

THE MINUTES OF THE ANNUAL GENERAL MEETING

THE OWNERS, MORTGAGEES AND COVENANT CHARGEES OF LOTS IN STRATA PLAN 270523

1 AVOCA DRIVE KINCUMBER

These are the minutes of the Annual General Meeting for The Owners – Strata Plan No 270523 held at DAVISTOWN RSL CLUB, 19 MURNA ROAD, DAVISTOWN, NSW, 2251 commencing at 10:30 AM on Saturday 14 June 2025.

Lots Represented

<u>Lot No</u>	<u>Name</u>	<u>Capacity</u>
10	ANNETTE SMITH, BRENDAN SMITH	Owner present
11	ANTHONY HUGH REEVES, GILLIAN ANN REEVES	Owner present
15	DIANE ROBERTSON, STRUAN ANDREW ROBERTSON	Owner present
20	Ian William Alexander Blyth, Valerie Enid Blyth	Owner present
25	Janette Williams, Keirian Williams	Owner present
27	JOHN STEWART HUTCHINSON, KATHRYN MARY EVELYN HUTCHINSON	Owner present
33	CLIFFORD KENT, LINDA KENT	Owner present
34	Harry Eric Machan, Susan Catherine Machan	Owner present
35	Christian Clarke McLaughlan	Owner present
36	Robert David Mends, Wendy Elaine Mends	Owner present
38	Dianne Betty Stephens, Peter Richard Stephens	Owner present

In Attendance

Angela Fairman representing BCS Strata Management Pty Ltd.

Chairperson

Angela Fairman (Under delegation)

Secretary

Angela Fairman representing BCS Strata Management Pty Ltd under delegated authority.

Motions

1. MINUTES

- 1.1 That the minutes of the last general meeting of the Community Association, held on **15 June 2024**, be confirmed as a true record of the proceedings of that meeting.

Note: A copy of the minutes of the previous meeting can be accessed online via your customer portal or by contacting our office.

Motion Result: Passed by Simple Majority

2. COMPLIANCE AND ASSET MEASURES

- 2.1 That the Community Association consent to the conduct of future general meetings to be held via electronic means including pre-meeting electronic voting as determined by the secretary.

Motion Result: Passed by Simple Majority

- 2.2 That the *Community* authorise either a *Association* committee member, building manager or the *Association* managing agent to execute the annual fire safety statement on their behalf including authority to affix the common seal of the *Community* in accordance with the Act if required.

Motion Result: Defeated by Simple Majority

- 2.3 That the Community consider the following utility supply agreements in place or other utility relevant to the scheme and determine any action required.

Utility	Supplier	Contract Length	Contract Expiry Date	Cost Per Annum
Electricity	NIL			
Water	NIL			
Gas	NIL			
Telephone	NIL			

Motion Result: Passed by Simple Majority

- 2.4 That the Community instruct the Association managing agent to engage the services of an energy broker to assist the Association committee with the negotiation of utility agreement/s and for these purposes be authorised to sign a letter of authorisation with the broker.

Motion Result: Defeated by Simple Majority

- 2.5 That the Community authorise the Managing Agent to liaise with the appointed energy broker including providing scheme utility data and information as required.

Motion Result: Defeated by Simple Majority

- 2.6 That the Community authorise the Association committee to evaluate the analysis from the energy broker and approve new utility agreement/s on behalf of the Community, if required.

Motion Result: Defeated by Simple Majority

2.7 That the Community authorise:

- a. two members of the Association committee to sign approved single-site utility agreements/s on behalf of the Community; and
- b. the Association managing agent to sign approved multi-site utility agreement/s on behalf of the Community.

Motion Result: Defeated by Simple Majority

2.8 That the Community acknowledges that the managing agent 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 set out in the table below.

Minimum requirements	1. Must be registered as a business for tax purposes in Australia 2. Must have a minimum \$10 million Public & Product Liability Insurance (in respect of each and every occurrence and unlimited in aggregate for any one period of cover) 3. Must have a minimum \$1 million Professional Indemnity Insurance (where applicable) 4. Must have Statutory Workers Compensation Insurance for all employees or Personal and Accident Insurance as a Sole Trader 5. Must hold all licences as relevant to services provided 6. Must have an established Quality Management system (Consultants only) 7. Must have an established Health & Safety Management system 8. Must accept PICA Group Terms and Conditions of engagement and Business Code of Conduct.
Definitions:	1. Contractor: means a person or organisation that is engaged, on a temporary basis, to undertake a particular task and includes consultants who provide recommendations and/or specialist professional advice. 2. Work Order: means a written order providing specific or blanket authorisation to a contractor to proceed with the provision of specific goods or services without further instructions.

