

**NOTICE OF INTERIM RESOLUTIONS OF THE
ANNUAL GENERAL MEETING OF OWNERS CORPORATION
No.1 PLAN OF SUBDIVISION PS604255Y**

This notice serves as notice as required under section 78 (2 & 3) of the Owners Corporation Act 2006.

Interim resolutions become resolutions of the Owners Corporation:

- a. subject to paragraphs (b) and (c), 29 days from the date of the interim resolution; or
- b. if notice of a special general meeting is given within that 29-day period and the meeting is held within 28 days after the notice is given, only if confirmed at that meeting: or
 - a. if notice of a special general meeting is given within that 29-day period and the meeting is not held within 28 days after the notice is given, at the end of that 28-day period.

Note:

The effect of subsection (4) is that an interim resolution cannot be acted on for 29 days after it is made but if notice of a special general meeting is given within that 29 day period, the interim resolution cannot be acted on until the resolution is confirmed at that meeting (which must be held within 28 days after the notice is given) or if the meeting is not held, until the end of that 28 day period.

Date: 9th May 2023

Time: 6.00 pm

Place: Online via Zoom Meeting Platform

Meeting Opened at 6:12 pm

1. Attendances & Apologies

Lot Owner/s present & eligible to vote:

Lot Number	Lot Owner Name
94	Patricia Gurciullo
190	Yogita Champaneri
194	Dimitrios Kyriakakis
227	Caryn Auld
242	Wayne Lennox
323	Mandeep Singh
380	Josephine McClure
651	Shabu John
654	Melinna Chandra
742	Glen Piper
842	Lesley Richardson-Winifer
927	Delanjan Swaris
998	Naurin Ramay
1110	James Michael & Shelley Susan Morgan
1343	Charmaine Loke
1351	Yogita Degamia
1435	Dolores Lang

Also Present:

Tharanga Edirisuriya, Kylie MacLennan and Jonathan Smith representing Quantum United Management Pty Ltd.

Apologies:

Alison Lingard – Lot 872

2. Proxies**Owners represented by proxy & eligible to vote:**

Lot owners who provided a proxy:	Proxy in favour of:
Lot 366 - Kara MacLeod & Prakash Shenoy	Glen Piper
Lot 436 – Jacqueline Hardy & Lyle Hardy	Dolores Lang
Lot 742 – Glen Piper & Sarah Piper	Glen Piper
Lot 1009 – Jacqueline Hardy & Lyle Hardy	Dolores Lang
Lot 1435 – Christopher Lang	Dolores Lang

3. Quorum & Entitlement to Vote

A Quorum was not achieved but the members agreed to proceed with the meeting in accordance with Section 78 of the Owners Corporation Act 2006, and that all decisions made will be interim decisions.

4. Chairperson

Members present agreed to appoint Tharanga Edirisuriya of Quantum United Management as the Chair of the Annual General Meeting.

5. Acceptance of Minutes

RESOLUTION: It was resolved that the Minutes of the previous Annual General Meeting held on 28th June 2022 be adopted and signed as a true and correct record of the meeting.

Motion carried by simple majority.

6. Reports:**6.1 Manager’s Report / Section 126 of the Owners Corporation Act 2006**

Manager’s Report was taken as read by the members

6.2 Committee Report / Section 115 of the Owners Corporation Act 2006

Committee Report was taken as read by the members.

6.3 Dispute Resolution Report / Part 10 of the Owners Corporation Act 2006

The Manager noted that pursuant to Section 159 of the Owners Corporation Act, the Owners Corporation is required to provide a report in relation to the details of any dispute under this section within the reporting period 1st February 2022 to 31st January 2023.

Number of Complaints made under Division 1 of Part 10 of the Owners Corporation Act 2006:	28
Nature of complaints:	Breach of OC Rules & Design Guidelines
Nature of matter in respect of action being taken:	Breach of OC Rules & Design Guidelines
Number of matters in which an application was made to VCAT (Victorian Civil and Administrative Tribunal):	0
Nature of matters in which an application was made to VCAT:	Breach of OC Rules & Design Guidelines
Outcome of matters in which an application was made to VCAT:	0

6.4 Maintenance Plan Report

The Manager advised members that the adopted long-term Maintenance Plan is available on the Alamanda Community App.

