the need for a by-law (please refer to section 110 of the Act and 28 of the Regulations for full details of what works constitute “Minor Renovations”). Section 110 also allows the Owners Corporation to specially resolve a by-law delegating certain decision-making processes to the Strata Committee in relation to approving Minor Renovations and imposing conditions on the approval.*
- The below by-law is proposed to delegate the Owners Corporation’s decision making process to the Strata Committee. Once this by-law is resolved, the Strata Committee will be able to authorise “Minor Renovations” proposed to be undertaken by lot owners without the need to go to a general meeting, which will reduce the time and cost for owners seeking to undertake Minor Renovations to their lot.*

Special By-law 4

Empowering by-law – Delegation Minor Renovations

PART 1
DEFINITIONS & INTERPRETATION

1.1

In this by-law:

- (a) **Delegated Functions** means the functions of the Owners Corporation set out in section 110 of the *Strata Schemes*

Management Act 2015, including but not limited to authorising Minor Renovations and imposing reasonable conditions on that authorisation.

- (b) **Minor Renovations** means the works as set out in section 110(3) of the *Strata Schemes Management Act 2015* and regulation 28 of the *Strata Schemes Management Regulations 2016* as well as any additional works resolved by the Owners Corporation in a by-law under section 110(6)(a) of the *Strata Schemes Management Act 2015*, excluding the following works:

- (i) installing or replacing wood or other hard floors; and
- (ii) removing carpet or other soft floor coverings to expose underlying wooden or other hard floors.

- (c) **Owners Corporation** means the owners corporation created by the registration of strata plan registration no. 11656.
- (d) **Strata Committee** means the strata committee appointed by the Owners Corporation from time to time in accordance with the *Strata Schemes Management Act 2015*.

1.2 In this by-law a word which denotes:

- (a) the singular includes plural and vice versa;
- (b) any gender includes the other genders;
- (c) any terms in the by-law will have the same meaning as those defined in the *Strata Schemes Management Act 2015*; and
- (d) references to legislation includes references to amending and replacing legislation.

PART 2 GRANT OF RIGHTS

2.1 In addition to its powers under the *Strata Schemes Management Act 2015*, the Strata Committee shall have the power to exercise the Delegated Functions.

14. RISK & HAZARD ASSESSMENT REPORTS:

MOTION LOST that whilst the Managing Agent is appointed to the scheme:

- (a) it is requested on an annual basis to engage a suitably qualified consultant to carry out an annual Safety Report in compliance with the Owners Corporation's obligations under the Work Health and Safety Act 2011; and
- (b) To submit that report annually to the strata committee to determine what action or steps it wishes to undertake, if any; and
- (c) To charge for providing this service as set out within the agency agreement between the Managing Agent and the Owners Corporation.

Note: Buildings that are used for commercial purposes or parts of buildings that have residents using their apartment as a home office are considered a workplace and must comply with the WHS Act. To comply with the Act there is a requirement to survey the building and identify any hazard or risks associated with the common property and the level of risk that poses to residents or persons visiting the building. Where risks are found the owners corporation must put in place steps to minimise, manage or eliminate the risk.

15. ANNUAL FIRE SAFETY STATEMENT:

RESOLVED that the Owners Corporation authorise and instruct the Managing Agent, when an Annual Fire Safety Statement is required in

accordance with Part 9, Division 5 of the NSW Environmental Planning and Assessment Regulations 2000:

- (a) To engage a competent fire safety practitioner on an annual basis to provide an annual fire safety statement; and
- (b) Subject to receipt of the statement from the competent person, it is instructed to forward to the Strata Committee the Annual Fire Safety Statement and supporting documentation for instruction by the Strata Committee. In the event that the Managing Agent receives no response from the Strata Committee, the Managing Agent is instructed to sign on behalf of the scheme and lodge the statement with local Council and cause a copy of the statement to be given to the Fire Commissioner.
- (c) Subject to receipt of the statement, is authorised to affix the common seal to the statement on behalf of the Owners Corporation

16. CLOSURE:

There being no further business, the Chairperson declared the meeting closed at 6:45pm.