Motion Result: Passed by Simple Majority

3. INSURANCES AND VALUATION

3.1 That the Community confirm the following insurance policies are currently in place:

Policy Number	Underwriter	Current To	Risk Type	Coverage Amount
CAH0003 027	CHU/QBE COMMUNITY SURE	07 Jun 2025	Government Audit Costs	\$25,000.00
			Flood	\$550,000.00
			Floating Floors	Not Included
			Fidelity Guarantee Insurance	\$250,000.00
			Damage (i.e. Building) Policy	\$550,000.00
			Common Area Contents	\$5,500.00
			Building Catastrophe	\$550,000.00
			Appeal Expenses	\$100,000.00
			Fusion Cover	\$10,000.00
			Voluntary Workers Insurance	\$300,000.00 / \$3,000.00
			Property, Death and Injury (Public Liability)	\$30,000,000.00
			Paint	Not Included
			Office Bearers Liability Insurance	\$5,000,000.00
			Machinery Breakdown Insurance	\$10,000.00
			Lot Owner's Fixtures and Improvements	Not Insured
Loss of Rent	\$82,500.00			
Legal Defence Expenses	\$100,000.00			
TOTAL PREMIUM: \$3,547.09				

Date on which the premiums were last paid: 04 June 2024.

Motion Result: Passed by Simple Majority

3.2 That the Community extend their insurances to include office bearers liability, fusion, flood cover, fidelity guarantee, and any optional (non-statutory) insurances not listed in the above table.

Motion Result: Passed by Simple Majority

3.3 That the Community authorise the Association managing agent to renew insurances in accordance with the insurer or insurance broker's recommendation in circumstances where alternate instructions are not received from the Association committee prior to the renewal date.

Motion Result: Passed by Simple Majority

- 3.4 That that Association managing agent be instructed to arrange for building replacement cost valuation to be obtained for insurance purposes prior to the expiration of the current policy period, noting the last valuation was undertaken on 07 May 2024 and that, where a valuation is obtained that the Association managing agent be instructed to update the sum insured upon receipt and pursuant to the valuation (noting that the valuation amount may be greater or less than the existing sum insured).

Motion Result: Defeated by Simple Majority

4. ADDITIONAL CHARGES

- 4.1 That the Strata Managing Agent provide further clarification in relation to the additional charges for Trade Compliance, Community Health and Safety Pack and Regulation 41 Report

Motion Result: Passed by Simple Majority

5. FINANCIAL MANAGEMENT

- 5.1 That the audited financial statements including the statement of key financial information for the period ending 31 March 2025 be adopted.

Motion Result: Passed by Simple Majority

- 5.2 That Kelly and Partners be appointed as auditors for the Community for the financial year ending 31 March 2026.

Motion Result: Defeated by Simple Majority

- 5.3 That the statement of estimated receipts and payments (budget) for the administrative fund and capital works fund for the 12-month period, 01 April 2025 to 31 March 2026 be tabled and adopted.

Motion Result: Passed by Simple Majority

- 5.4 That contributions to the administrative fund be estimated and determined in accordance with the Act at \$28,600.00 in instalments set out in the table below:

ADMINISTRATIVE FUND

Levy Status	Due date	Amount
Already Issued	15/06/2025	\$7,000.00
To be Issued	15/09/2025	\$7,200.00
To be Issued	15/12/2025	\$7,200.00
To be Issued	15/03/2026	\$7,200.00
Total		\$28,600.00

Motion Result: Passed by Simple Majority

- 5.5 That contributions to the capital works fund be estimated and determined in accordance with the Act at \$2,100.00 in instalments set out in the table below:

CAPITAL WORKS FUND

Levy Status	Due date	Amount
Already Issued	15/06/2025	\$500.00
To be Issued	15/09/2025	\$533.33
To be Issued	15/12/2025	\$533.33
To be Issued	15/03/2026	\$533.34
Total		\$2,100.00

Motion Result: Passed by Simple Majority

- 5.6 That the administrative fund and capital works fund contributions be continued at quarterly intervals commencing on 01 April 2026 until further determined:

ADMINISTRATIVE FUND

Interim Periods

Levy Status	Due date	Amount
To be Issued	15/06/2026	\$7,200.00
To be Issued	15/09/2026	\$7,200.00
Total		\$14,400.00