6.5 Safety Assessment of Common Property

The manager advised that all members are liable for any liability events that occur on common property. Common property for Owners Corporation No.1 PS604255Y is predominantly Club Alamanda. Should there be an incident where there was a hazard that the Owners Corporation was aware of that caused an injury there may be a chance that the Owners Corporation (all lot owners) will be collectively liable. Further, these areas are considered a workplace for any contractors that the Owners Corporation is responsible for, so it is important the areas are maintained free of any risks where possible.

As a result, we recommend that the Owners Corporation carry out an annual Safety Assessment of the common property areas and further engage Life Saving Victoria to carry out an annual Pool Safety Assessment.

RESOLUTION: It was resolved that the Owners Corporation have a Safety Assessment Audit of Common Property areas and a Pool Safety Assessment by Life Saving Victoria carried out as recommended by Quantum United Management and that the completed report be tabled with the appointed Committee for action.

Motion carried by a simple majority.

7. Finance:

7.1 Annual Financial Statements for the period ending 1st February 2022 to 31st January 2023

RESOLUTION: It was resolved that the Owners Corporation adopt the Annual Financial Statements for the period 1st February 2022 to 31st January 2023.

Motion carried by a simple majority.

7.2 Owners Corporation Budget for the period 1st February 2022 to 31st January 2023

The manager advised that the proposed budget expenses for the financial year 1st February 2023 to 31st January 2024 includes \$903,714.16 (excl. GST) for the Administrative Fund and \$230,642.95 (excl. GST) for the Maintenance Fund.

RESOLUTION: It was resolved that the Owners Corporation adopt the Budget for the financial year 1st February 2023 to 31st January 2024

Motion carried by a simple majority.

7.3 Owners Corporation Fees

- i) *Note: The fee for the period 1st February 2023 to 31st July 2023 has been pre-issued based on last year's approved budget. Following the approval of this year's budget, the next bi-annual fees for the period 1st August 2023 to 31st January 2024 will be adjusted to reflect the new fees.*

OC Fees Period	Due Date	Admin Fund	Maint. Fund	Total Fees
01.02.2023 to 31.07.2023 – Pre issue	01.02.2023	\$305.43	\$50.35	\$355.78
01.02.2023 to 31.07.2023 – Adjustment	01.08.2023	\$(0.87)	\$ 7.03	\$6.16
01.08.2023 to 31.01.2024	01.08.2023	\$304.56	\$57.38	\$361.94

RESOLUTION: It was resolved that the Owners Corporation Fees be set as per the approved budget, that these fees be set based on lot liability for both the Administration and Maintenance Funds and that these fees be payable bi-annually in advance on 1st February and 1st August.

Motion carried by a simple majority.

ii) Administration Fund

RESOLUTION: It was resolved that the annual Administrative Fund Owners Corporation Fees for the period of 12 months commencing 1st February 2023 to 31st January 2024, be struck in the amount of \$803,481.86 ex GST as per the approved budget.

Motion carried by a simple majority.

iii) Maintenance Fund

RESOLUTION: It was resolved that the annual Maintenance Fund Owners Corporation Fees for the period of 12 months commencing 1st February 2023 to 31st January 2024, be struck in the amount of \$144,983.33 ex GST as per the approved budget.

Motion carried by a simple majority.

7.4 Owners Corporation Fees due 01/02/2024

Members were advised that due to the timing of the Annual General Meeting, the first levy contributions (bi-annual) of the following financial year, being levy period 01/02/2024 to 31/07/2024 fall due before the next budget can be adopted.

The levy contribution for this period was proposed to be pre-issued based on the prior biannual OC fees for the 23/24 financial year as follows.

Proposed 2024/2025 Pre-Issue biannual Levy Contribution (incl. GST *based on 100 units of liability	Admin	Maint
OC Fees for 01/02/2024 to 31/07/2024	\$ 304.56	\$ 57.38

RESOLUTION: It was resolved that the Owners Corporation Fees for the first one levy contribution (bi-annual); levy period for the 01/02/2024 to 31/07/2024 be pre-issued based on the prior biannual OC fees as per above table and that these fees be set based on lot liability for the Administration Fund and Maintenance Fund, payable bi-annually in advance on 01/02/2024.

Motion carried by a simple majority.