(Chairperson)

(Date)

P 612 9249 9800 | F 612 9249 9801 | E cbd@stratachoice.com.au | W www.stratachoice.com.au/cbd

MINUTES OF THE MEETING OF THE STRATA COMMITTEE OF THE OWNERS - STRATA PLAN NO. 11656 HELD ON THURSDAY 31ST OCTOBER 2019, IMMEDIATELY FOLLOWING THE ANNUAL GENERAL MEETING

- PRESENT:** Tal Levine (Lot 8), Beverly Dunphy (Lot 5), Adrian Yee (Lot 4)
- CHAIRPERSON:** Aleks Vurmeski, Strata Choice
- 1. MINUTES:** **RESOLVED** that the Minutes of the previous Meeting of the Strata Committee of the Owners Corporation held on 24th September 2019 be confirmed as a true record and account of the proceedings of that Meeting.
- 2. OFFICE BEARERS:** **RESOLVED** that the following Office Bearers be appointed for the ensuing year: –
Chairperson: Tal Levine – Lot 8
Secretary: Adrian Yee – Lot 4
Treasurer: Adrian Yee – Lot 4
- 3. POINT OF CONTACT:** Strata Committee Point of Contact for Strata Choice
a. That Tal Levine of the Strata Committee be nominated to liaise with Strata Choice and be the scheme's contact point
b. That Adrian Yee of the Strata Committee be nominated to liaise with Strata Choice and be the scheme's substitute contact point
- 4. CORRESPONDENCE:** **RESOLVED** that NO correspondence was received and ratified.
- 5. INSURANCE VALUATION:** **MOTION LOST** that the Strata Committee obtain a valuation for insurance purposes in accordance with Section 160 & 161 of the Strata Schemes Management Act 2015 and Section 39 of the Strata Schemes Management Regulation 2016.
- 6. INVOICE PAYMENT APPROVAL:** **RESOLVED** that the Strata Committee instruct the Strata Managing Agent to seek approval of invoice payments prior to payment from a person nominated by the Strata Committee.
a. That Adrian Yee of the Strata Committee be nominated as the person to receive and authorise the payment of invoices and delegates the person authority to nominate an alternate person in their absence;
b. To charge for providing this service as set out within the agency agreement between the Strata Managing Agent and the Owners Corporation.
- 7. REPAIRS & MAINTENANCE:** **RESOLVED** that the following repairs and maintenance items are considered.
 - Door closers entry foyers are to be adjusted by Strata Choice Property Care
 - Signs for 'Residents Parking Only' – Strata Choice Property Care, to contact Tal Levine.
 - Issue letter regarding items to be removed off the common property internal corridors and under the stair case to all residents
- 8. CLOSURE:** There being no further business, the Chairperson declared the meeting closed at 7:00pm.

(Chairperson)

(Date)

Minutes of the Annual General Meeting

Owners Corporation for Strata Plan No 11656
8 Avona Avenue , GLEBE POINT, NSW, 2037

Meeting Date	20 Oct 2020		
Meeting Location	Zoom Tele/ Video Conference, 8 Avona Avenue, Glebe Point, NSW, 2037		
Time	06:00 PM	Opened:	Closed:
Attendees in person	Lot 4 Lot 5 Lot 8	Adrian Kin Wah Yee Beverly Dunphy Tal Levine	Paper vote Paper vote Paper vote
Attendees by proxy			
Chairperson	Aleks Vurmeski		
Additional Attendees			
Apologies			

Motion CARRIED.

Motion 1 Confirmation of previous minutes

To RESOLVE by ordinary resolution that the Owners Corporation confirm the minutes as a true and accurate record of the proceedings of the previous general meeting held on 31st of October 2019

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion CARRIED.

Motion 2 Insurances

To RESOLVE by ordinary resolution that the insurances effected on behalf of the Owners Corporation be confirmed, varied or extended.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion CARRIED.

Motion 3 Accounting records and financial statements

To RESOLVE by ordinary resolution to accept the accounting records and last financial statements prepared and to adopt the financial statements

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion DEFEATED.

Motion 4 Audit

To RESOLVE by ordinary resolution to appoint an auditor to audit the accounts and financial statements of the owners corporation for 30th of June 2021.

VOTES	Yes:0	No:3	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion CARRIED.

Motion 5 Contributions to the administrative and capital works fund

To RESOLVE by ordinary resolution:

- That the amount of money the owners corporation will need to credit to its administrative fund for actual and expected expenditure are estimated in accordance with section 79(1) of the Strata Schemes Management Act 2015 and contributions to the administrative fund determined in accordance with section 81(1) of the Strata Schemes Management Act 2015. Refer to levy table below. All amounts are Inclusive of GST.
- That the amount of money the owners corporation will need to credit to its capital works fund for actual and expected expenditure are estimated in accordance with section 79(2) of the Strata Schemes Management Act 2015 and contributions to the capital works fund determined in accordance with section 81(1) of the Strata Schemes Management Act 2015. Refer to levy table below. All amounts are Inclusive of GST.