CAPITAL WORKS FUND

Interim Periods

Levy Status	Due date	Amount
To be Issued	15/06/2026	\$533.33
To be Issued	15/09/2026	\$533.33
Total		\$1,066.66

Motion Result: Passed by Simple Majority

5.7 Debt Management – Reminder Notices

That the Community, for the purpose of collecting unpaid contributions, interest, and recovery costs where the debt is \$500.00 or more, or another amount determined at a general meeting, authorise the Association managing agent and/or the Association committee to do the following:

- a. step 1: issue a reminder notice 35 days after the contribution due date.
- b. step 2: issue first recovery letter 60 days after the contribution due date.
- c. step 3: issue second recovery letter 75 days after the contribution due date; and
- d. charge all reasonable costs incurred by the Community when collecting/recovering the unpaid contributions and interest to the lot owner.

The Community further authorise the Association committee to:

- e. approve payment plans, not exceeding 12 months, either generally or for specific lot owners.
- f. liaise, instruct, and prepare all matters with the Community's debt collection agents, lawyers and/or experts in relation to any contribution recovery proceedings.
- g. amend the above debt management process as necessary; and
- h. waive interest and recovery costs including penalties, legal and other costs, arising out of the collection/recovery of unpaid contributions from the lot owner's account.

Debt Management - Recovery Activity

That Kemps Petersons Receivables be appointed to commence debt recovery action 106 days after the original date the contribution was due and where the debt is \$500.00 or more, or an amount determined at the general meeting, remains unpaid. Kemps Petersons Receivables to be authorised to undertake the following, but not limited to:

- a. issue a letter of demand.
- b. undertake phone demands.
- c. facilitate settlement negotiations.
- d. monitor payment plans.
- e. source owner contact details; and
- f. undertake field calls.

The Community further authorise the Association committee to:

- g. obtain legal advice and/or retain legal representation of solicitors.
- h. 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 contributions and the recovery of other debts, including penalties, interest, legal and other costs.
- i. enforce any judgment obtained in the recovery of contributions including commencing and maintaining bankruptcy or winding up proceedings; and file an appeal or defending an appeal against any judgment concerning the collection of contributions.

Motion Result: Passed by Simple Majority

6. ASSOCIATION MANAGING AGENT REPORT AND RE-APPOINTMENT

- 6.1 That the Community acknowledge the Association managing agents report (shown below) disclosing commissions and training services paid and received in the last 12 months and those commissions and training services likely to be paid and received in the next 12 months.

Commissions Paid to Managing Agent	Commission Received in the Last 12 Months	Estimated Commissions Likely to be Received in the next 12 months
Insurance Commission	\$424.95	\$467.44
Community Sure Management Fees to Parent Entity (PICA)*1	\$106.24	NIL
Training Services Received from External Service Providers	Value of training services received	Estimated value of training services received in the next 12 months
Legal Service Providers: Chambers Russell Lawyers, Grace Lawyers, HWL Ebworth Lawyers, Bannermans Lawyers, Kerin Benson Lawyers, JS Mueller & Co, Holding Redlich, ADV Law, OMB Solicitors, Fletcher Lawyers, Sachs Gerace Lawyers	In excess of 10 hours per annum per Association manager Value estimated at \$250 in total	In excess of 10 hours per annum per Association manager Value estimated at \$250 in total
Insurance Service Providers: CHU Underwriting Agencies, BCB Strata Insurance Brokers, BAC Insurance Brokers, Whitbread Insurance Brokers, Honan Insurance Group, Driessen Insurance Brokers.	In excess of 10 hours per annum per Association manager Value estimated at \$250 in total	In excess of 10 hours per annum per Association manager Value estimated at \$250 in total

PICA Group may have received a referral fee from Bulk Energy, Energy Action, E Utility and/or Savant Energy Advisory on the sale and provision of electricity and/or gas if the scheme has successfully engaged a broker for electricity and/or gas services. Commissions for Commercial and Industrial: 30% to 33.33% of the commission the broker receives from the retailer, for Small Market Enterprises or Residential: \$25 to \$150 per energy agreement.

Motion Result: Passed by Simple Majority

7. ASSOCIATION COMMITTEE ELECTION AND GOVERNANCE

- 7.1 That written and oral nominations for election to the Association committee be received, declared, and recorded. Nominations received prior to the issuing of this notice are noted below under "Election of Association Committee".

Motion Result: Passed by Simple Majority

- 7.2 That the candidates for election to the Association committee disclose any connections with the original owner (developer) or building manager in accordance with the Act.

