

Minutes of the Annual General Meeting
The Owners – Strata Plan SP63869 - SEAGULL SHORES
83 Gollan Drive, TWEED HEADS WEST NSW 2485

**Held at the office of TCM Strata Coastal, 7/11-13 Pearl Street, Kingscliff on
Thursday, 10 February 2022 commencing at 10:00 am**

- PRESENT:** J. Payne & J. Buggy (Lot 1), M. Mawson (Lot 3), R. Marquez (Lot 5), T. Fugler (Lot 6), L. Viney (Lot 8), P. Rouesnel (Lot 12), M. Rogers (Lot 13), J. Murphy (Lot 14), H. Koppen (Lot 17), S. Flecknoe (Lot 20), R. Hampson (Lot 21), M. Wardman (Lot 22), D. Fuller (Lot 24), C. Sleaf (Lot 25), V. Hadenham (Lot 26), A. & C. Dowley (Lot 27), B. & L. Kerin (Lot 29), L. & S. Tynan (Lot 30), K. & M. Kajtel (Lot 33), M. O'Mara (Lot 34)
- PROXY:** B. Cottrell (Lot 4) to E. Kooymans, P. & P. Moll (Lot 32) to S. Tynan, L. Terry (Lot 9) to L. Viney
- APOLOGIES:** Nil
- IN ATTENDANCE:** Peter Humphries of TCM Strata Coastal
- CHAIRPERSON:** Leigh Tynan chaired the meeting under delegated authority.

MOTION

1. **RESOLVED** that the Minutes of the last General Meeting were confirmed.
2. **RESOLVED** that the Financial Statements for the period ended 30/11/2021 be received and adopted.
3. **RESOLVED** that an auditor not be appointed.
4. **RESOLVED** that the present insurance cover on the common property be confirmed and insurance under Section 165(2) not be altered at this stage.
5. **RESOLVED THAT** the owners corporation obtain an updated insurance valuation.
6. **RESOLVED** that the Owner's Corporation considered their Capital Works Analysis Report.

7. **RESOLVED** that for the purpose of collecting levy contributions, interest and recovery costs thereon and pursuant to the Act (including section 103 of the Act), authorisation is given to the strata managing agent and/or the strata committee to do any of the following:
- (a) Levy Recovery Step 1: issue a reminder levy notice 45 days after the levy due date;
 - (b) Levy Recovery Step 2: issue 2nd levy recovery letter 75 days after the levy due date;
 - (c) Levy Recovery Step 3: 96 days after the original date the levy was due, and where the debt is in excess of \$2,000, appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation of solicitors, barristers and/or experts on behalf of the Owners Corporation to issue a letter of demand and/or to 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) Enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy 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/or experts in relation to any levy recovery proceedings.
8. **RESOLVED** that the Owners Corporation resolve pursuant to Section 85(5) of the Strata Schemes Management Act 2015 to agree to enter into payment plans for the payment of overdue levy contributions on a basis that the strata Manager thinks is fair and reasonable taking into account the Owners Corporation financial position and that the owner who enters into the payment plan be responsible for all associated costs.
9. **RESOLVED** that no additional matters apart from the restrictions of the Strata Schemes Management Act, 2015 be placed on the strata committee.
10. **RESOLVED** that 3 nominations were received for the election of the strata committee members and the Owners Corporation determined the number of persons to be elected to the strata committee was 3 and those nominees were elected.
- Committee Member C. Dowley, L. Viney, L. Tynan
11. **RESOLVED** that the Owners Corporation obtain a pest control and termite inspection to all units and common property.
12. **LOST** that the Owners Corporation engage a qualified contractor to Conduct window safety device compliance testing and servicing on all required windows to ensure they meet the Strata Schemes Management Amendment (Child Window Safety Devices) Regulation 2013; due to the fact that compliant locks were fitted to all upstairs windows in 2018, and confirmed by inspections.
13. **LOST** that the Owners Corporation engage a competent safety consultant to inspect the common property and identify any hazards and risks within the common property and to make recommendations to eliminate or minimise any identified hazards and risks; due to the site always being asbestos free, with no external stairs or fire escapes, and the pool meets all regulatory and safety standards(verified regularly by THSC).

14. **RESOLVED** that in accordance with the Strata Schemes Management Act, 2015 the Administrative Fund Budget for the year ending 30/11/2022 totalling \$93,967.83 (excluding GST) be approved and the Administrative Fund levy be determined at the rate of \$2,763.76 per unit entitlement per annum, due and payable quarterly and that the Capital Works Fund Budget for the year ending 30/11/2022 totalling \$12,360.00 (excluding GST) be approved and that the Capital Works Fund levy be determined at the rate of \$363.53 per unit entitlement per annum due and payable quarterly. TCM Strata Coastal proposed to set the Capital Works Fund Budget to keep in line with the Capital works Analysis Report.

Levy Due By Dates:

Period	Due
01/04/22 - 30/06/22	1/04/2022
01/07/22 - 30/09/22	1/07/2022
01/10/22 - 30/12/22	1/10/2022
01/01/23 - 30/03/23	1/01/2023

15. **RESOLVED** that by special resolution the Owners of Unit 27 be granted exclusive use of an area of common property in front of their unit to pave/extend driveway to accommodate the parking of a registered vehicle.

MANAGEMENT NOTES:

- **Visitors Parking – approval from Committee and general consideration for the Community was discussed**
- **Identified that the pool area umbrella and pool ladder both starting to rust and will require painting/treatment**
- **Speed hump outside Unit 29 to be removed**
- **Pontoon Insurance costs/correspondence have been provided to Pontoon Owners, any Owner is welcome to enquire about the additional Insurance Premium paid for Pontoons to be covered**
- **Importance of maintaining the internal road speed limit of 10kph, especially after 2 or 3 under 6 year olds now live, or are frequent visitors to the complex**
- **Driveway maintenance –The Professional advice obtained by the Committee reiterated that the driveway remains structurally very sound, that the surface has only very nominal cracks and that any piecemeal approach to achieve a cosmetic makeover would be problematic and should be avoided.**
- **Estate garden/lawn maintenance/ new gardening Contractor update outlined by the committee, with a commitment the topic will continue to be closely monitored so as to achieve satisfactory performance/outcomes**
- **Ground floor decks exclusions from Body Corporate maintenance responsibilities**
- **The development of Seagull Shores' own website is progressing satisfactorily**
- **Due to the pristine environment, and its unique location, a position on attempting to minimise the number of cats on site will be put to Owners for comment and the final outcome included on our website**
- **The approximate date for the next AGM is 10/02/2023.**

CLOSURE: The meeting closed at 12:00 pm

Communications Must Be In Writing

*All requests by owners or their appointed agents for repairs and maintenance, or complaints in relation to any by-law, must always be submitted to the strata managing agent **in writing** to ensure accurate documentary records and to enable proper administrative procedures to be followed.*