- That the contributions to the administrative & capital works fund be paid in 4 instalments. Refer to levy table below. All amounts are inclusive of GST.

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Capital Works Fund
To be Issued	Current	01 Jan 2021	31 Mar 2021	01 Jan 2021	\$10,625.00	\$3,250.00
To be Issued	Current	01 Apr 2021	30 Jun 2021	01 Apr 2021	\$10,625.00	\$3,250.00
To be Issued	Current	01 Jul 2021	30 Sep 2021	01 Jul 2021	\$10,625.00	\$3,250.00
To be Issued	Current	01 Oct 2021	31 Dec 2021	01 Oct 2021	\$10,625.00	\$3,250.00
Total		01 Jan 2021	31 Dec 2021		\$42,500.00	\$13,000.00

VOTES **Yes:3** **No:0** **Abs: 0** **Inv: 0**

Motion CARRIED.

Motion 6 General meeting matters

To RESOLVE by ordinary resolution in accordance with clause 6(a) and 9(i) of Schedule 1 of the Strata Schemes Management Act 2015 NO matter or type of matter is to be determined by the owners corporation in general meeting.

VOTES **Yes:3** **No:0** **Abs: 0** **Inv: 0**

Motion CARRIED.

Motion 7 Election of strata committee

The following written nominations have been received for members of the strata committee prior to the issue of this notice, or prior to the meeting:

- o Nil

To RESOLVE by ordinary resolution:

- To call for nominations for members of the strata committee;
- That the candidates for election to the strata committee disclose any connections with the original owner or building manager for the scheme;
- That the candidates for election to the strata committee disclose any conflict of interest that may exist.
- To determine the number of members of the strata committee; and
- To elect the strata committee, or alternatively call a ballot of the committee if the number of committee members exceed the maximum permitted number.

Lot 4 Adrian Kin Wah Yee

Lot 5 Beverly Dunphy

Lot 8 Tal Levine

VOTES **Yes:3** **No:0** **Abs: 0** **Inv: 0**

Motion CARRIED.

Motion 8 Overdue levy contributions

To RESOLVE by ordinary resolution that the owners corporation agrees pursuant to the Strata Schemes Management Act 2015 (including section 103) for the purpose of collecting levy contributions to authorise the Strata Managing Agent and/or the Strata Committee to do any one or more of the following:

- To issue arrears notices, reminder notices and/or letters to seek recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs/expenses;
- To engage or appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation and/or experts on behalf of the owners corporation;
- To issue demands, commence, pursue, continue or defend any court, tribunal or any other proceedings against any lot owner, mortgagee in possession and/or former lot owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- Enter and enforce any judgment obtained in the collection of levy contributions including issuing writ for levy of property (personal and real property), garnishee orders, examination notices/orders/hearings, bankruptcy notices, statutory demands and commencing and maintaining bankruptcy proceedings or winding up proceedings;
- Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- Liaise, instruct and prepare all matters with the owners corporation's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion CARRIED.

Motion 9 Payment plans for overdue levy contributions

To RESOLVE by ordinary resolution that the owners corporation agrees to enter into payment plans generally for matters involving arrears of unpaid contributions/levies or other amounts including interest, legal and other costs/expenses thereon and to delegate to the strata managing agent and/or the Strata Committee the ability to enter into, arrange and monitor each such payment plan limited to a period of 12 months per payment plan with any further or subsequent payment plan to be entered into as agreed by the Strata Committee or owners corporation by resolution.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion CARRIED.

Motion 10 Report on commissions

To RESOLVE by ordinary resolution to confirm that the following commissions and/or training services were provided to, or paid to the strata managing agent during the preceding 12 months and particulars of any such commission or training services and estimates of any such commissions or training services that the agent believes are likely to be provided to or paid for the agent in the following 12 months:

Commissions:

- \$1,175.83 in commissions in the past 12 months, and an amount of \$1,234.62 in commissions is expected to be received in the next 12 month

Training specific to the Strata Scheme:

- f. The equivalent of \$0 in training services in the past 12 months, and an amount of \$0 in training is expected to be received in the next 12 months.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
-------	-------	------	--------	--------

Motion CARRIED.