Motion Result: Passed by Simple Majority

- 7.3 That the number of members of the Association committee be determined as 3.

Motion Result: Passed by Simple Majority

- 7.4 That the members of the Association committee be elected.

Motion Result: Passed by Simple Majority

- 7.5 That any previous restrictions placed on the Association committee and in force prior to this meeting date be rescinded.

Motion Result: Defeated by Simple Majority

- 7.6 That there be no additional restrictions placed on the Community committee other than those currently imposed by the Act.

Motion Result: Defeated by Simple Majority

- 7.7 That in the event the preceding motion is defeated the Community to determine those restrictions to be placed on the Association committee.

Motion Result: Defeated by Simple Majority

- 7.8 That the Community appoint their proxy and candidate for election to the community association committee.

Motion Result: Passed by Simple Majority

- 7.9 That the Community appoint their substitute proxy to attend meetings of the community association on their behalf in the absence of the appointed proxy.

Motion Result: Passed by Simple Majority

8. NEXT ANNUAL GENERAL MEETING

- 8.1 That the Community either determine the date or delegate the Association committee to determine the date of the next annual general meeting

Motion Result: Passed by Simple Majority

Closure

There being no further business the Chairperson declared the meeting closed at 04:45 PM.

Strata Company Professional Standards Disclosure

Liability limited by a scheme approved under Professional Standards Legislation.

THE MINUTES OF THE COMMITTEE MEETING

THE OWNERS, MORTGAGEES AND COVENANT CHARGEES OF LOTS IN STRATA PLAN 270523

1 AVOCA DRIVE KINCUMBER

These are the minutes of the Committee Meeting for The Owners – Strata Plan No 270523 held at 19 MURNA ROAD, DAVISTOWN, NSW, 2251 commencing at Immediately after AGM on Immediately after AGM

Lots Represented

<u>Lot No</u>	<u>Name</u>	<u>Capacity</u>
Lot 15	STRUAN ROBERTSON	Committee member present
Lot 35	Christian Mclaughlan	Committee member present
Lot 36	Wendy Mends (SUB REP) (Secretary and Treasurer)	Committee member present

In Attendance

Angela Fairman representing BCS Strata Management Pty Ltd.

Chairperson

Angela Fairman (Under delegation)

Secretary

**MINUTES OF COMMITTEE MEETING
THE OWNERS - STRATA PLAN NO. 270523 – FIGTREE BAY ESTATE**

ADDRESS OF THE STRATA SCHEME: 1 AVOCA DRIVE KINCUMBER

1. DISCLOSURE OF PECUNIARY INTERESTS

- 1.1 That any direct or indirect pecuniary (financial) interest held by a member of the committee in relation to a matter being considered at this meeting be declared. Further, that any member making any such a declaration is not to be present or take part in the decision-making process regarding that matter.

Motion Result: Passed by Simple Majority

2. MINUTES

- 2.1 That the minutes of the last Strata Committee meeting, held on **15/06/2024**, be confirmed as a true record and account of the proceedings at that meeting.

Motion Result: Passed by Simple Majority

3. OFFICE BEARERS

- 3.1 That the chairperson, secretary and treasurer of the Strata Committee be appointed as follows:

Chairperson: Struan Robertson
Treasurer: Wendy Mends
Secretary: Christian Mclaughlan

4. STRATA COMMITTEE PROTOCOLS AND PROCEDURES

- 4.1 That the committee discuss and confirm communication protocols for the members, including email correspondence between meetings.

Motion Result: Passed by Simple Majority

- 4.2 That the strata committee consider the adoption of a Code of Conduct for committee members and owners or visitors attending committee meetings.

Motion Result: Defeated by Simple Majority

**MINUTES OF COMMITTEE MEETING
THE OWNERS - STRATA PLAN NO. 270523 – FIGTREE BAY ESTATE**

ADDRESS OF THE STRATA SCHEME: 1 AVOCA DRIVE KINCUMBER

5. REPRESENTATIVE AND SUBSTITUTE REPRESENTATIVE

- 5.1 That Wendy Mends be nominated to liaise with the managing agent and be the scheme's contact point.

- 5.2 That a Struan Robertson be nominated to liaise with the managing agent as the scheme's substitute contact point.

6. PRE-MEETING ELECTRONIC VOTING

- 6.1 That the Strata Committee consent to the conduct of future committee meetings to be held via electronic means including pre meeting electronic voting as directed and determined by the secretary.

Motion Result: Passed by Simple Majority

CLOSURE: There being no further business, the chairperson declared the meeting closed at 11:40 AM.