7.5 Penalty Interest on Arrears

RESOLUTION: It was resolved that pursuant to Section 29 of the Owners Corporation Act 2006 the Owners Corporation may charge interest at the maximum rate of interest payable under the Penalty Interest Rate Act 1983 on any money owed by a member to the Owners Corporation after the due date.

The current interest rate is 10.0%.

Motion carried by a simple majority.

7.6 Debt Recovery

The Manager advised that the Owners Corporation need to approve the engagement of a debt recovery firm to commence VCAT or Magistrates Court action to recover unpaid Owners Corporation Fees that have not been paid in full. This action has commenced once a lot has unpaid fees that are equal to or exceed the annual OC Fee.

RESOLUTION: It was resolved that the Owners Corporation instruct Quantum United Management to engage a debt recovery firm to commence Owners Corporation Fee recovery if there are unpaid fees that are equal to or above the annual Owners Corporation Fees.

Motion carried by a simple majority.

7.7 Cost Recovery

RESOLUTION: It was resolved that the Owners Corporation may recover, as a debt due from the person or persons in default or breach, the costs, charges and expenses incurred by the Owners Corporation, (but excluding the personal time, cost of any person acting in an honorary capacity including the Chairperson, or Committee member of the Owners Corporation) arising out of any default or breach, by any lot owner, or occupier of a lot, of any obligation under the Owners Corporation Act 2006 or the Owners Corporation Regulations 2018 or the Rule of the Owners Corporation.

Motion carried by a simple majority.

8. Insurance:

8.1 Review of current Owners Corporation Insurance Cover:

RESOLUTION: It was resolved that the Insurance policy details for the Owners Corporation required by Part 3 Division 6 of the Owners Corporation Act 2006 the details of which are outlined below be accepted, and that the Owners Corporation approve the renewal of the policies on the renewal date noted below:

Owners Corporation Insurance Cover

Name of Company:	CHU Stata Insurance
No. of Policy:	HU0006077645
Insured:	Owners Corporation Plan No.1 PS604255Y
Community Building (Club Alamanda)	\$ 7,304,694.00
Common Area Contents	\$ 262,500.00
Community Income	\$ 1,095,704.00
Government Audit Costs	\$ 25,000.00
Appeal Expense	\$ 100,000.00
Legal Defence Expense	\$ 50,000.00
Public Liability:	\$ 50,000,000.00
Office Bearers Liability	\$ 10,000,000.00
Volunteer Worker (death)	\$ 200,000.00 (total disablement \$2,000 per week)
Machinery Breakdown	\$ 100,000.00
Basic Excess	\$2,000.00 each and every claim
Additional Excess (es)	\$2,500.00 water damage \$2,000.00 machinery breakdown

Renewal Date: 10 February 2024

STANDING DIRECTION (INSURANCE RENEWAL)

Members are advised that in order for Quantum United Management Pty Ltd to automatically renew the insurance policies applicable to the property a "Standing Direction" is to be provided to Quantum United Management Pty Ltd. The insurance policy will be renewed at the "suggested" rate of cover indicated as per the insurer's recommendation on the renewal notice or as per the value recommended of a Valuation Report.

The information provided to the members is deemed to be given as General Advice only.

Motion carried by a simple majority.

9. Owners Corporation No.1 PS 604255Y Committee

9.1 Election of Owners Corporation Committee Members

The Manager read out the names of members who had submitted a committee nomination form and called for nominations from the attendees. It was requested that each nominated member introduce themselves to those in attendance prior to the motion being tabled for the Committee appointment.

The following elected members were appointed to the Committee 2022/23

Doris Lang	Patricia (Trish) Gurciullo
Glen Piper	Josephine (Jo) McClure
James Morgan	Yogita Champaneri

RESOLUTION: It was resolved that the elected nominees are elected on to the committee of the Owners Corporation No. 1 PS604255Y Committee.

Motion reworded, which was moved by Dolores Lang and seconded by Shabu John

Motion carried by a simple majority.

10. Other Business

Roller Shutters

It was enquired by a member on behalf of his neighbour about the installation of roller shutters at their property and requested for further discussion and a resolution on this topic. The member was informed that the matter will be tabled at the next committee meeting with the newly elected committee for further discussion.

Action item – The Manager to table the member's request in relation to roller shutters at the first committee meeting.

11. Close of Meeting

With no further business arising, the meeting closed at 7.39 pm.