Motion 11 Appointment of strata manager

To RESOLVE by ordinary resolution that the owners corporation, pursuant to Part 4 of Division 1 of the Strata Schemes Management Act 2015 ("Act"):

- Appoint Strata Choice Pty Ltd, ("Agent") under the instrument of appointment (Agreement), a copy is attached to the agenda at which this resolution is made.
- Delegate to the Agent all of the functions of:
 - g. The owners corporation (other than those listed in section 52(2) of the Act); and
 - h. Its chairperson, treasurer, secretary and Strata Committee, necessary to enable the Agent to carry out the 'agreed services' and 'additional services' as defined in the Agreement;
- That the delegation to the Agent is to be subject to the conditions and limitations in the Agreement;
- That it will execute the Agreement to give effect to this appointment and delegation;
- That two persons, being owners of lots or members of the Strata Committee, execute the agreement (either digitally or in writing) in accordance with Section 273 of the Act. In the absence of a determination, the secretary and any other member of the Strata Committee shall execute the Agreement.
- That upon execution of the Agreement, 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.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
-------	-------	------	--------	--------

Motion CARRIED.

Motion 12 10-year capital works fund plan

To RESOLVE by ordinary resolution to review and adopt the capital works fund plan by Solutions IE dated 25/6/18 and the Strata Committee to advise on any action to be taken to revise the plan.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
-------	-------	------	--------	--------

Motion DEFEATED.

Motion 13 Risk and hazard assessment report

To RESOLVE by ordinary resolution that whilst the Strata Managing Agent is appointed to the scheme:

- It is requested on an annual basis to engage a suitably qualified consultant to carry out an annual Safety Report in compliance with the owners corporation's obligations under the Work Health and Safety Act 2011; and

- To submit that report annually to the Strata Committee to determine what action or steps it wishes to undertake, if any; and
- To charge for providing this service as set out within the agency agreement between the Strata Managing Agent and the owners corporation.

VOTES	Yes:0	No:3	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion CARRIED.

Motion 14 Annual fire safety statement

To RESOLVE by ordinary resolution that the owners corporation, instruct the strata managing agent to undertake the following when an Annual Fire Safety Statement is required in accordance with Part 9, Division 5 of the NSW Environmental Planning and Assessment Regulation 2000:

- It is required on an annual basis to engage a competent person to provide an annual fire safety statement;
- Subject to receipt of the statement from the competent person, it is instructed to forward to the Strata Committee the Annual Fire Safety Statement and supporting documentation for instruction by the Strata Committee. In the event that the Strata Managing Agent receives no response from the Strata Committee, the Strata Managing Agent is instructed to sign on behalf of the scheme and lodge the statement with local Council and cause a copy of the statement to be given to the Fire Commissioner.
- Subject to receipt of the statement, is authorised to affix the common seal to the statement on behalf of the owners corporation.
- To charge for providing this service as set out within the agency agreement between the Strata Managing Agent and the owners corporation.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

Motion CARRIED.

Motion 15 Child window safety devices recertification

- To RESOLVE by ordinary resolution that all lot owners and occupiers are hereby alerted as to the following:
 - The statutory requirements mandated by section 118 of the Strata Schemes Management Act 2015 (NSW); and
 - Importance to have compliant window safety devices for all applicable windows; and
 - There is an absence of any written complaint or concern (being current) from any lot owner and/or occupier in the matters.
- To RESOLVE by ordinary resolution that the owners corporation determine one of the following options:

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------

'Option C' has been selected with the highest votes.

Alternatives for Motion 15

(Option C)

NO ACTION TO BE TAKEN IN REGARD TO ENSURING COMPLIANCE:

That the compliance aspects of the window safety devices are to be deferred and reviewed in the next annual general meeting.

VOTES for Alternatives	A: 0	B: 0	C: 3	Inv: 0
-------------------------------	-------------	-------------	-------------	---------------

Motion CARRIED.

Motion 16 Utility agreements

To RESOLVE that whilst the Managing Agent is appointed to the scheme:

- Authorise and delegate its Strata Committee to review and consider any agreements in place for the supply of the utilities to the scheme and if appropriate determine and or ratify any changes at the next General Meeting;
- i. Authorise and delegate to the Managing Agent authority to enter into utility agreements and sign on behalf of the owners corporation.

VOTES	Yes:3	No:0	Abs: 0	Inv: 0
--------------	--------------	-------------	---------------	---------------



Asbestos Survey 2014

For
The Owners Corporation for

8 Avona Avenue
Glebe NSW 2037

Strata Plan 11656



Inspection Details	
Date of inspection:	5/06/2014
Inspector name:	Ron Ters

NEW SOUTH WALES

Level 6, 115 Pitt St Sydney 2000
PO Box A72 Sydney South NSW 1235

QUEENSLAND

18 Park Rd Milton 4064
PO Box 1584 Milton 4064

VICTORIA

Level 1, 1 Queens Rd Melbourne 3004
GPO Box 3025 Melbourne 3001



Our Reference: 1395619
05 June 2014

**The Owners Corporation for
8 Avona Avenue
Glebe NSW 2037**

Dear Executive Committee Members,

Thank you for using Solutions in Engineering for your Asbestos Survey. This survey has determined that Asbestos or Asbestos Containing Materials have been identified during our inspection of the common areas of this property.

Attached is the report compiled by a safety inspector, who has the appropriate experience and has undertaken specific training to qualify as a 'competent person' as required by legislation. The report contains;

An Inspection Summary Including the date and details of the person conducting this inspection, the location and condition of the Asbestos or ACM identified on site and a hazard assessment summary table.

Safety Information Potential health risks to occupants of the building because of the presence of asbestos or ACM.

The purpose of undertaking this survey was to prevent any worker or occupier unknowingly uncovering or causing damage to asbestos on site, potentially releasing airborne fibres, which would cause harm to themselves and others during such an incident. To fulfil this objective there are three things that need to be done to meet full safety compliance.

- ✓ 1. Warning labels and signage identifying the location of the asbestos need to be installed on site by a competent person. Warning signs will be installed by Solutions in Engineering unless directed otherwise. Warning labels will be provided if required.
- 2. An Asbestos Register must now be prepared and be easily accessible for each occupant and anyone entering the building to perform work to review and update as required.
- 3. An Asbestos Management Plan (AMP) is to be made accessible on site for workers and others who may be impacted by the presence of asbestos. The AMP details who is responsible to implement asbestos related safety measures and what those control measures will be.

Solutions in Engineering can provide a simple 'one step' solution to meet both of these outstanding compliance requirements. To order please remit the completed order form at the back of this document.

Our Safety Team are available to assist you with any queries you may have or any issues that require further clarification, please call us on 1300 136 036.

Yours Sincerely,



The Team at Solutions in Engineering

INSPECTION SUMMARY REPORT

Assessed by: Ron Ters

Assessment date: 5/06/2014

Reassess risk regularly, particularly when

- There is evidence that the risk assessment is no longer valid;
- A significant change is proposed in the work area (in place or in work practice);
- There is a change in the condition of the ACM;
- The ACM has been removed, enclosed or sealed.

Asbestos Hazard Assessment Summary Table



Photo	Location	Asbestos Item and Description	Condition	Work in adjacent areas <small>What work is likely to be conducted in the adjacent areas?</small>	Current Controls <small>What controls are currently in place (including labeling)?</small>	Risk Level <small>(see the Report Notes section)</small>	Control Measure <small>- Elimination - Substitution - Engineering/Isolation - Administrative - Behaviour - PPE</small>	Sample No
Photo 1: Balcony soffits 	Common Property	No asbestos containing materials (ACM) identified.						
Photo 2: Awnings 	Common Property	No asbestos containing materials (ACM) identified.						







Photo	Location	Asbestos Item and Description	Condition	Work in adjacent areas	Current Controls	Risk Level	Control Measure	Sample No
Photo 3: Trade toilet 	Common Property	No asbestos containing materials (ACM) identified.						
Photo 4: Internal stairway 	Common Property	No asbestos containing materials (ACM) identified.						
Photo 5: Unit 14 ceilings 	Internal Inspection	No asbestos containing materials (ACM) identified.						

Photo	Location	Asbestos Item and Description	Condition	Work in adjacent areas	Current Controls	Risk Level	Control Measure	Sample No
Photo 6: Switchboard backing panel 	Common Property	Item: Millboard lining of switchboxes The electrical switchboard backing panel is presumed to contain asbestos.	GOOD - No sign of damage or deterioration due to weather, non-friable	Electrical	None	P4	Administrate, control access	
Photo 7: Fire doors 	Common Property	Item: Fire door insulation The fire rated doors are presumed to contain asbestos. It is not possible to test the encapsulated material to determine its composition, as this will affect the fire retardant properties of the doors.	GOOD - No sign of damage or deterioration due to weather, non-friable	General repairs and maintenance	None	P3	Administrate, control or remove access	
Photo 8: ACM sign installed 	Common Property	ACM sign installed on switchboard						

REPORT NOTES

Priority Levels

The ultimate goal of the asbestos management and control regime is for all workplaces to be free from ACM. This goal will not be achieved overnight, however, and so it is important that all ACM be managed and controlled depending on the risk it poses. As such, in the Inspection Summary Report, each item of presumed or confirmed ACM is given a 'Priority Level.' Ranked between a priority 1 for a high risk incidence through to a priority 4, for a low risk of exposure, which indicates how it should be managed. The different Priority Levels are explained below.

Priority Level	Meaning & Recommended Control Measure
P1 Immediate Action Required	Based on the condition of the ACM there is an indication of an immediate or elevated health risk to workers. The ACM has been identified as High Risk, and cannot be controlled through enclosure, encapsulation or sealing. Access to the area containing the ACM should be restricted, and the ACM should be safely removed immediately.
P2 High Risk	Based on the condition of the ACM, the likelihood that it will be disturbed, and the likelihood of a person being exposed to respirable asbestos fibres, the ACM poses a potential health risk to workers in their current state. This risk is determined as requiring immediate action of the preferred control measure, elimination. Immediate removal of the asbestos containing materials is recommended, however control measures to stabilise and isolate the material from access by any non essential workers with regular monitoring of the condition of the material is the minimum that would be acceptable, until asbestos removal can be arranged.
P3 Moderate Risk	Based on the condition of the ACM, the likelihood that it will be disturbed, and the likelihood of a person being exposed to respirable asbestos fibres, the ACM does not present an immediate health risk unless further disturbed. Control measures must be implemented to undertake any necessary repairs and maintenance and protect these materials from further damage, including installation of warning signs. Reassessment of this priority rating should be undertaken when any change to the work environment or the work activity within the environment is planned.
P4 Low Risk	Products or bonded ACM that pose low health risk to workers. This material is currently undamaged, stable, non-friable, within a low assessable area. Control measures to protect these materials from damage would include identifying materials with warning signs and providing asbestos awareness instruction to workers by way of workplace training. Reassessment of this priority rating should be undertaken when any change to the work environment or the work activity within the environment is planned.

Some asbestos is more vulnerable to damage and more likely to release airborne asbestos fibres than others, however in general, the materials which contain a high percentage of asbestos with less bonding agent are more easily damaged. For example, asbestos insulation and lagging can contain up to 85% asbestos and are likely to release fibres. In comparison, AC contains only 10-15% asbestos and as it is tightly bound, the material will only give off fibres if it is badly damaged, broken or is worked on.

No matter which priority level the asbestos has been indicated in our risk assessment, should any renovation, maintenance or demolition work involving asbestos or asbestos related materials (ACM) be planned, please ensure the persons involved can confirm their ability and intention to comply with the requirements for 'How to Safely Remove Asbestos', available from www.safeworkaustralia.gov.au. In Victoria, the "Removing Asbestos in Workplaces – Compliance Code" should also be considered at www.worksafe.vic.gov.au.

Report Limitations

This is a 'Common Areas'/Workplace Survey designed to meet the specific needs of the Managing Entity. Areas inspected do not include private property, e.g. balconies and inside individual units as the Owner of a private dwelling is not required to comply with the regulation.

It is not always possible to view all areas of the building as access is not physically possible and or would involve the demolition or partial demolition, or work off ladders. As Solutions in Engineering inspectors perform all on site inspections alone, they are unable to meet the legislative obligations for WHS or OHS with regard to these activities.

As a general guide, Asbestos Containing Materials (ACM), if stable and inaccessible, should be left in situ until demolition, partial demolition or renovation. Where in situ asbestos materials are in a stable condition, but accessible, they should be controlled appropriately through encapsulation, sealing, enclosure or removal. However, ACM that is friable, poorly bonded or in an unstable condition, must be removed. Please note that if ACM is to be removed, removal must be done in accordance with the above compliance codes.

Where access was unavailable to the roof we have used the latest available aerial photos, coupled with information from the on-site inspection and additional information we have obtained regarding the materials used, in order to make the determinations within this report. If the roof has been changed since the date of the aerial photo then the recommendations regarding the presence of Asbestos Containing Material on the roof may not be applicable.

Access Limitations

- In some instances, ACM may be present in areas that cannot be accessed without implementing destructive sampling techniques. As such, it may not be possible to positively identify the presence of all ACM on the property. Where there is reason to suspect ACM in areas which cannot be inspected, we will presume it to be present and recommend that appropriate measures be taken.

Sampling

- Only laboratory analysis of samples of the particular material can conclusively identify the presence, type, and proportion of asbestos. Samples of paint, insulation material and other building materials are taken and subjected to tests by an independent testing agency.

Solutions in Engineering cannot conclusively assess the presence or absence of Asbestos and rely on the results of these independent tests (where conducted). Solutions in Engineering will forward to the recipient of the Asbestos Survey any report or findings of the independent testing agency, in the form provided by the independent testing agency, when they become available.

- If it is unreasonable to collect sample material, due to accessibility or potential to cause damage to the area, making the release of airborne asbestos fibres more likely, the law specifies that our inspector, as a competent person, can presume the presence of asbestos, or asbestos containing materials based on their observations and experience, and that their

presumption requires the steps for asbestos safety compliance to be met by the person in control of that workplace.

Such areas that may require our inspector to make informed presumptions about the likelihood of the presence of asbestos or ACM include:

- wall cavities
- beneath floor coverings
- penetrations in solid wall cavities and concrete floor slabs
- pipework in wall cavities
- heater banks in air conditioning ductwork
- fire doors
- inaccessible service ducts/risers
- Lift shafts
- Underground piping

All services provided by Solutions in Engineering are supplied on the basis of 'Supply Terms and Conditions' which are available from our Office and from our website www.solutionsinengineering.com

ACM Labels

Section 424 of the *Work Health and Safety Regulation 2011* requires that, where asbestos or ACM has been identified on your property, the presence and location of the asbestos or ACM must be clearly indicated by affixing a label on the material or in immediate proximity to the material. In order to meet your obligations, we have installed signs at the main entrances to your building. In terms of labelling areas that contain asbestos around the building, we have provided labels for you. Many clients do not like the aesthetics of labels being installed around their building and it is their opinion that the signage at the entrance, provision of the asbestos management plan and register onsite and a reminder to check these documents in their engagement documentation is a sufficiently robust asbestos risk management approach. Please be aware that until an appropriate warning label has been affixed to materials identified in this report as containing asbestos, you may not be compliant with Section 424 of the *Work Health and Safety Regulation 2011*.

ACM Signs

Where Solutions in Engineering has been directed not to install warning signs upon identifying asbestos or ACM on your property, these signs will be provided to you for installation. These signs should be installed at the main entrances to the common property. Please be aware that until the signs provided are installed at the main entrances to the common property, you may not be compliant with Section 424 of the *Work Health and Safety Regulation 2011*.

HARMONISED HEALTH AND SAFETY LAWS SPECIFICALLY ADDRESS THE SAFE PRACTICE REQUIREMENTS RELATED TO ASBESTOS MANAGEMENT

The Commonwealth and each state and territory government have agreed to harmonise their work health and safety laws, including Regulations and Codes of Practice (COPs), so that they are similar in each jurisdiction. In July 2008, the Council of Australian Governments (COAG) signed the Intergovernmental Agreement for Regulatory and Operational Reform in OHS (IGA).

When did changes to the WHS Act, Regulations and updated COPs come into effect?

Commonwealth, Australian Capital Territory, Northern Territory, Queensland and New South Wales adopted the model on 1 January 2012. South Australia and Tasmania followed suit and adopted the model law on 1 January 2013. Victoria and Western Australia have yet to identify a date they will adopt the model, although they have enacted their own, similar legislation. Model Codes of Practice are being developed and implemented at the same time as the model WHS Regulations. This survey meets the standards for compliance as detailed in the model Code of Practice for 'How to Manage and Control Asbestos in the Workplace' (Nationalised States) and 'Managing Asbestos in Workplaces' (Vic).

Asbestos Management

From 1 January 2012 (1 Jan 2013 for SA and TAS) the law will require the person or persons in control of a workplace in a building, all or part of which was built under an approval given by a local government before 2004, meet certain obligations with respect to asbestos under the *Work Health and Safety Regulations*. (Details of these obligations are specified in the Codes of Practice relating to Asbestos control, asbestos removal and warning signage and labelling).

Many of these pre- 2004 buildings are likely to contain some asbestos or asbestos based products installed for a variety of functional uses such as fire protection, and thermal and acoustic insulation. As these buildings age, are maintained, remodelled or demolished, the potential for exposure to asbestos fibres increases for:

- employers, self-employed persons, and workers who:
 - work in these buildings; or
 - work on remodelling, maintenance or demolition of these buildings; and
- members of the public who occupy or visit these buildings.

These regulatory provisions relating to the on-site management of in situ asbestos materials and product are intended to prevent or minimise asbestos-related disease by reducing the risk of exposure among persons in workplaces where asbestos and asbestos-containing materials (ACM) are present, particularly where those persons are required to do work on the building, such as tradespersons and maintenance workers.

Specifically, the obligations of a person with management or control of a workplace with relation to asbestos apply only to workplaces in buildings built or given building approval prior to 1 January 2004, as these buildings are most likely to contain ACM installed for a variety of functional uses such as fire protection and thermal and acoustic insulation or cladding.

The regulations require compliance with the National Occupational Health and Safety Commission (NOHSC, now known as the Australian Safety and Compensation Commission (ASCC) Codes of Practice with relation to asbestos for the on-site management of asbestos and ACM. The Codes of Practice impose a duty on the person in control to ensure that a process is undertaken to:

- (a) investigate the premises for the presence or possible presence of ACM;
- (b) develop and maintain a register of the identified or presumed ACM;

- (c) develop and maintain an asbestos management plan;
- (d) assess the condition of any ACM that are found and the associated asbestos risks;
- (e) develop measures to remove the ACM or otherwise to minimise the risks and prevent exposure to asbestos; and
- (f) ensure the control measures are implemented as soon as possible and are maintained as long as the ACM remain in the workplace.

An owner of structure used for domestic residential purposes is not required to comply with the regulation. However, where any part of a structure is used as a workplace, giving rise to a “mixed use” situation, the regulation will apply to all parts of the structure associated with that workplace.

The common property areas of a strata title building will be a workplace for the purposes of the Regulation.

HEALTH RISKS OF ASBESTOS

The NOHSC Codes of Practice describe Asbestos as ‘the fibrous form of mineral silicates belonging to the serpentine and amphibole groups of rock-forming minerals.’ It was used in more than 3,000 products, including heat-resistant textiles (cloth, padding and board), asbestos cement products (sheets and pipes), special filters for industrial chemicals, thermal insulation products (pipe and boiler insulation), friction materials (clutch plates, brake linings), gaskets, floor tiles, roofing materials, packing materials, paints and protective paper.

Inhalation of asbestos has been linked to three respiratory diseases: asbestosis, mesothelioma and lung cancer. The latency period between exposure to asbestos and the onset of the diseases is generally between 15 and 40 years, with symptoms generally not displaying until the advanced stages of illness. Asbestosis and mesothelioma cannot be effectively treated, and most persons suffering from mesothelioma die within twelve months of diagnosis.

Inhalation of airborne asbestos fibres can cause death and therefore concentrations of airborne asbestos are a risk that must be controlled. Airborne asbestos fibres can result from: the release of asbestos fibres through the performance of many ordinary tasks such replacing certain types of ducting or insulating materials around items of plant, accidental contact with asbestos materials causing the fibres to break free, and failure to adequately maintain an asbestos containing material resulting in the release of asbestos fibres.

Where asbestos is present the risk to owners and managers is significant both in terms of health and legal liability, particularly if measures to manage this risk are not in place.

Where is asbestos typically found?

Asbestos was typically used in fibro roofs, walls and soffits as well as in ‘wet’ areas such as kitchens, bathrooms and laundries. Asbestos cement can also be found in flat, profiled, corrugated and compressed sheets, shingles, weatherboards, rigid board insulation and many building products including flue pipes and guttering.

Second hand materials, or products containing asbestos, can also have been installed or used after asbestos was banned and may still be found in newer buildings.

It is very important to understand that ACM that is in stable condition and unlikely to be damaged or deteriorate generally will not pose a significant health risk and can be left in place, provided that it is properly maintained. It will generally only be necessary to remove ACM when actually poses a risk to health and safety which cannot be controlled, such as when it is friable or in an unstable condition, or where it is likely to be damaged or deteriorate if left in its current location.

How is asbestos identified?

In the vast majority of ACM, asbestos is mixed with other substances on a microscopic level (such as with cement in asbestos cement sheeting) and is indistinguishable from non-ACM. As such, it is often difficult to conclusively determine whether or not a material contains asbestos by sight. Experienced and competent inspectors will be able to identify suspect materials based on their age, location, purpose, use and a range of other indicative factors.


The only way to be certain that a material contains asbestos is to have a sample analysed by a laboratory. Unfortunately, taking samples of suspect material is both a hazardous and expensive process. Due to the cost and risk involved in sampling suspect material, the *Managing Asbestos in Workplaces Compliance Code 2008* and nationalised legislation recommends that, in most cases, suspect materials be 'assumed' to contain asbestos. Once a material is assumed to contain asbestos, it must be treated exactly like all other ACM.



Annual Re-assessment

It is necessary to check the condition of the asbestos and ACM on the property, on a regular basis to ensure that any deterioration and/or alteration of such material or the environment in which it is located is identified and addressed. Changes to the asbestos and ACM on the property will require and update to the Asbestos Register and changes to the Asbestos Management Plan to ensure that the property remains free of associated risks to health and safety.

To ensure safety compliance is maintained please arrange for an asbestos reassessment package annually.

Date of Inspection	Signature of Inspecting Officer
05 June 2014	Inspector Name: Ron Ters 
	Inspector Name:
	Inspector Name:
	Inspector Name:
	Inspector Name: