



Strata Information

Unit 21/226 Whatley Crescent, Maylands

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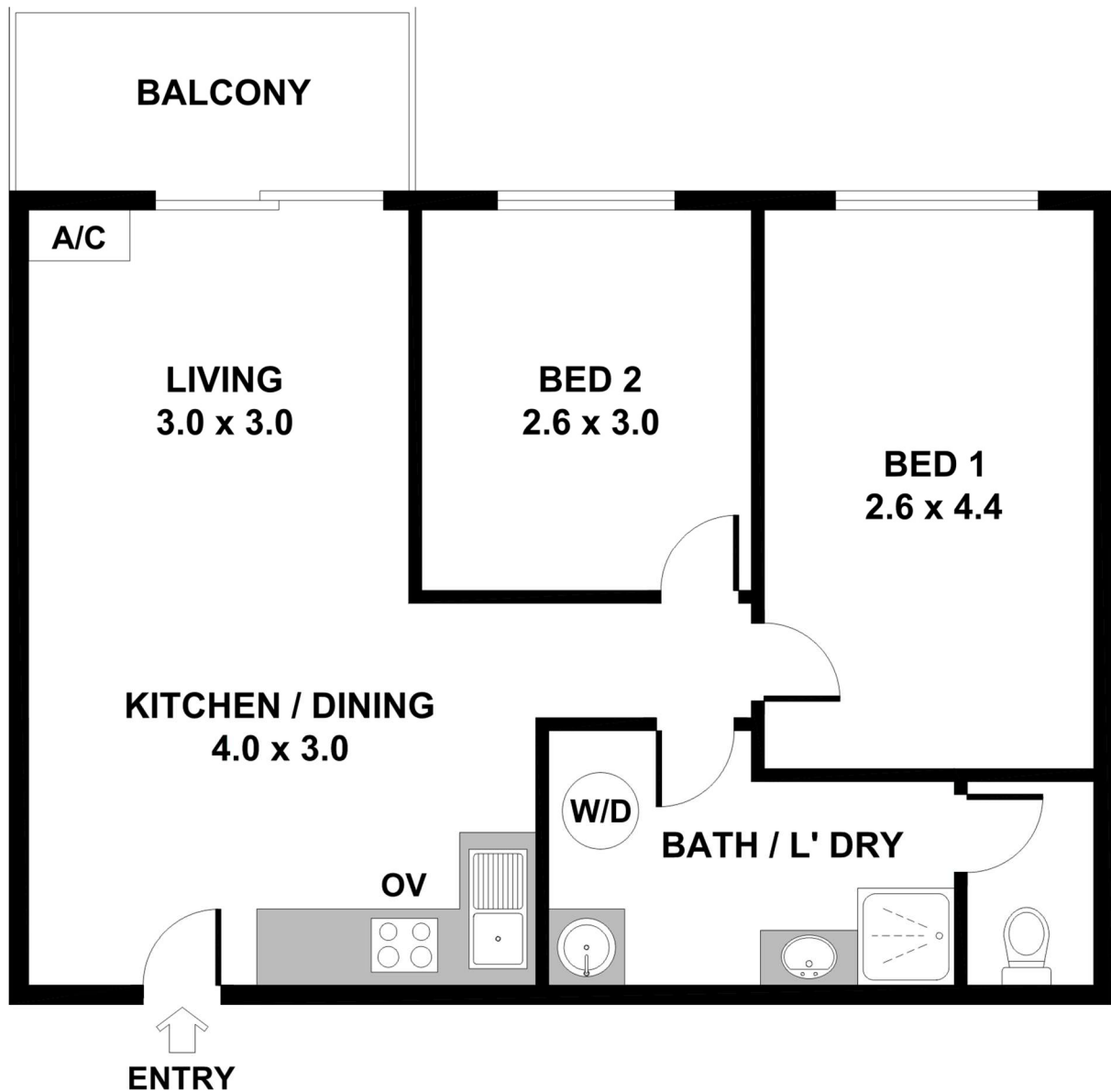
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Summary of Outgoings & Owners Funds			
Council Rates	\$	1,770.86	per year
Water Service	\$	910.82	per year
Strata Admin	\$	\$625.00	per quarter
Strata Reserve	\$	Nil	per quarter
Total Owners Funds	\$	267,662.92	as at 31/08/2024

James Yeoman 0400 900 622

Sales Specialist james@kprperth.com.au

Floor Plan



Third Story Unit

21/226 Whatley Crescent

MAYLANDS

(This floor plan is for information & guidance purposes only / measurements shown are approximate)



SCALE 1:500 ~~LINKS TO AN INCH~~

83770/9/70-2M-O/MGD

ANNEXURE A OF STRATA PLAN No. 3642

SCHEDULE OF UNIT ENTITLEMENT		OFFICE USE ONLY CURRENT Cs. of TITLE	SCHEDULE OF UNIT ENTITLEMENT		OFFICE USE ONLY CURRENT Cs. of TITLE
LOT No.	UNIT ENTITLEMENT	VOL. FOL.	LOT No.	UNIT ENTITLEMENT	VOL. FOL.
1	10	1497-303			
2	10	1497-304			
3	10	1497-305			
4	10	1497-306			
5	10	1497-307, 1915-578			
6	10	1497-308, 1744-232			
7	10	1497-309			
8	10	1497-310			
9	10	1497-311			
10	10	1497-312			
11	10	1497-313			
12	10	1497-314			
13	10	1497-315, 1558-203			
14	10	1497-316			
15	10	1497-317			
16	10	1497-318			
17	10	1497-319			
18	10	1497-320			
19	10	1497-321			
20	10	1497-322, 1805-464			
21	10	1497-323			
22	10	1497-324			
23	10	1497-325			
24	10	1497-326			
Aggregate		240			

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966 AS AMENDED

TOWN PLANNING BOARD

Date 3 FEB 1976

CHAIRMAN.

LOCAL AUTHORITY CITY OF STIRLING

Date 21.1.1976

SHIRE/TOWN CLERK.

85371/11/70-2M-G124

FORM 3

STRATA PLAN No. 3642

CERTIFICATE OF LOCAL AUTHORITY

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966

City of Stirling, THE LOCAL AUTHORITY,

HEREBY CERTIFIES THAT:—

- (1) The building shown on the plan has been inspected and that it is consistent with the building plans and specifications in respect thereof that have been approved by the Local Authority.
- (2) The building, in the opinion of the local authority, is of sufficient standard and suitable to be divided into lots pursuant to the Strata Titles Act, 1966.

DESCRIPTION OF BUILDING:—

Three storey brick and iron building known as 226 Whatley Crescent, Maylands and which is entirely contained within the external surface boundaries of that portion of Swan Location Y being Lot 500 on Diagram 38835 the subject of Certificate of Title Volume 1421 Folio 971.

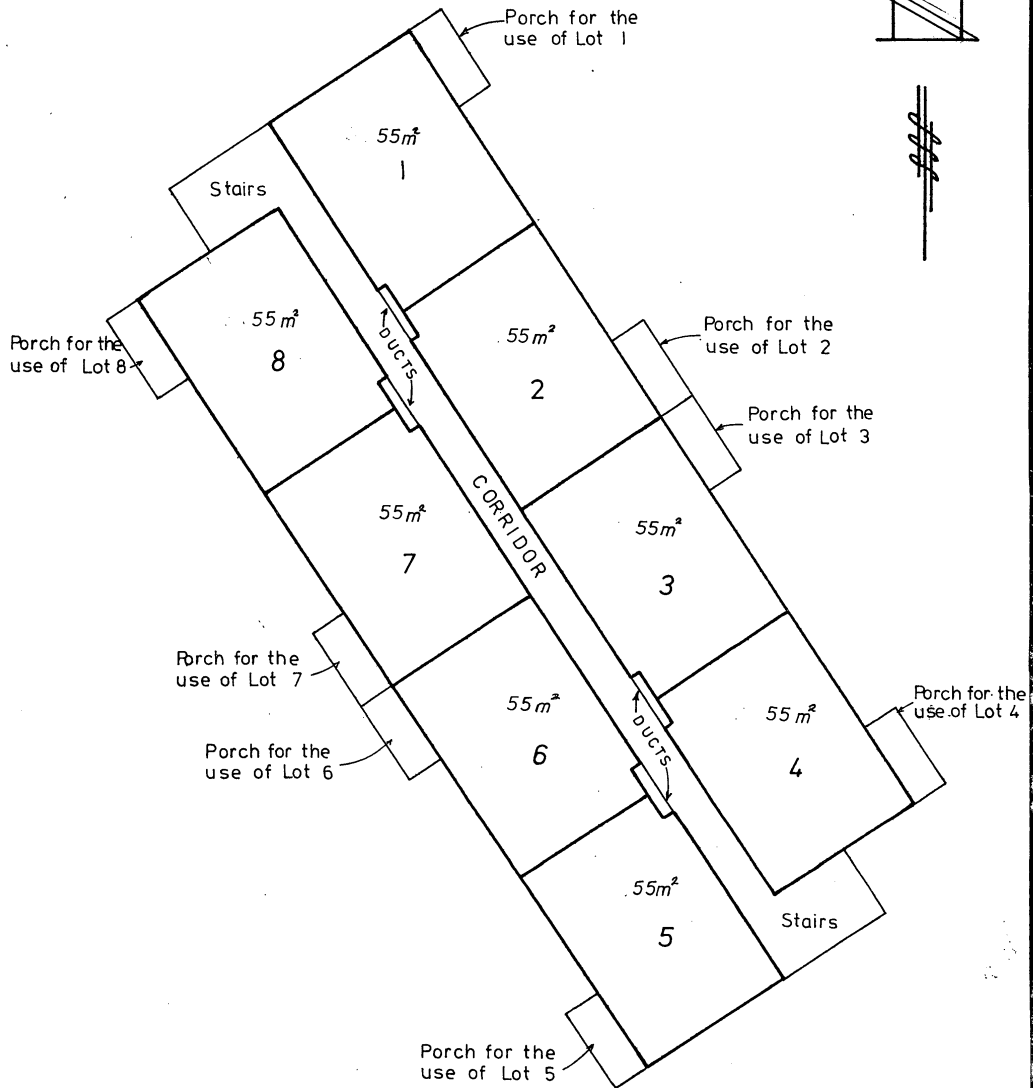
DATE 21.1.1976

L. Easton
SHIRE/TOWN CLERK

62067/4/69-200-F802

STRATA PLAN No. 3642

GROUND FLOOR

SCALE 1:200 ~~FEET TO AN INCH~~

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966 AS AMENDED

TOWN PLANNING BOARD

David Can

DATE 23 FEB 1976

CHAIRMAN

LOCAL AUTHORITY CITY OF STIRLING

S. Hester

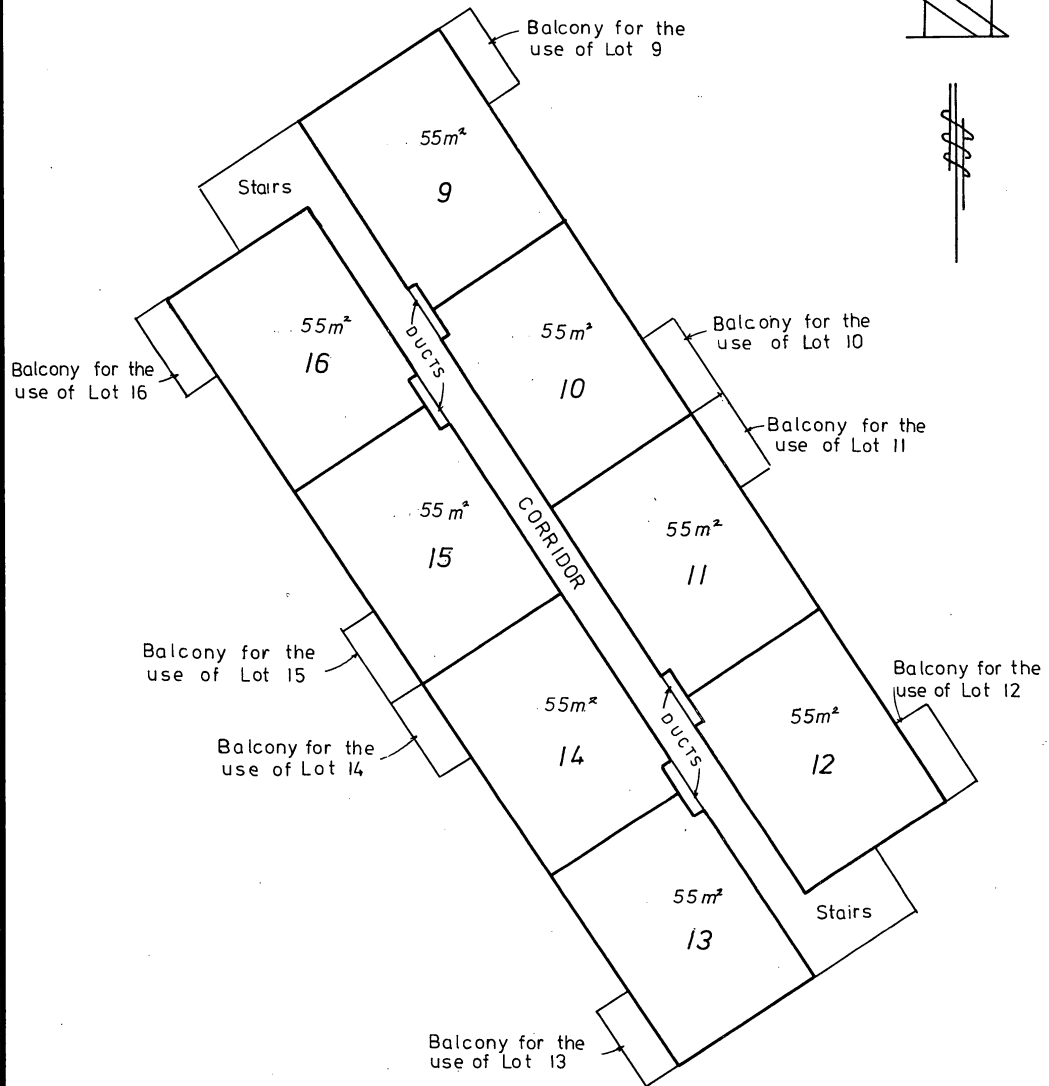
DATE 21.1.1976

SHIRE/TOWN CLERK

85370/11/70-2M-C397

STRATA PLAN No. 3642

FIRST FLOOR



SCALE 1:200 FEET TO AN INCH

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966 AS AMENDED

TOWN PLANNING BOARD

DATE 23 FEB 1976

CHAIRMAN

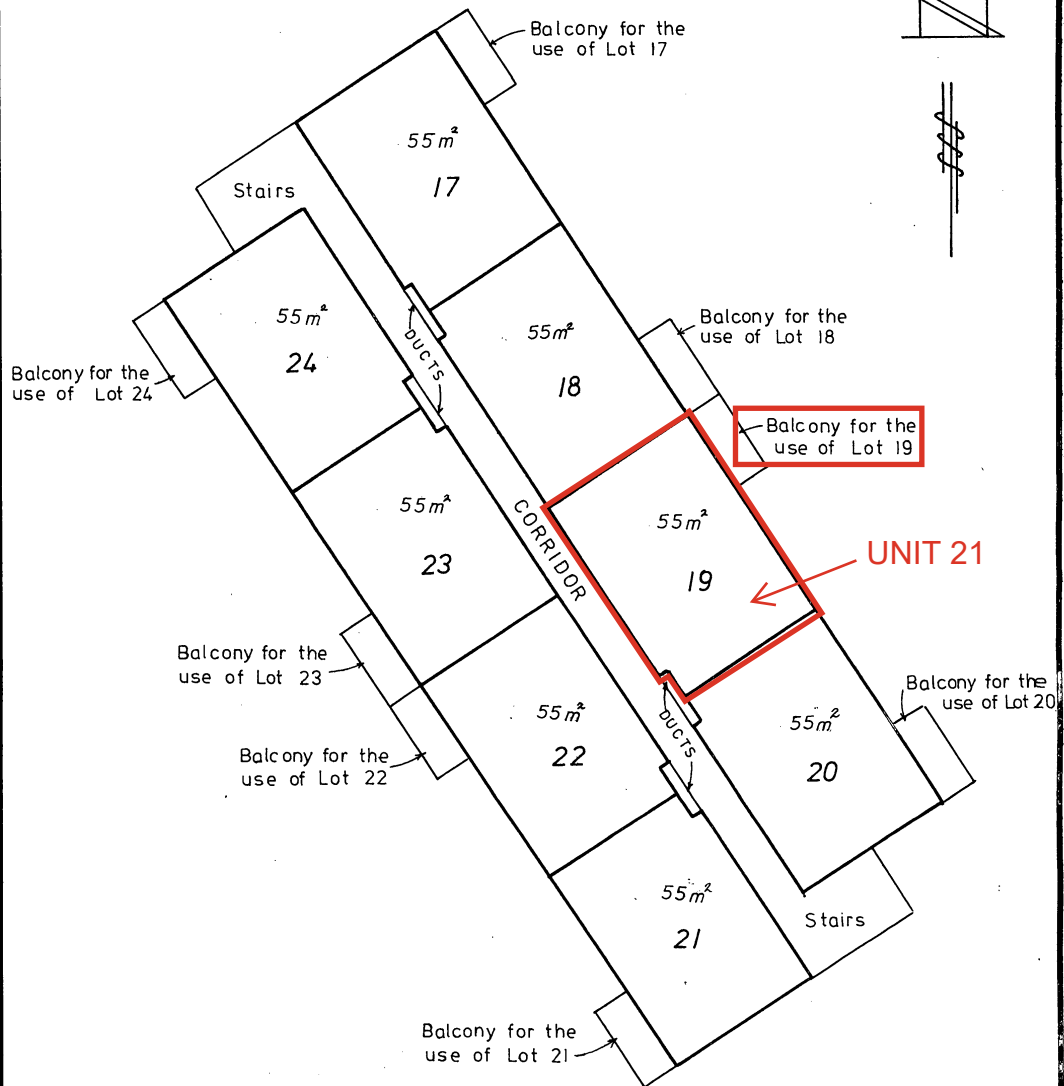
LOCAL AUTHORITY CITY OF STIRLING

DATE 21.1.1976

SHIRE/TOWN CLERK

STRATA PLAN No. 3642

SECOND FLOOR



SCALE 1: 200 FEET TO AN INCH

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966 AS AMENDED

TOWN PLANNING BOARD

David Can

DATE 3 FEB 1976

CHAIRMAN

LOCAL AUTHORITY CITY OF STIRLING

J. Hester

DATE 21.1.1976

SHIRE/TOWN CLERK

85370/11/70-2M-C397

[illegible][illegible]

NOTE: ENTRIES BILLIED THROUGH AND AUTHENTICATED BY THE REGISTRAR OF TITLES ARE CANCELLED.

INSTRUCTIONS

1. This form may be used only when a "Box Type" form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

OFFICE USE ONLY

J515131 AE

18 Nov 2005 10:19:18 Midland



REG \$ 80.00

LODGED BY *ALL STAR MANAGEMENT*

ADDRESS *121 WALCOTT ST
MOUNT CRAWLEY WA 6050*

PHONE No. *08 9227 8966*

FAX No. *08 9227 5519*

REFERENCE No. *3642*

ISSUING BOX No. *999 L*

PREPARED BY *AS ABOVE*

ADDRESS

PHONE No.

FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

- | | |
|----------|-----------------|
| 1. _____ | Received Items |
| 2. _____ | Nos. |
| 3. _____ | |
| 4. _____ | |
| 5. _____ | |
| 6. _____ | Receiving Clerk |

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

EXAMINED



BLANK INSTRUMENT FORM

FORM 21

(Note 1)

NOTIFICATION OF CHANGE OF BY-LAWS
STRATA TITLES ACT 1985
SECTION 42

The Owners of 226 WHATLEY CRESCENT MAYLANDS Strata No. 3642 hereby certify :

: that by Resolution Without Dissent duly passed at a meeting of the Strata Company on the 1ST SEPTEMBER 2005 which became unconditional on the 29TH SEPTEMBER 2005 the By-Laws in Schedule 1 to the Act

as they applied to the Strata Company, were ADDED as follows: -

BY-LAW 17 - Recovery of costs by strata company

1.1 If the proprietor of a lot refuses or fails to pay to the strata company any amount due for levies (whether under section 36(1) or section 36(2) of the Act) or any other amount due, the strata company may take such lawful action as it deems necessary to recover that amount from the proprietor (including proceedings in any Court of competent jurisdiction). All costs incurred in taking such action including, but not limited to:

1.1.1 strata company manager's costs, pursuant to the strata management contract or as otherwise determined by the strata company;

1.1.2 legal costs on an indemnity basis; and

1.1.3 debt recovery agency's costs;

are an administrative expense of the strata company and become a debt due and payable by the proprietor to the strata company, and shall be recoverable by the strata company when recovering due levies.

1.2 It shall be competent for the strata company in proceedings commenced in any Court of competent jurisdiction to recover due levies, to claim in such proceedings all costs incurred in taking such action including costs incurred up to entry of judgment.

1.3 The quantum of legal costs incurred in taking action to recover due levies, shall be the costs payable by the strata company to its solicitors. The strata company shall within three days of receiving an invoice for legal fees forward by pre-paid post to the proprietor in respect of whom the legal fees have been incurred a copy of that invoice. Upon receipt of that or upon the date when the invoice would have been received in the normal course of mail the proprietor shall forthwith make payment thereof to the strata company.

1.4 A certificate from the solicitors retained by the strata company, stating the amount of costs incurred in prosecuting an action to recover due levies from a proprietor, shall be conclusive evidence of the amount due and payable by the proprietor for which amount judgment may be entered against the proprietor in any Court of competent jurisdiction.

1.5 Simple interest at the prescribed rate shall be payable by the proprietor to the strata company on costs incurred by the strata company in taking action (including proceedings in any Court of competent jurisdiction) to recover due levies. Such interest shall commence and be payable from the date a copy of the invoice would have been received in the mail as required by By-Law 1.3 and shall cease to be payable upon payment of all costs and interest accrued thereon. Interest upon interest shall not be charged or accrue.

In the event that the strata company does not receive payment of costs incurred when payment of due levies is received from a proprietor and judgment for those costs has not been obtained from a Court of competent jurisdiction then those costs and simple interest thereon at the prescribed rate, being an administrative expense of the strata company shall be levied in accordance with section 36(1)(c)(ii) of the Act on the proprietor in respect of whom the cost was incurred, and if unpaid shall be recoverable as an unpaid levy in accordance with this by-law.

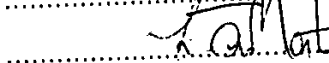
The Common Seal of the Owners of 226 WHATLEY CRESCENT MAYLANDS Strata Plan 3642 was hereunto affixed on the 16 day of NOVEMBER 2005.

in the presence of



Council Member

in the presence of

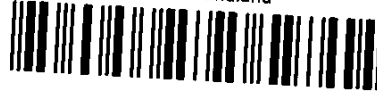


Council Member



M887108 AE

16 Jan 2015 08:30:00 Midland



REG \$ 160.00

LODGED BY Custom Strata Management

9/37 Cedric Street, Stirling, WA 6021

ADDRESS

PHONE No. 9344 2811

FAX No. 9344 2177

REFERENCE No.

ISSUING BOX No.

999L

PREPARED BY IAN LAIRD

ADDRESS PO BOX 139
FREMANTLE WA 6959

PHONE No. 9430 4468

FAX No. 9430 9951.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER
THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

1. Letter	Received Items
2.	Nos.
3.	1
4.	
5.	Receiving Clerk
6.	<i>[Signature]</i>

Registered pursuant to the provisions of the TRANSFER OF
LAND ACT 1893 as amended on the day and time shown above
and particulars entered in the Register.

EXAMINED



SP 3642 (B)

NOTIFICATION

FORM 21

NOTIFICATION OF CHANGE OF BY-LAWS STRATA TITLES ACT 1985 SECTION 42

The Owners of 226 Whatley Crescent Strata Plan 3642 hereby certifies that by Resolution Without Dissent duly passed at a meeting of the Strata Company on 18 October 2014 and which became unconditional on 18 November 2014 the by-laws in Schedule 1 to the Act as they applied to the Strata Company were added to as follows:

¹⁸
New Schedule 1 By-law ~~17~~ is added:

- 18 ~~17.~~ **Preventing Water Leaks**
~~17.1~~ Every proprietor, occupier and other resident shall ensure that all:
~~18.1~~
- bathrooms;
 - en-suites;
 - toilets;
 - laundries;
 - kitchens; and
 - balconies
- within their lot or common property immediately adjacent to their lot are:
- kept in good and serviceable repair,
 - properly maintained; and
 - where necessary, renewed and replaced,
- so as to prevent water or other liquid leaking to any other lot or the common property (other than through waste pipes and drains).
- ~~17.2~~
18.2 If sub by-law 18.1 is breached, and any other lot or common property is damaged, then the strata company may require the proprietor of the lot concerned, by written notice, to:
- ~~17.2.1~~ rectify the breach and any resultant damage within a
18.2.1 reasonable time; and
 - ~~17.2.2~~ employ the contractor reasonably nominated by the strata
18.2.1 company for that purpose.
- ~~17.3~~
18.3 In an emergency, or if a proprietor does not comply with a notice provided pursuant to sub-bylaw 18.2, the strata company may:
- ~~17.3.1~~ enter and inspect a lot to determine whether sub-bylaw 18.1
18.3.1 has been breached; and

~~17.3.2~~ employ whatever means may be reasonably necessary to
~~18.3.2~~ ensure no further leaks occur and to repair resultant damage to
the common property.

~~17.4~~ Pursuant to section 42B of the Act, the strata company shall levy
~~18.4~~ contributions in respect of the expenses caused by or resulting from
any breach of this by-law on the proprietor of the lot concerned, not in
accordance with unit entitlement.

and further,

hereby certifies that by Special Resolution duly passed at a meeting of the Strata
Company on 18 October 2014 and which became unconditional on 18
November 2014 the by-laws in Schedule 2 to the Act as they applied to the
Strata Company were repealed and added to as follows:

**Schedule 2 by-law 14 is repealed and New Schedule 2 By-law 14 is inserted
in its place:**

New Schedule 2 By-law 14

14. Alterations to lots

14.1 In this by-law, “**Works**” means any structural alterations, extensions or
additions, office fit-out, renovations or associated works to a lot.

14.2 A proprietor shall not commence any Works unless they have:

14.2.1 complied with and obtained all the necessary approvals of the
strata company as provided for in sections 7 and 7B;

14.2.2 obtained all the necessary approvals and permits of the local
government and any other competent public authority;

14.2.3 given to the strata company at least 14 days written notice of
the Works and true and complete copies of all relevant plans
and specifications and any approvals and permits obtained
from the local government and any other competent public
authority pursuant to sub-by-law 14.2.2;

14.2.4 provided the strata company with a detailed dilapidation
report prepared by a suitably qualified and independent
contractor covering the common property over or through
which any building or other materials are to be transported or
stored and in particular for the whole of the floor on which the
lot is located; and

14.2.5 indemnified the strata company against all actions, claims,
demands, damages, costs, suits, causes of action and losses of
any nature whatsoever which the strata company may suffer or
incur in respect of damage to property, death or bodily injury
arising from or related to the proprietor undertaking the
Works, and that is occasioned wholly or in part by any wilful
or negligent act or omission or by any breach of this by-law,
any duty of care or the strata company’s consent by the

proprietor, or by any other person undertaking the Works with the consent of the proprietor.

- 14.3 In causing or allowing any Works of any kind to be carried out on their lot, a proprietor shall ensure that:
- 14.3.1 all tradesmen's vehicles permitted by these by-laws are parked, stored or kept within that part of the lot intended for use as a car parking bay;
 - 14.3.2 no rubbish or building materials are stored on or within the common property;
 - 14.3.3 no security door or gate within the scheme remains open while the Works are carried out;
 - 14.3.4 any common property damaged as a result of conducting the Works is cleaned and restored to the same state and condition as it was before the Works commenced;
 - 14.3.5 access to or egress from the lot by all tradesmen bringing materials to the lot for the purpose of carrying out the Works is pre-arranged with the strata company;
 - 14.3.6 no noxious or offensive activity shall be carried on upon the lot between the hours of 5.00 p.m. and 7.00 a.m. on any day or at any time on Sunday nor shall anything be done thereon which interferes with the peaceful enjoyment of or causes a nuisance to another proprietor, occupier or other resident and, without limiting the generality of the foregoing, no mechanical or pneumatic tools shall be used during the hours above; and
 - 14.3.7 all Works are carried out in an enclosed environment to prevent the escape of dust, debris and other materials from the lot.

The Common Seal of the Owners of;


226 Whatley Crescent, Maylands

Strata/Survey-strata Plan No. 3642 was hereunto affixed on 18.10.2014

in the presence of —

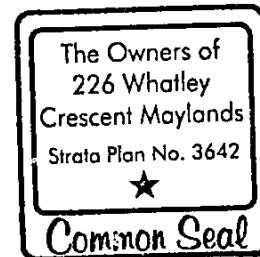
x 

NATHALIE COLLINS
LOT 1.

x 

CLARE BOND
LOT 15.

Members of the Council



Minutes of the Annual General Meeting

Strata Company for 226 Whatley Crescent, Maylands Strata Plan 3642

Meeting Date	10 Dec 2024																										
Meeting Location	St Luke's Anglican Church, 13 George Street, MAYLANDS, WA, 6051																										
Time	04:00 PM	Opened: 04:35 PM	Closed: 05:05 PM																								
Lots Represented	<table><thead><tr><th>Lot</th><th>Name</th><th>Represented by</th></tr></thead><tbody><tr><td>1</td><td>Nathalie Collins</td><td>Electronic vote - Proxy</td></tr><tr><td>5</td><td>Tyron Levison</td><td>Owner present</td></tr><tr><td>8</td><td>Torkel Tennberg</td><td>Electronic vote - Proxy</td></tr><tr><td>13</td><td>Carlo Farano</td><td>Electronic vote - Proxy</td></tr><tr><td>15</td><td>Peter Taylor</td><td>Proxy present</td></tr><tr><td>17</td><td>Carolyn Ting</td><td>Owner present</td></tr><tr><td>19</td><td>Anthony McNamara</td><td>Owner present</td></tr></tbody></table>			Lot	Name	Represented by	1	Nathalie Collins	Electronic vote - Proxy	5	Tyron Levison	Owner present	8	Torkel Tennberg	Electronic vote - Proxy	13	Carlo Farano	Electronic vote - Proxy	15	Peter Taylor	Proxy present	17	Carolyn Ting	Owner present	19	Anthony McNamara	Owner present
Lot	Name	Represented by																									
1	Nathalie Collins	Electronic vote - Proxy																									
5	Tyron Levison	Owner present																									
8	Torkel Tennberg	Electronic vote - Proxy																									
13	Carlo Farano	Electronic vote - Proxy																									
15	Peter Taylor	Proxy present																									
17	Carolyn Ting	Owner present																									
19	Anthony McNamara	Owner present																									
Chairperson	James Ryan - Abode Strata																										
Additional Attendees	Lot 15 - Julie Robertson																										

Item 1
Preliminary Matters
<ol style="list-style-type: none"> 1. Verification of number of valid proxies received. 4 2. Verification of number of those eligible to vote and personally present. 7 3. Declaration of quorum present and confirmation that the meeting is properly constituted and may proceed to the consideration of business. <i>If a Quorum is not present at 4pm, after 30 minutes has elapsed from 04:00 PM on 10 Dec 2024, the persons entitled to vote who are present at the meeting are taken to constitute a quorum for the purposes of that meeting.</i> 4. Appointment of Chairperson for the meeting. James Ryan – Abode Strata

Motion 2				
Confirmation of the Minutes of the Previous General Meeting		Ordinary Resolution		
Resolved that the owners resolve <ol style="list-style-type: none">1. To confirm the minutes of the previous General Meeting held on 7/11/23 are an accurate record of proceedings, and2. That there were no matters arising (not otherwise provided for by this agenda) from that previous General Meeting				
Motion CARRIED.				
VOTES	Yes: 5	No: 0	Abs: 2	Unf: 0

Motion 3				
Consideration of Accounts		Ordinary Resolution		
Resolved that the statement of accounts for the period from 1/9/23 to 31/8/24 presented be considered.				
Motion CARRIED.				
VOTES	Yes: 6	No: 0	Abs: 1	Unf: 0

4 Strata Council				
Motion 4.1				
Constitution of the Council		Ordinary Resolution		
<p>Resolved that the council of the strata company consist of 5 owners.</p> <p>Call for nominations of candidates for election to the council; and, if required, conduct a ballot to elect members of the council.</p> <p>Lot 1 N Collins</p> <p>Lot 5 T Levison</p> <p>Lot 15 P Taylor</p> <p>Lot 17 C Ting</p> <p>Lot 19 A McNamara</p> <p>Further, once council positions are filled, the chairperson position be declared.</p> <p>Lot 15 – Peter Taylor</p>				
Motion CARRIED.				
VOTES	Yes: 6	No: 0	Abs: 1	Unf: 0

Motion 4.2				
Strata Council to Execute Documents on Behalf of the Strata Company		Ordinary Resolution		
<p>The Strata Company authorises the Strata Council to execute documents with two signatories where needed, and;</p> <p>The Strata Manager may execute documents on behalf of the Strata Company where authorised by the Strata Council, excluding the Strata Managers own Management Agreement.</p>				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0

5 Insurance				
Motion 5.1				
Insurance Valuation		Ordinary Resolution		
Resolved that the Strata Manager be directed to obtain a Building Valuation Report on the complex in accordance with the requirements imposed by the Strata Titles Act of WA Section 97 and instructions to the valuer guidelines as follows and that the Strata Manger be directed to amend the BSI accordingly.				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0
Motion 5.2				
Insurance Certificate of Currency and Renewal		Ordinary Resolution		
Resolved that the strata council be directed to arrange insurance as per current certificate, prior to the expiry of the current policy. Furthermore, that the strata council may effect cover for any further risks as advised by a qualified professional.				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0
6 Work Health and Safety Act 2020				
Motion 6.1				
Safety Report		Ordinary Resolution		
Resolved that the Strata Company is directed to commission a Safety Report that comprehensively identifies potential hazards and risks, conducts property risk assessments, and provides practical and cost-effective recommendations.				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0

Motion 6.2				
Safety Plan		Ordinary Resolution		
<p>Resolved that the Strata Company adopt the below Standard Safety Plan for potential safety hazards as and when they occur.</p> <ol style="list-style-type: none">1. Onsite make safe completed i.e. signage, cordon off, cone etc2. Notify Strata Manager/BM (Building Manager, if there is one)3. Strata Manager/BM to notify all owners or authorised contacts.4. Strata Manager/BM to contact appropriate contractor via phone noting urgency following with urgent work order.5. Strata Manager/BM to follow up contractor for any timeline of repairs.6. Strata Manager/BM to communicate back to council and or all owners depending on the repairs.7. If necessary, contact insurer and provide update of plan.				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0

Motion 7				
Asbestos Survey, Management Plan and Register		Ordinary Resolution		
Resolved that the Council of Owners proceed with an Asbestos Survey. If any Asbestos is found, then a Management Plan and Register (as required under the WHS Act) must also be obtained (carries an additional cost).				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0

Motion 8				
End Of Financial Year By-Law (for use before 30 April 2025)		Ordinary Resolution		
Motion failed that the financial year for the Strata Company is the period of 12 months ending on the 31st of August 2024.				
Financial Year to default to 30 June 2024.				
The motion failed.				
VOTES	Yes: 3	No: 4	Abs: 0	Unf: 0

Motion 9				
Proposed Budget of Expenditure		Ordinary Resolution		
Resolved that the Proposed Budget of Expenditure (copy is attached) estimates for the financial period from 1/9/24 to 31/8/25 be adopted as presented and continue until otherwise motioned.				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0

Motion 10				
Administrative Fund Levy		Ordinary Resolution		
Resolved that under Section 100 of the Strata Titles Act, the annual levy of contributions on owners for the Administrative Fund be \$60,000.00 due and payable in advance, by quarterly instalments on the due dates as per the attached 'Proposed Budget - Owner Summary'. Paid quarterly by the 1 st day of each quarter as per above until otherwise motioned.				
Motion CARRIED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0

Motion 11				
Reserve Fund Levy		Ordinary Resolution		
Resolved that under Section 100 of the Strata Titles Act, the annual levy of contributions on owners for the Reserve Fund be AMENDED to \$11,477.00 due and payable in advance, by quarterly instalments on the due dates as per the attached 'Proposed Budget - Owner Summary'. Paid quarterly by the 1st day of each quarter as per above until otherwise motioned.				
Note: After January 1 st Levies, owners of 226 Whatley Crescent will no longer pay reserve fund levies, increasing savings to all owners.				
Motion AMENDED.				
VOTES	Yes: 7	No: 0	Abs: 0	Unf: 0

Item 12**Matters without Notice**

Items discussed by Strata Manager was:

- Pink Bottlebrush quote is being sent by Black Swan.
- Quotes being prepared for partial roof replacement and gutters.
- Soakwell quotes being prepared.
- Jim's Pest to send quotes.
- Ambience Landscaping will attend to retic.

Item 13**Close of Meeting**

Meeting Closed at 5:05 PM

Income and Expenditure Statement

Administrative Fund

Strata Company for SP No. 3642

1 September 2023 to 31 August 2024

226 Whatley Crescent Maylands Western Australia 6051

ABN/ACN 62 693 512 071

	Actuals 01/09/23 31/08/24	Budget 01/09/23 31/08/24	Variance \$ 01/09/23 31/08/24	Variance % 01/09/23 31/08/24
Income				
Levy Fees - normal	60,000.00	60,000.00	0	0
Levy Fees - other	2,690.00	0.00	2,690.00	100
Mutual Revenue - penalty interest	72.33	0.00	72.33	100
Sundry Revenue - other	0.00	882.00	(882.00)	(100)
Total Administrative Fund Income	62,762.33	60,882.00	1,880.33	3

Expenditure

Cleaning Service - steam, pressure	0.00	2,500.00	2,500.00	100
Consultant	1,490.50	10,000.00	8,509.50	85
Electricity	4,238.14	5,000.00	761.86	15
Fire Protection Services	304.70	1,000.00	695.30	70
Garden/Lawn Maintenance	4,516.10	8,000.00	3,483.90	44
Garden/Lawn Maintenance - rubbish removal	352.00	2,500.00	2,148.00	86
Insurance - Claim Excess	0.00	1,500.00	1,500.00	100
Insurance Premiums	11,745.00	15,000.00	3,255.00	22
Legal Services - debt recovery	0.00	1,000.00	1,000.00	100
Minor Building Maintenance	8,568.56	15,000.00	6,431.44	43
Pest Control Services - cockroaches	0.00	500.00	500.00	100
Plumbing Maintenance	278.00	7,000.00	6,722.00	96
Roof - Gutter & Down pipe clean	1,331.00	2,000.00	669.00	33
Strata Manager - management fees	9,118.34	9,139.00	20.66	0
Strata Manager - schedule B fees	405.00	500.00	95.00	19
Trees & Shrubs - tree lopping	7,644.50	5,000.00	(2,644.50)	(53)
Water	5,614.88	5,500.00	(114.88)	(2)
Total Administrative Fund Expenditure	55,606.72	91,139.00	35,532.28	39

Surplus / Deficit for period	7,155.61	(30,257.00)
-------------------------------------	-----------------	--------------------

Summary

Opening Balance as at 1 September 2023	79,189.77
Total Revenue during period	62,762.33
Total Expenditure during period	(55,606.72)
Administrative Fund balance as at 31 August 2024	\$ 86,345.38

Income and Expenditure Statement

Reserve Fund

Strata Company for SP No. 3642

1 September 2023 to 31 August 2024

226 Whatley Crescent Maylands Western Australia 6051

ABN/ACN 62 693 512 071

	Actuals 01/09/23 31/08/24	Budget 01/09/23 31/08/24	Variance \$ 01/09/23 31/08/24	Variance % 01/09/23 31/08/24
Income				
Garden/Lawn Maintenance - Landscaping	0.00	2,554.65	(2,554.65)	(100)
Levy Fees - normal	22,953.60	22,954.00	(0.40)	0
Mutual Revenue - penalty interest	34.56	0.00	34.56	100
Total Reserve Fund Income	22,988.16	25,508.65	(2,520.49)	(10)
Expenditure				
Carports	0.00	50,000.00	50,000.00	100
Garden/Lawn Maintenance - Landscaping	0.00	10,000.00	10,000.00	100
Minor Building Maintenance - CAPEX	7,821.44	10,000.00	2,178.56	22
Minor Building Maintenance - Painting - Exterior	0.00	80,000.00	80,000.00	100
Total Reserve Fund Expenditure	7,821.44	150,000.00	142,178.56	95
Surplus / Deficit for period	15,166.72	(124,491.35)		

Summary

Opening Balance as at 1 September 2023	164,848.36
Total Revenue during period	22,988.16
Total Expenditure during period	(7,821.44)
Reserve Fund balance as at 31 August 2024	\$ 180,015.08

Approved Budget for Strata Company 3642
226 WHATLEY CRESCENT, MAYLANDS, 226 Whatley Crescent MAYLANDS

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Administrative Fund

	Approved Budget (01/09/2024-31/08/2025)	Current Actual (01/09/2023-31/08/2024)	Current Budget (01/09/2023-31/08/2024)
--	--	---	---

Income

Administrative Levy Income	\$60,000.00	\$15,000.00	\$60,000.00
Interest on Overdues	\$0.00	\$15.44	\$0.00

Total Admin Fund Income

	\$60,000.00	\$15,015.44	\$60,000.00
--	-------------	-------------	-------------

Expense

Accountant Fee	\$0.00	\$220.00	\$0.00
Additional Services	\$1,500.00	\$0.00	\$10,000.00
Additional Services - Specific	\$0.00	\$575.82	\$500.00
Cleaning Service	\$2,000.00	\$1,342.00	\$2,500.00
Electricity	\$5,000.00	\$1,029.85	\$5,000.00
Fire Protection Services	\$1,000.00	\$0.00	\$1,000.00
Garden	\$0.00	\$825.00	\$8,000.00
Garden - Lawnmowing	\$1,500.00	\$590.00	\$2,500.00
Garden - Tree Pruning	\$3,500.00	\$0.00	\$5,000.00
General Maintenance	\$12,500.00	\$880.00	\$15,000.00
Gutters & Downpipes	\$3,500.00	\$0.00	\$2,000.00
Insurance - Claim Excess	\$1,500.00	\$0.00	\$1,500.00
Insurance - Premium Common	\$16,500.00	\$0.00	\$15,000.00
Legal Services - Solicitor	\$0.00	\$0.00	\$1,000.00
Management Fee	\$7,900.00	\$2,878.97	\$9,139.00
Pest Services	\$1,000.00	\$0.00	\$500.00
Plumbing	\$0.00	\$158.00	\$7,000.00
Reticulation	\$2,500.00	\$1,053.90	\$0.00
WH&S Compliance	\$96.00	\$66.00	\$0.00
Water	\$5,500.00	\$1,137.14	\$5,500.00
Water - Common	\$0.00	\$788.79	\$0.00

Total Admin Fund Expense

	\$65,496.00	\$11,545.47	\$91,139.00
--	-------------	-------------	-------------

TOTAL ADMIN LEVY INCOME

	\$60,000.00	\$15,000.00	\$60,000.00
--	-------------	-------------	-------------

TOTAL ADMIN BUDGET

	\$60,000.00	\$60,000.00	\$60,000.00
--	-------------	-------------	-------------

Opening Balance as at 01/09/2025	\$134,815.35
ADD: Total Proposed Income	\$60,000.00
LESS: Total Proposed Expenses	\$65,496.00
Estimated Closing Balance as at 31/08/2026	\$129,319.35

Proposed New Admin Levies from 01/01/2025	\$45,000.00
---	-------------

Approved Budget for Strata Company 3642
226 WHATLEY CRESCENT, MAYLANDS, 226 Whatley Crescent MAYLANDS

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Reserve Fund	Approved Budget (01/09/2024-31/08/2025)	Current Actual (01/09/2023-31/08/2024)	Current Budget (01/09/2023-31/08/2024)
Income			
Interest on Overdues	\$0.00	\$3.32	\$0.00
Reserve Levy Income	\$11,477.00	\$5,738.40	\$22,954.00
Total Reserve Fund Income	\$11,477.00	\$5,741.72	\$22,954.00
Expense			
Total Reserve Fund Expense	\$0.00	\$0.00	\$0.00
TOTAL RESERVE LEVY INCOME	\$11,477.00	\$5,738.40	\$22,954.00
TOTAL RESERVE BUDGET	\$11,477.00		\$22,954.00
Opening Balance as at 01/09/2025	\$202,972.00		
ADD: Total Proposed Income	\$11,477.00		
LESS: Total Proposed Expenses	\$0.00		
Estimated Closing Balance as at 31/08/2026	\$214,449.00		
Proposed New Reserve Levies from 01/01/2025	\$5,738.40		

Approved Budget for Strata Company 3642
226 WHATLEY CRESCENT, MAYLANDS, 226 Whatley Crescent MAYLANDS

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Owner Summary (01/09/2024-31/08/2025) - Contribution Schedule

UOE	Lot(s)	1st Instalment 01/10/2024	2nd Instalment 01/01/2025	3rd Instalment 01/04/2025	4th Instalment 01/07/2025	TOTAL (01/09/2024-31/08/2025)	Next Pre Issue 01/10/2025
10	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24						
	Admin	\$625.00	\$625.00	\$625.00	\$625.00	\$2,500.00	\$0.00
	Reserve	\$239.10	\$239.10	\$0.00	\$0.00	\$478.20	\$0.00
	Owner Total	\$864.10	\$864.10	\$625.00	\$625.00	\$2,978.20	\$0.00

Disclaimer: There may be differences in calculated instalment amounts due to rounding to nearest \$0.05

Assets		2024
Cash		267,662.92
Prepaid Expenses	Note 7	245.65
Levies in Arrears	Note 8	954.07
	Total Assets	\$ 268,862.64

Liabilities		
Accounts Payable Liability	Note 10	280.00
Unallocated Monies Received	Note 9	2,222.18
	Total Liabilities	\$ 2,502.18
	Net Assets	\$ 266,360.46

Equity		
Administrative Fund		86,345.38
Reserve Fund		180,015.08
	Total Equity	\$ 266,360.46



CERTIFICATE OF CURRENCY

THE INSURED

POLICY NUMBER	POL11070388
PDS AND POLICY WORDING	Residential Strata Product Disclosure Statement and Policy Wording SCI034-Policy-RS-PPW-02/2021 Supplementary Product Disclosure Statement SCIA-036_SPDS_RSC-10/2021
THE INSURED SITUATION	The Owners of 226 Whatley Crescent Maylands Strata Plan 3642 226 Whatley Crescent, Maylands, WA, 6051
PERIOD OF INSURANCE	Commencement Date: 4:00pm on 31/05/2025 Expiry Date: 4:00pm on 31/05/2026
INTERMEDIARY	Aviso WA Insurance Brokers
ADDRESS	PO Box 1486, Midland, WA, 6936
DATE OF ISSUE	19/05/2025

POLICY LIMITS / SUMS INSURED

SECTION 1	PART A	1. Building	\$7,205,000
		Common Area Contents	\$72,050
	PART B	2. Terrorism Cover under Section 1 Part A2	Applies
		Loss of Rent/Temporary Accommodation	\$1,080,750
	OPTIONAL COVERS	1. Flood	Included
		2. Floating Floors	Included
SECTION 2	Liability		\$20,000,000
SECTION 3	Voluntary Workers		Included
SECTION 4	Workers Compensation		Selected
SECTION 5	Fidelity Guarantee		\$100,000
SECTION 6	Office Bearers' Liability		\$5,000,000
SECTION 7	Machinery Breakdown		Not Included
SECTION 8	Catastrophe		Not Included
SECTION 9	PART A	Government Audit Costs – Professional Fees	\$25,000
	PART B	Appeal Expenses	\$100,000
	PART C	Legal Defence Expenses	\$50,000
SECTION 10	Lot Owners' Fixtures and Improvements		\$300,000
SECTION 11	Loss of Lot Market Value		Not Included

This certificate of currency has been issued by Strata Community Insurance Agencies Pty Ltd, ABN 72 165 914 009, AFSL 457787 on behalf of the insurer Allianz Australia Insurance Limited, ABN 15 000 122 850, AFSL 234708 and confirms that on the Date of Issue a policy existed for the Period of Insurance and sums insured shown herein. The Policy may be subsequently altered or cancelled in accordance with its terms after the Date of Issue of this notice without further

notice to the holder of this notice. It is issued as a matter of information only and does not confer any rights on the holder. This certificate does not amend, extend, replace, negate or override the benefits, terms, conditions and exclusions as described in the Schedule documents together with the Product Disclosure Statement and insurance policy wording.

RESERVE FUND PLANSTM

Insurance Valuations · WHS (Safety) Reports · Asbestos Reports

ABN 90 620 626 565

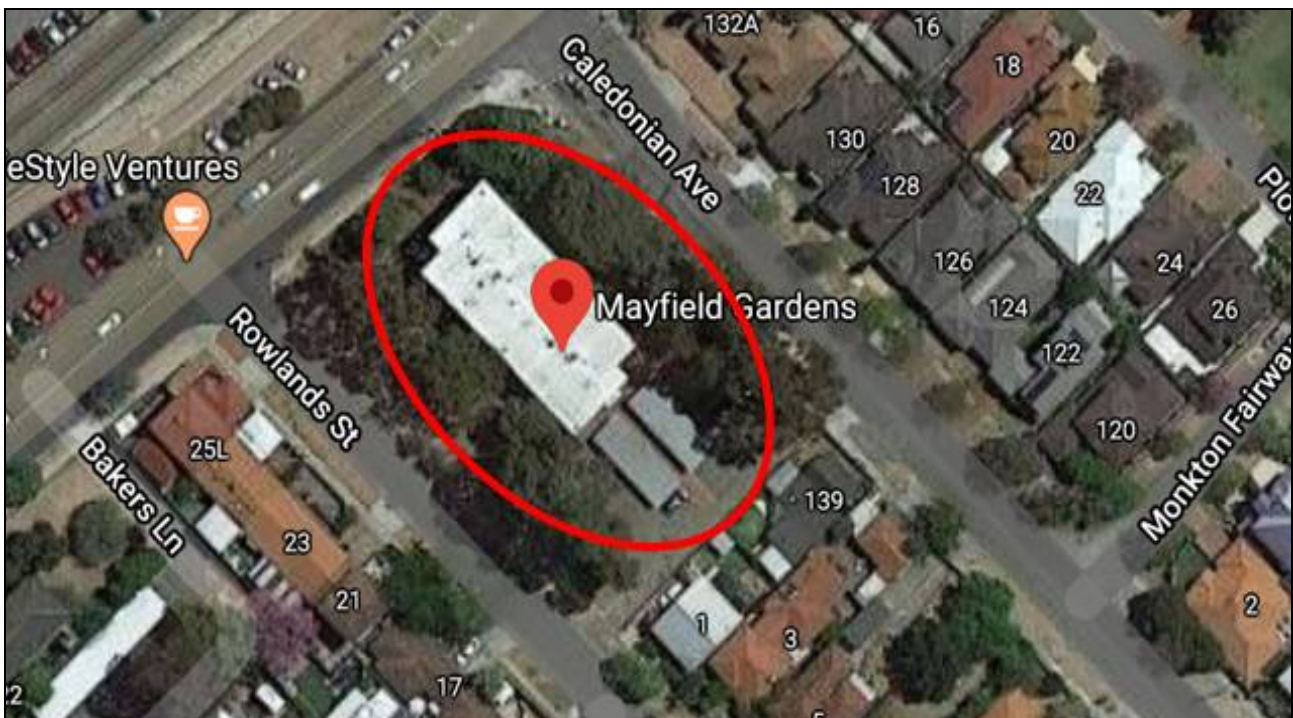
Independent Professional Reports

10 YEAR RESERVE FUND PLAN

DATE OF INSPECTION: 6 JUNE 2020



226 WHATLEY CRESCENT, MAYLANDS :: SP3642



RESERVE FUND PLANS
WESTERN AUSTRALIA
1300 55 18 30
Specialists in Strata

Specialist Property Professionals

Ph: 1300 55 18 30

RFplans@RFplans.com.au :: www.RFplans.com.au
Suite 18, 30 Kearns Crescent, Applecross WA 6153



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Annexure A - Annual Individual Lot Contribution over the 10 year plan

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COVERED ITEMS		Identification of Covered Items - 10 Year Reserve Fund Plan - Cost Estimates (includes GST)										Page 3		
Reserve Fund Plan for:		The Owners of Strata Plan 3642 - 226 Whatley Crescent, Maylands										Strata Plan:		SP3642
Period covered by the Plan:		31 August 2020 to 31 August 2030										Plan prepared on:		8 June 2020

Ser- ial	*Covered Items	Current Cost Estimate	Approx year work required	Escalated amount	End of Year 1	End of Year 2	End of Year 3	End of Year 4	End of Year 5	End of Year 6	End of Year 7	End of Year 8	End of Year 9	End of Year 10
					Aug-21	Aug-22	Aug-23	Aug-24	Aug-25	Aug-26	Aug-27	Aug-28	Aug-29	Aug-30
1	Structure													
2	Roof	\$45,000	2	\$48,205		\$48,205								
3	Long term capital items	\$12,000	10	\$18,636										\$18,636
4	Appendages													
5	Common prop. doors	\$5,500	8	\$7,822								\$7,822		
6	Common prop. lighting	\$3,500	4	\$4,016				\$4,016						
7	Fire safety services	\$4,500	7	\$6,124							\$6,124			
8	Reticulation	\$1,850	3	\$2,051			\$2,051							
9	Fences	\$2,500	9	\$3,715									\$3,715	
10	Guttering & downpipes	\$4,600	8	\$6,542								\$6,542		
11	Infrastructure + utility services	\$3,500	8	\$4,977								\$4,977		
12	Balustrades													
13	Pumps and other plumbing													
14	Inside													
15	Internal painting	\$17,000	7	\$23,135							\$23,135			
16	Handrails	\$4,200	3	\$4,657			\$4,657							
17	Intercom + security doors	\$12,500	4	\$14,344				\$14,344						
18														
19	Outside													
20	External painting	\$35,000	4	\$40,163				\$40,163						
21	Carport x 2 bays (existing)	\$41,000	5	\$48,695					\$48,695					
22	Carport x 2 bays (new)	\$41,000	9	\$60,930									\$60,930	
23	Asphalt driveway + kerbing	\$22,000	5	\$26,129					\$26,129					
24	Garden + landscaping	\$4,200	6	\$5,469						\$5,469				
25	Garbage services	\$2,200	8	\$3,129								\$3,129		
26	Trip or slip hazards	\$850	1	\$880	\$880									
27	Storm water pits + pipes	\$2,600	3	\$2,883			\$2,883							
28	Stair nosings	\$3,500	2	\$3,749		\$3,749								
29	Pavers	\$2,800	4	\$3,213				\$3,213						
30	Line marking + signage	\$3,800	5	\$4,513					\$4,513					
31	Mail boxes	\$950	6	\$1,237						\$1,237				
	Total Estimate (rounded)	\$276,550		\$345,214	\$880	\$51,954	\$9,590	\$61,737	\$79,337	\$6,707	\$29,259	\$22,469	\$64,645	\$18,636

* Covered Items are the items as defined in regulation 77(1)(e) of the Strata Titles (General) Regulations 2019.

CONDITION REPORT
Condition Report - 10 Year Reserve Fund Plan - Method and Reasoning for the Costs Estimates (includes GST)

Page 4

Reserve Fund Plan for:	The Owners of Strata Plan 3642 - 226 Whatley Crescent, Maylands	Strata Plan:	SP3642
Period covered by the Plan:	31 August 2020 to 31 August 2030	Plan prepared on:	8 June 2020

Method and Reasoning						
Ser- ial	*Covered Items	Current Cost Estimate	Approx year work required	Description of proposed works	Current Condition or operating state	Estimated Lifespan after work carried out
1	Structure					
2	Roof	\$45,000	2	Contribution towards the repair of the roof	Poor	More than 20 years
3	Long term capital items	\$12,000	10	Contribution towards the repair of the long term capital items	Average	More than 20 years
4	Appendages					
5	Common prop. doors	\$5,500	8	Contribution towards the repair of the common prop. doors	Average	5-7 years
6	Common prop. lighting	\$3,500	4	Contribution towards the renewal of the common prop. lighting	Average	7-10 years
7	Fire safety services	\$4,500	7	Contribution towards the renewal of the fire safety services	Average	7-10 years
8	Reticulation	\$1,850	3	Contribution towards maintenance of the reticulation	Average	5-7 years
9	Fences	\$2,500	9	Contribution towards the renewal of the fences	Average	7-10 years
10	Guttering & downpipes	\$4,600	8	Contribution towards the renewal of the guttering & downpipes	Average	11-15 years
11	Infrastructure + utility services	\$3,500	8	Allowance for the renewal of the infrastructure + utility services	Average	15-20 years
12	Balustrades					
13	Pumps and other plumbing					
14	Inside					
15	Internal painting	\$17,000	7	Contribution towards the renewal of the internal painting	Average	7-10 years
16	Handrails	\$4,200	3	Allowance for handrails		11-15 years
17	Intercom + security doors	\$12,500	4	Allowance for intercom + security doors		7-10 years
18						
19	Outside					
20	External painting	\$35,000	4	Contribution towards the renewal of the external painting	Average	7-10 years
21	Carport x 2 bays (existing)	\$41,000	5	Allowance for the replacement of the carport x 2 bays (existing)	Very poor	15-20 years
22	Carport x 2 bays (new)	\$41,000	9	Allowance for carport x 2 bays (new)		15-20 years
23	Asphalt driveway + kerbing	\$22,000	5	Contribution towards the repair of the asphalt driveway + kerbing	Poor	11-15 years
24	Garden + landscaping	\$4,200	6	Contribution towards the renewal of the garden + landscaping	Below average	7-10 years
25	Garbage services	\$2,200	8	Allowance for garbage services	Average	5-7 years
26	Trip or slip hazards	\$850	1	Allowance for trip or slip hazards	Average	7-10 years
27	Storm water pits + pipes	\$2,600	3	Contribution towards maintenance of the storm water pits + pipes	Average	5-7 years
28	Stair nosings	\$3,500	2	Allowance for stair nosings		7-10 years
29	Pavers	\$2,800	4	Allowance for the repair of the pavers	Average	11-15 years
30	Line marking + signage	\$3,800	5	Contribution towards the renewal of the line marking + signage	Below average	5-7 years
31	Mail boxes	\$950	6	Contribution towards the repair of the mail boxes	Average	7-10 years
	Total Estimate (rounded)	\$276,550				

PAYMENT PLAN	Recommended Annual Reserve Fund Contributions to cover estimated costs for Covered Items			Page 5
Reserve Fund Plan for:	The Owners of Strata Plan 3642 - 226 Whatley Crescent, Maylands		Strata Plan:	SP3642
Period covered by the Plan:	31 August 2020 to 31 August 2030		Plan prepared on:	8 June 2020

End of Year	Year Ending	Recommended Reserve Fund Payment	Annual % change in Reserve Fund Payment	Adjustment to Reserve Fund Payment (increase/decrease)	Res/Fund Balance + Interest + Annual Res/Fund Payment	Costs in each year refer to the table above (page 3)	Reserve Fund Balance	Interest on the Reserve Fund Balance
A	B	C	D	E	F	G	H	I
					H+I+C		F-G	0.75%
							\$120,033	\$900
1	Aug-21	\$21,222			\$142,156	\$880	\$141,276	\$1,060
2	Aug-22	\$22,071	4.00%		\$164,407	\$51,954	\$112,452	\$843
3	Aug-23	\$22,954	4.00%		\$136,250	\$9,590	\$126,659	\$950
4	Aug-24	\$23,872	4.00%		\$151,481	\$61,737	\$89,745	\$673
5	Aug-25	\$24,827	4.00%		\$115,245	\$79,337	\$35,907	\$269
6	Aug-26	\$25,820	4.00%		\$61,997	\$6,707	\$55,290	\$415
7	Aug-27	\$26,853	4.00%		\$82,558	\$29,259	\$53,299	\$400
8	Aug-28	\$27,927	4.00%		\$81,626	\$22,469	\$59,157	\$444
9	Aug-29	\$29,044	4.00%		\$88,645	\$64,645	\$24,000	\$180
10	Aug-30	\$30,206	4.00%		\$54,386	\$18,636	\$35,750	\$268
11	Aug-31	\$31,414	4.00%		\$67,432		\$67,432	\$506

Note: some figures may be rounded

Assumptions		Our Recommendation of the Annual Reserve Fund Payments for the next 11 years is set out in the Table above. Column C (Recommended Reserve Fund Payment) may include Extra Costs Payments (positive adjustment) or reductions in the Recommended Reserve Fund Payment (negative adjustment) from Column E to ensure that the Reserve Fund Balance remains positive in each year. Column F includes the Reserve Fund Balance as at the end of the previous year plus any interest earned plus the Recommended Reserve Fund Payment for the current year. Column G sets out the Anticipated Expenses in each year. Column H is the Reserve Fund Balance which remains positive and proves our Recommendations are correct.
Base Annual Reserve Fund contribution for Capital Items	\$34,722	
Buffer (or adjustment to the base annual contribution)	-\$13,500	
Recommended Annual Reserve Fund Contribution (After Buffer)	\$21,222	
Current Annual Reserve Fund contribution (as instructed)	\$13,500	
Current Reserve Fund Balance (as instructed)	\$120,033	
Annual Reserve Fund Payment increase rate	4.00%	
Adopted Investment Rate after tax	0.75%	

RECOMMENDATION**First Year - Recommended Annual Reserve Fund Contributions for each Lot - PER ANNUM**

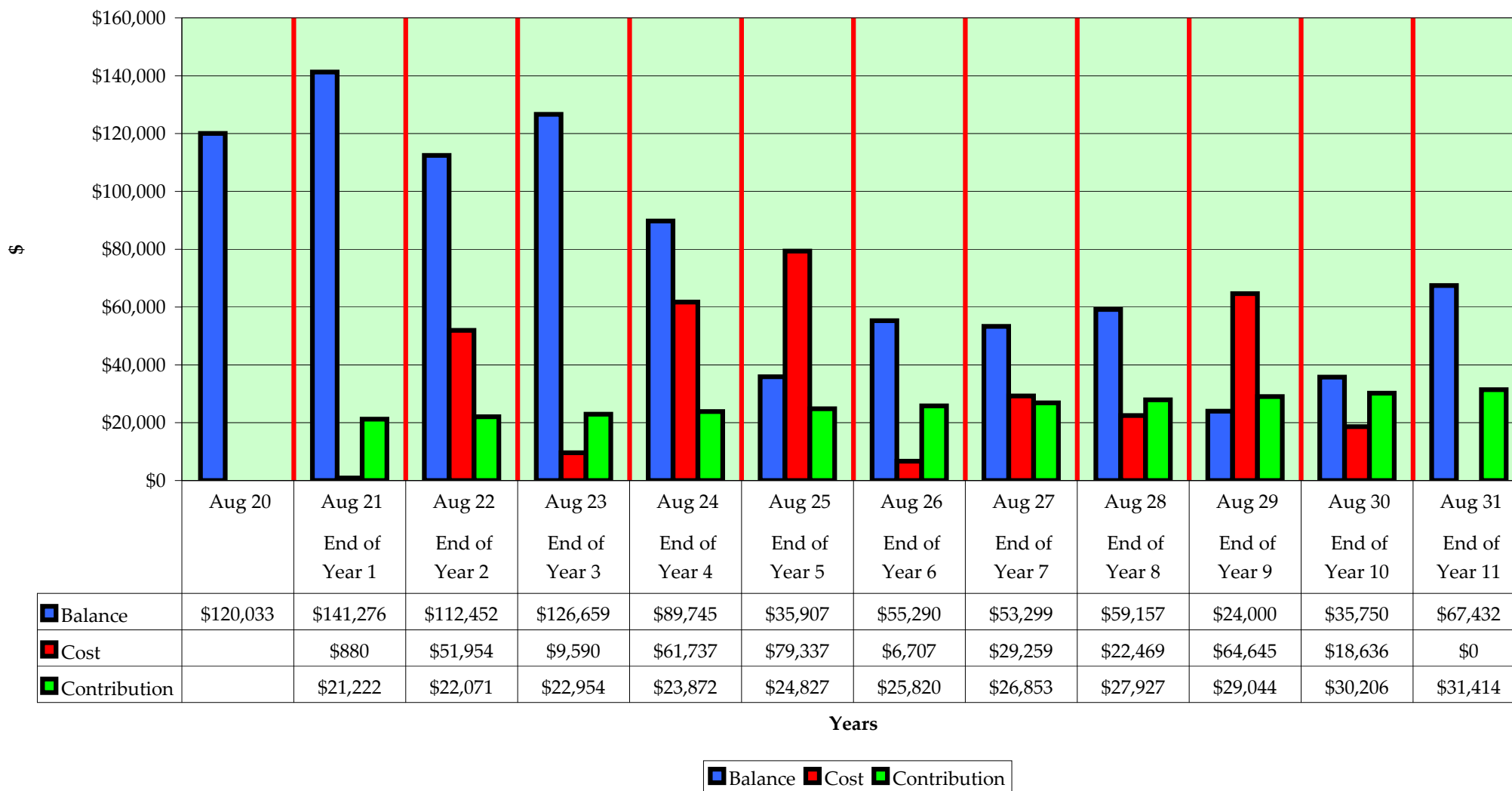
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Reserve Fund Plan for:	The Owners of Strata Plan 3642 - 226 Whatley Crescent, Maylands	Strata Plan:	SP3642
Period covered by the Plan:	31 August 2020 to 31 August 2030	Plan prepared on:	8 June 2020

Rate per U/E	Lot No	Unit Entitlem.	First Year Reserve Fund Payment PA
\$88.43	1	10	\$884
	2	10	\$884
	3	10	\$884
Total Unit Entitlement	4	10	\$884
	5	10	\$884
	6	10	\$884
240	7	10	\$884
	8	10	\$884
	9	10	\$884
Recommended First Year Reserve Fund Contribution	10	10	\$884
	11	10	\$884
	12	10	\$884
	13	10	\$884
\$21,222	14	10	\$884
	15	10	\$884
	16	10	\$884
	17	10	\$884
	18	10	\$884
	19	10	\$884
	20	10	\$884
	21	10	\$884
	22	10	\$884
	23	10	\$884
	24	10	\$884
			\$21,222

GRAPH RESULTS	Graph - Recommended Reserve Fund Contributions, Estimated Costs, Reserve Fund Balance - 10 Years			Page 7
Reserve Fund Plan for:	The Owners of Strata Plan 3642 - 226 Whatley Crescent, Maylands		Strata Plan:	SP3642
Period covered by the Plan:	31 August 2020 to 31 August 2030		Plan prepared on:	8 June 2020

10 Year Reserve Fund Plan



Recommendation

We consider that the existing Reserve Fund Balance is very good, however the annual contribution needs to be increased to allow for the immediate works and planned works. We recommend that the Strata Company adopt as a minimum the Reserve Fund Payments as shown in the table below and for the following ten years.

Points of consideration

We have made the following allowances:

- contribution towards the repair of the roof in year 2, if required.
- contribution towards the repair of the long term capital items, if required.
- in year 8, contribution towards the repair of the common prop. doors.
- in year 4, contribution towards the renewal of the common prop. lighting, if required.
- contribution towards the renewal of the fire safety services in year 7.
- contribution towards maintenance of the reticulation, if required.
- contribution towards the renewal of the fences.
- contribution towards the renewal of the guttering & downpipes in year 8, if required.
- in year 8, allowance for the renewal of the infrastructure + utility services.
- in year 7, contribution towards the renewal of the internal painting, if required. In order to maintain a fresh appearance and provide constant protection.
- allowance for handrails, if required.
- allowance for intercom + security doors.
- contribution towards the renewal of the external painting in year 4, if required. If performed regularly, repainting will prevent excessive preparation costs in the future.
- allowance for the replacement of the carport x 2 bays (existing) in year 5.
- in year 9, allowance for carport x 2 bays (new).
- in year 5, contribution towards the repair of the asphalt driveway + kerbing, if required.
- contribution towards the renewal of the garden + landscaping in year 6. The owners may wish to change the plantings, refresh and restore the landscaped areas.
- allowance for garbage services, if required.
- allowance for trip or slip hazards.
- contribution towards maintenance of the storm water pits + pipes in year 3, if required.
- in year 2, allowance for stair nosings.
- in year 4, allowance for the repair of the pavers, if required.
- contribution towards the renewal of the line marking + signage in year 5.
- contribution towards the repair of the mail boxes, if required.

Note that the Reserve Fund Plan is only an estimate of what items may reasonably require maintenance, repair, renewal or replacement during the term of the Plan. There is no guarantee that a reasonable assessment of a future projection today may in fact come to pass, and indeed, additional items of capital repairs or replacement unforeseen at the time of preparing a Reserve Fund Plan may occur in the immediate future. This Reserve Fund Plan should be reviewed periodically when items are no longer required and should be removed, or new items discovered which should be added to the Plan. The shown figures are our recommendation based upon our assessment of the likely expenditure in the 10 year Reserve Fund Plan requested. The Strata Company is entitled to choose whatever Reserve Fund contributions they deem appropriate for their particular circumstances.

Summary

The following annual Reserve Fund contributions are recommended at the times scheduled below.

Year	Year Ending	Recommended Reserve Fund Payment (includes any Extra Costs payment)
1	Aug-21	\$21,222
2	Aug-22	\$22,071
3	Aug-23	\$22,954
4	Aug-24	\$23,872
5	Aug-25	\$24,827
6	Aug-26	\$25,820
7	Aug-27	\$26,853
8	Aug-28	\$27,927
9	Aug-29	\$29,044
10	Aug-30	\$30,206
11	Aug-31	\$31,414



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The above assessment has been calculated in accordance with the Strata Titles Act 1985 (in particular, section 100(2A) and the Strata Titles (General) Regulations 2019 (specifically, Regulations 77 and 179). The recommendations are calculated from an amalgam of cost estimates and a single figure is provided for practical purposes from within a range of values and a combination of a range of estimates. Areas have been calculated from our on-site measurements of the external parts of the building or the subject Strata Plan. Building plans or building surveys should be provided if the Strata Company requires more accurate areas. We have relied upon published Building Costs Guides and our extensive experience in costs assessment to determine the costs of maintenance, repair, replacement or renewal of Covered Items and do not accept responsibility for any errors from the above providers of source data. Our inspection of the building only includes easily accessible areas of the property at the time of inspection.

This report is for the use of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this report. Neither the whole nor any part of this report or any reference thereto may be included in any published document, circular or statement or published in any way without our written approval of the form and context in which it may appear. This Reserve Fund Plan has been prepared on the basis of instruction being for a 10 year Plan only in order to satisfy the requirements of the Act and the Regulations, and for no other purpose. A comprehensive report should be commissioned if a party requires a report for another purpose or for use in litigation matters. We reserve the right to review or withdraw our report at any time. This report does not cover the property's structural condition or environmental contamination.

This report does not identify or comment on the structural integrity (defect, pest or rot, etc), nor occupational safety and health, nor fire safety, nor council or building compliance in any respect (ie. flooding, cladding, building standards, etc) nor should it be construed as such.

Explanation of a Reserve Fund Plan

Budget

The legislative purpose of a 10 year Reserve Fund Plan is to assist the Owners and the Strata Manager in determining an appropriate annual budget for the Reserve Fund.

102. Budget (Strata Titles Act 1985)

- (1) *A strata company **must** prepare a budget for each financial year and submit it for approval to its annual general meeting.*
- (2) *The budget must be prepared -*
 - (a) *taking into account, if applicable, **the 10 year plan for the reserve fund** ; and*
 - (b) *in accordance with any requirements set out in the regulations and the scheme by-laws.*

Noting that the 10 year plan is for the Reserve Fund, hence the term 'Reserve Fund Plan'. The legislation does not refer to a maintenance plan or a repair or renewal plan. The purpose of the 10 year Plan is to be a budgeting tool providing likely costs over the period of the plan. Having a maintenance type company identify items and their likely costs over 10 years does not assist the exercise of properly prepared budget. For example, a maintenance company may make a recommendation of a large cost in year 5 and no costs leading up to year 5. In that situation there is no change from the current circumstance of owners being burdened with a large special levy without the prudent smoothing of the cash flow.

Practical approach

Primarily the purpose of a Reserve Fund Plan is to determine the most practical annual contribution for the Reserve Fund, which covers the anticipated costs for the maintenance, repair, renewal or replacement of items of value that form part of the common property for the 10 year period of the

Our recommended contribution takes into account any of the 'Covered Items' scheduled under Regulation 77(3) that apply to the scheme, as well any other relevant common property including personal property of the scheme being lawnmowers, vehicles, computers, gardening or maintenance equipment and signage.

The Legislation

On 1 May 2020, the Strata Titles Act 1985 and Strata Titles (General) Regulation 2019 commenced, and required each Designated Strata Company to have a Reserve Fund and a 10 year Plan.

A **Designated Strata Company** is defined as

- a. Strata company with 10 or more lots, or
- b. Strata scheme - Building replacement cost of more than \$5,000,000, or
- c. Strata Survey scheme - Improvements on the common property - more than \$5,000,000.

(See s100(7) Strata Titles Act 1985; and Regulation 79 Strata Titles (General) Regulation 2019)

Section 100 of the Strata Titles Act 1985 states that a

- a. Designated Strata Company **MUST** establish a Reserve Fund and 10 year Plan,
- b. any other Strata Company **MAY** establish a Reserve Fund,
- c. purpose - to accumulate funds for contingent and major capital expenses, and not for routine expenses.

Owners' discretion

The legislation allows the Owners the discretion to choose or confirm the list of Covered Items scheduled within the 10 year plan provided, as well as the discretion to augment the Condition Report within the Plan with further details if they choose. These additional details for any Covered Item in a Condition Report includes the installation, construction or acquisition date, the present condition, working or operating state, the date of last inspection, details of any anticipated maintenance, repair, renewal or replacement costs and future dates required, if the Owners so choose (see Regulation 77(2) and 77(6)). This is, if the Owners choose not to provide any of the above information, then our Reserve Fund Plan is still a complying 10 year Plan.

When we prepare the 10 year Reserve Fund Plan, we already take into account the above details as best available, and the Owners may choose to add or amend the information provided within our issued Reserve Fund Plan. The benefit of this approach is the time saving for the Owners and the Strata Manager, as well as compliance with the legislation.

Covered Items

We take into account the list of Covered Items set out in Regulation 77(3) being the items of value of common property, as well as any other relevant items of value that should be included within the 10 year Reserve Fund Plan. The Owners may choose to add additional items and their costs such as cladding rectification, building defects, the construction of improvements upon the common property such as a new pergola, garbage bin enclosure, landscaping upgrading, additional car parking and the like.

Condition Report

Our 10 year Reserve Fund Plan includes a Condition Report which sets out the current condition of each item scheduled within the Plan, the expected lifespan once the item has been maintained, repaired, renewed or replaced, as well as the method and any assumptions used to determine the estimated costs in order to comply with Regulation 77.

Benefit of a well prepared Reserve Fund Plan

The benefit of this change in strata legislation is that owners now know the extent of their common property assets, and the annual cash required to properly maintain, repair, renew or replace items primarily of a capital nature, rather than those costs and items of a routine nature.

Our 10 year Reserve Fund Plan smooths out the cash flow lumps, and provides practical and useful recommended annual contributions for your Reserve Fund.

The benefit of a properly prepared and implemented Reserve Fund Plan is that it creates a form of forced savings plan on a user pays basis for the scheme that avoids or minimises irregular and unexpected special levies, and provides a pool of funds immediately available for the strata scheme to meet their legislative obligations to repair and maintain common property.

Reserve Fund Plans Compliance with the Legislation

In weighing up the above approach and analysis of the legislation, our Reserve Fund Plan complies with each relevant aspect of the Strata Titles Act 1985 and Strata Titles (General) Regulation 2019. We have also had our Reserve Fund Plan audited and quality assured passed.

Long Term Capital Items

Our Long Term Capital Items comprises of two broad components. (1) minor and small items that would not warrant a separate inclusion on the Plan ie hinges, glass window or door rollers, seals, locks and similar fittings; and (2) contingency and larger long term items such an allowance for improved fire rating between Sole Occupancy Units (BCA or National Construction Code term) if they may require upgrading, future structural improvements, ie sagging roof timbers in villas and townhouses, that would be beyond the 10 year plan but contributed as a user pays approach in the 10 years contained within the Plan. These items are typically reflected as an amount ranging between \$500 and \$750 per Lot, and on a more simplistic straight-line approach, it is about \$50 to \$75 per lot per annum of the 10 year Plan.

Contractors and consultants

A large or multi-storey strata scheme may have consultants and contractors that provide maintenance servicing, testing, repairs and similar for common property services such as lifts with motors, cables, cars, controller systems; common air exhaust systems for bathrooms and car parks with fans, motors and filters; air conditioning plant with equipment, controller systems, shared cooling towers; common hot water services with piping, sensors, tanks; fire services with hydrant tanks, pumps, piping, detection and alarm systems, and the like. Each of these servicing companies may be able to provide maintenance or servicing plans with more detailed estimates of the capital cost of maintaining, repairing, renewing or replacing common property items that are not of a routine nature, and these plans assist with informing some figures within a Reserve Fund Plan. In the absence of these figures we make an allowance towards these likely costs.

A Maintenance Plan is not a Reserve Fund Plan. A Maintenance Plan will schedule the cost of items such as renewal of fire services or plant or equipment that will need an overhaul or replacement after so much scheduled use, usually by hours of use rather than time. An analogy of a Maintenance Plan is getting your car tuned after so many kilometres or months of use. A Maintenance Plan is no different to the current circumstance for a Strata or Community Scheme where large special levies are typically imposed upon the Scheme as a result of poor financial planning. For example, a Maintenance Plan for lifts (or air conditioning or painting or other items) may have no money required for years 1 to 4, and then have a large amount in year 5 for the upgrading of the lift cars, and then nothing for each of the following years, and that is all a Maintenance Plan provides. A scheme that relies upon Maintenance Plans only is left with lumps of money required in various years without consideration of the Reserve Fund balance or the adjustment for reasonable and practical annual Reserve Fund contributions.

In addition, some schemes may have engaged engineers, fire and building consultants to make comment upon building defects or external combustible cladding, fire upgrading, and similar costs. All of these costs need to be allowed for in the budget. It really is impractical to have a building consultant inspect the property and list a series of items that needs work carried out upon them, provide a cost estimate and then walk away. This sort of advice and situation leaves the Owners in exactly the same position they were in prior to the introduction of the strata reform legislation. That is, the Owners are still left with special levies when large items have not been allowed for nor saved in earlier years leading up to a major cost.

In contrast to the above, our 10 year Reserve Fund Plan is a practical budgeting tool that provides a saving plan approach that ensures that there is sufficient money in the Reserve Fund to pay for the estimate costs to maintain, repair, renew or replace each anticipated Covered Item.

Method by which the estimated costs were determined

The property is physically inspected, and both Covered Items and other items requiring maintenance, repair, renewal or replacement are identified, and then an estimated cost within the likely range of cost for that item is made having regard to quotes, costings from building costs publications, and using our over 30 years experience as Valuers, and specifically 14 years carrying out similar 10 year Plans. The estimated cost in a future year is escalated from a today's cost to allow for the increase in building costs and uncertainty and risk over time.

Additional comments

The subject property presents well. I have been informed that the roof may require immediate attention and in this regard I have allowed \$45,000 towards the repair of the roof (once firm quotes have been received and the owners decide on their course of action, this Plan can be adjusted to suit). In addition to the replacement of the existing carport structures I have made allowance for 2 x new carport bays to cover the existing open car spaces. The owners may choose to review this recommendation or alternately adjust this Plan to suit their particular circumstances regarding the carport considerations. As the cash flow has significant costs earlier in the Plan ie painting, roof and carports, I have split the cost of the new carport bays into the later years of the Plan. In order to make the Plan work I have pushed other costs out and into the later years of the Plan such as fences, utility services, and garbage services, rather than add additional contributions into Column E on Page 5. I have also allowed for future security access and a slight upgrading of the access points into the building.

Photographs







ANNEXURE A		Annual Individual Lot Contributions over the 10 Year Plan									
Reserve Fund Plan for:		The Owners of Strata Plan 3642 - 226 Whatley Crescent, Maylands								Strata Plan:	SP3642
Period covered by the Plan:		31 August 2020 to 31 August 2030								Prepared:	8 June 2020

Lot No	Unit Ent.	End of Year 1	End of Year 2	End of Year 3	End of Year 4	End of Year 5	End of Year 6	End of Year 7	End of Year 8	End of Year 9	End of Year 10	End of Year 11
		Aug-21	Aug-22	Aug-23	Aug-24	Aug-25	Aug-26	Aug-27	Aug-28	Aug-29	Aug-30	Aug-31
1	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
2	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
3	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
4	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
5	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
6	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
7	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
8	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
9	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
10	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
11	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
12	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
13	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
14	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
15	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
16	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
17	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
18	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
19	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
20	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
21	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
22	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309
23	10	\$884	\$920	\$956	\$995	\$1,034	\$1,076	\$1,119	\$1,164	\$1,210	\$1,259	\$1,309

Lot No	Unit Ent.	End of Year 1	End of Year 2	End of Year 3	End of Year 4	End of Year 5	End of Year 6	End of Year 7	End of Year 8	End of Year 9	End of Year 10	End of Year 11
24	<u>10</u>	Aug-21	Aug-22	Aug-23	Aug-24	Aug-25	Aug-26	Aug-27	Aug-28	Aug-29	Aug-30	Aug-31
		<u>\$884</u>	<u>\$920</u>	<u>\$956</u>	<u>\$995</u>	<u>\$1,034</u>	<u>\$1,076</u>	<u>\$1,119</u>	<u>\$1,164</u>	<u>\$1,210</u>	<u>\$1,259</u>	<u>\$1,309</u>
	240	\$21,222	\$22,071	\$22,954	\$23,872	\$24,827	\$25,820	\$26,853	\$27,927	\$29,044	\$30,206	\$31,414

STRATA TITLES ACT 1985**SCHEDULES****SCHEDULE 1 & SCHEDULE 2 (s39)****Schedule 1 – Governance by-laws**

[Heading inserted by No. 30 of 2018 s. 86.]

[Part I heading deleted by No. 58 of 1995 s. 87(1).]

1. Duties of owner

- (1) The owner of a lot must –
 - (a) immediately carry out all work that may be ordered under a written law in respect of the lot other than such work as may be for the benefit of the building generally and pay all rates, taxes, charges, outgoings and assessments that may be payable in respect of the lot;
 - (b) maintain and repair the lot, and keep it in a state of good condition, reasonable wear and tear, and damage by fire, storm, tempest or act of God excepted.
- (1A) The owner of a lot must –
 - (a) notify in writing the strata company immediately on becoming the owner of the lot, including in the notice the owner's address for service for the purposes of this Act; and
 - (b) if required in writing by the strata company, notify the strata company of any mortgage or other dealing in connection with the lot, including in the case of a lease of a lot, the name of the lessee and the term of the lease.

[Clause 1 amended by No. 58 of 1995 s. 87(2); No. 14 of 1996 s. 4; No. 74 of 2003 s. 112(15); No. 30 of 2018 s. 87.]

[2. Deleted by No. 30 of 2018 s. 88.]

3. Power of strata company regarding submeters

- (1) If the supply of gas or electricity to a lot is regulated by means of a submeter, the strata company may require the owner or occupier of the lot to pay the strata company by way of security for the payment of charges arising through the submeter an amount not exceeding \$200 and, if any amount so paid is applied by the strata company under sub-by-law (3), to pay such further amount or amounts by way of such security as may be necessary to maintain the amount of the security as, subject to this sub-by-law, the strata company may require.
- (2) The strata company must lodge every sum received under this by-law to the credit of an interest-bearing ADI account and all interest accruing in respect of amounts so received must, subject to this by-law, be held on trust for the owner or occupier who made the payment.
- (3) If the owner or occupier of a lot in respect of which a submeter is used for the supply of gas or electricity refuses or fails to pay any charges due for the supply of gas or electricity to that lot, the strata company may apply in payment of those charges all, or such part as is necessary, of any amount paid to the strata company by that owner or occupier under this by-law, including any interest that may have accrued in respect of that amount.
- (4) If a person who has paid an amount under this by-law to a strata company satisfies the strata company that the person is no longer the owner or occupier of a lot and that the strata company no longer has any liability or contingent liability for the supply of gas or electricity to that lot during the period when that person was an owner or occupier of the lot, the strata company must refund to that person the amount then held on the person's behalf under this by-law.

[Clause 3 amended by No. 26 of 1999 s. 104; No. 74 of 2003 s. 112(16); No. 30 of 2018 s. 89.]

4. Constitution of council

- (1) The powers and duties of the strata company must, subject to any restriction imposed or direction given at a general meeting, be exercised and performed by the council of the strata company and a meeting of the council at which a quorum is present is competent to exercise all or any of the authorities, functions or powers of the council.
- (2) Until the first annual general meeting of the strata company, the owners of all the lots constitute the council.

- (3) If there are not more than 3 lots in the scheme, the council consists of all of the owners of the lots and, if there are more than 3 lots in the scheme, the council consists of not less than 3 nor more than 7 of the owners of the lots, as is determined by the strata company.
- (4) If there are more than 3 lots in the scheme, the members of the council must be elected at each annual general meeting of the strata company or, if the number of lots in the scheme increases to more than 3, at an extraordinary general meeting convened for the purpose.
- (6) If there are co-owners of a lot, 1 only of the co-owners is eligible to be, or to be elected to be, a member of the council and the co-owner who is so eligible must be nominated by the co-owners, but, if the co-owners fail to agree on a nominee, the co-owner who owns the largest share of the lot is the nominee or, if there is no co-owner who owns the largest share of the lot, the co-owner whose name appears first in the certificate of title for the lot is the nominee.
- (8) Except if the council consists of all the owners of lots in the scheme, the strata company may by special resolution remove any member of the council before the expiration of the member's term of office.
- (9) A member of the council vacates office as a member of the council –
 - (a) if the member dies or ceases to be an owner or co-owner of a lot; or
 - (b) on receipt by the strata company of a written notice of the member's resignation from the office of member; or
 - (c) at the conclusion of an annual general meeting of the strata company at which an election of members of the council takes place and at which the member is not elected or re-elected; or
 - (d) in a case where the member is a member of the council by reason of there being not more than 3 owners of lots in the scheme, on an election of members of the council (as a result of there being an increase in the number of owners to more than 3) at which the member is not elected; or
 - (e) if the member is removed from office under sub-by-law (8); or
 - (f) if the Tribunal orders that the member's appointment is revoked and the member is removed from office.
- (10) The remaining members of the council may appoint a person eligible for election to the council to fill a vacancy in the office of a member of the council, other than a vacancy arising under sub-by-law (9)(c) or (d), and any person so appointed holds office, subject to this by-law, for the balance of the predecessor's term of office.
 Note for this sub-by-law: By-law 6(3A) provides for the filling of vacancies in the offices of chairperson, secretary and treasurer.
- (11) Except if 1 person is the owner of all of the lots in the scheme, a quorum of the council is 2 if the council consists of 3 or 4 members; 3, if it consists of 5 or 6 members; and 4, if it consists of 7 members.
- (12) The continuing members of the council may act even if there is a vacancy in the council, but so long as the number of members is reduced below the number fixed by these by-laws as the quorum of the council, the continuing members or member of the council may act for the purpose of increasing the number of members of the council or convening a general meeting of the strata company, but for no other purpose.
- (13) All acts done in good faith by the council, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of any member of the council, are as valid as if that member had been duly appointed or had duly continued in office.

[Clause 4 amended by No. 30 of 2018 s. 90.]

5. Election of council at general meeting

The procedure for nomination and election of members of a council must be in accordance with the following rules –

- (1) The meeting must determine, in accordance with the requirements of by-law 4(3) the number of persons of whom the council is to consist.
- (2) The chairperson must call on those persons who are present at the meeting in person or by proxy and entitled to nominate candidates to nominate candidates for election to the council.
- (3) A nomination is ineffective unless supported by the consent of the nominee to the nomination, given –
 - (a) in writing, and furnished to the chairperson at the meeting; or
 - (b) orally by a nominee who is present at the meeting in person or by proxy.

- (4) When no further nominations are forthcoming, the chairperson –
 - (a) if the number of candidates equals the number of members of the council determined in accordance with the requirements of by-law 4(3), must declare those candidates to be elected as members of the council;
 - (b) if the number of candidates exceeds the number of members of the council as so determined, must direct that a ballot be held.
- (5) If a ballot is to be held, the chairperson must –
 - (a) announce the names of the candidates; and
 - (b) cause to be furnished to each person entitled to vote and present in person or by proxy, a blank form in respect of each lot in respect of which the person is entitled to vote for use as a ballot form.
- (6) A person who is entitled to vote must complete a valid ballot form by –
 - (a) writing on the form the names of candidates, equal in number to the number of members of the council so that no name is repeated; and
 - (b) indicating on the form the number of each lot in respect of which the person's vote is cast and whether the person so votes as owner or first mortgagee of each such lot or as proxy of the owner or first mortgagee; and
 - (c) signing the ballot form; and
 - (d) returning it to the chairperson.
- (7) The chairperson, or a person appointed by the chairperson, must count the votes recorded on valid ballot forms in favour of each candidate.
- (8) Subject to sub-bylaw (9), candidates, being equal in number to the number of members of the council determined in accordance with by-law 4(3), who receive the highest numbers (in terms of lots or unit entitlements as required under the *Strata Titles Act 1985* section 122) of votes are to be declared elected to the council.
- (9) If the number (in terms of lots or unit entitlements as required under the *Strata Titles Act 1985* section 122) of votes recorded in favour of any candidate is the lowest of the numbers of votes referred to in sub-bylaw (8) and –
 - (a) that number equals the number of votes recorded in favour of any other candidate; and
 - (b) if each of those candidates were to be declared elected the number of persons elected would exceed the number of persons required to be elected, as between those candidates, the election must be decided by a show of hands of those entitled to vote and present in person or by proxy.

[Clause 5 amended by No. 74 of 2003 s. 112(17)-(19); No. 30 of 2018 s. 91.]

6. Chairperson, secretary and treasurer of council

- (1) The members of a council must, at the first meeting of the council after they assume office as such members, appoint a chairperson, a secretary and a treasurer of the council.
- (2) A person –
 - (a) must not be appointed to an office referred to in sub-bylaw (1) unless the person is a member of the council; and
 - (b) may be appointed to 1 or more of those offices.
- (3) A person appointed to an office referred to in sub-bylaw (1) holds office until the first of the following events happens –
 - (a) the person ceases to be a member of the council under by-law 4(9);
 - (b) receipt by the strata company of a written notice of the person's resignation from that office;
 - (c) another person is appointed by the council to hold that office.
- (3A) The remaining members of the council must appoint a member of the council to fill a vacancy in an office referred to in sub-bylaw (1), other than a vacancy arising under by-law 4(9)(c) or (d), and any person so appointed holds office, subject to this by-law, for the balance of the predecessor's term of office.

- (4) The chairperson is to preside at all meetings of the council but, if the chairperson is absent from, or is unwilling or unable to preside at, a meeting, the members of the council present at that meeting can appoint 1 of their number to preside at that meeting during the absence of the chairperson.

[Clause 6 amended by No. 30 of 2018 s. 92.]

7. Chairperson, secretary and treasurer of strata company

- (1) Subject to sub-bylaw (2), the chairperson, secretary and treasurer of the council are also respectively the chairperson, secretary and treasurer of the strata company.
- (2) A strata company may at a general meeting authorise a person who is not an owner of a lot to act as the chairperson of the strata company for the purposes of that meeting.
- (3) A person appointed under sub-bylaw (2) may act until the end of the meeting for which the person was appointed to act.

[Clause 7 inserted by No. 58 of 1995 s. 87(3); amended by No. 74 of 2003 s. 112(20); No. 30 of 2018 s. 93.]

8. Meetings of council

- (1) At meetings of the council, all matters must be determined by a simple majority vote.
- (2) The council may –
 - (a) meet together for the conduct of business and adjourn and otherwise regulate its meetings as it thinks fit, but the council must meet when any member of the council gives to the other members not less than 7 days' notice of a meeting proposed by the member specifying in the notice the reason for calling the meeting; or
 - (b) employ or engage, on behalf of the strata company, any person as it thinks is necessary to provide any goods, amenity or service to the strata company; or (c) subject to any restriction imposed or direction given at a general meeting of the strata company, delegate to 1 or more of its members such of its powers and duties as it thinks fit, and at any time revoke the delegation.
- (3) A member of a council may appoint an owner of a lot, or an individual authorised under the *Strata Titles Act 1985* section 136 by a corporation which is the owner of a lot, to act in the member's place as a member of the council at any meeting of the council.
- (4) An owner of a lot or individual may be appointed under sub-bylaw (3) whether or not that person is a member of the council.
- (5) If a person appointed under sub-bylaw (3) is a member of the council the person may, at any meeting of the council, separately vote in the person's capacity as a member and on behalf of the member in whose place the person has been appointed to act.

[Clause 8 amended by No. 30 of 2018 s. 94.]

9. Powers and duties of secretary of strata company

The powers and duties of the secretary of a strata company include –

- (a) the preparation and distribution of minutes of meetings of the strata company and the submission of a motion for confirmation of the minutes of any meeting of the strata company at the next such meeting; and
- (b) the giving on behalf of the strata company and of the council of the notices required to be given under the Act; and
- (c) the supply of information on behalf of the strata company in accordance with the *Strata Titles Act 1985* sections 108 and 109; and
- (d) the answering of communications addressed to the strata company; and
- (e) the calling of nominations of candidates for election as members of the council; and
- (f) subject to the *Strata Titles Act 1985* sections 127, 128, 129, 200(2)(f) and
- (g) the convening of meetings of the strata company and of the council.

[Clause 9 amended by No. 30 of 2018 s. 95.]

10. Powers and duties of treasurer of strata company

The powers and duties of the treasurer of a strata company include –

- (a) the notifying of owners of lots of any contributions levied under the *Strata Titles Act 1985*; and
- (b) the receipt, acknowledgment and banking of and the accounting for any money paid to the strata company; and
- (c) the preparation of any certificate applied for under the *Strata Titles Act 1985* section 110; and
- (d) the keeping of the records of account referred to in the *Strata Titles Act 1985* section 101 and the preparation of the statement of accounts referred to in the *Strata Titles Act 1985* section 101.

[Clause 10 amended by No. 30 of 2018 s. 96.]

[**11-15.** Deleted by No. 30 of 2018 s. 97.]

Schedule 2 – Conduct by-laws

[Heading inserted by No. 30 of 2018 s. 98.]

1. Vehicles and parking

- (1) An owner or occupier of a lot must take all reasonable steps to ensure that the owner's or occupier's visitors comply with the scheme by-laws relating to the parking of motor vehicles.
- (2) An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the written approval of the strata company.

[Clause 1 inserted by No. 30 of 2018 s. 99.]

2. Use of common property

An owner or occupier of a lot must –

- (a) use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment of the common property by other owners or occupiers of lots or of their visitors; and
- (b) not use the lot or permit it to be used in such manner or for such purpose as causes a nuisance to an occupier of another lot (whether an owner or not) or the family of such an occupier; and
- (c) take all reasonable steps to ensure that the owner's or occupier's visitors do not behave in a manner likely to interfere with the peaceful enjoyment of an owner or occupier of another lot or of a person lawfully using common property; and
- (d) not obstruct lawful use of common property by any person.

[Clause 2 inserted by No. 30 of 2018 s. 100.]

3. Damage to lawns etc. on common property

Except with the approval of the strata company, an owner or occupier of a lot must not –

- (a) damage any lawn, garden, tree, shrub, plant or flower on common property; or
- (b) use any portion of the common property for the owner's or occupier's own purposes as a garden.

[Clause 3 amended by No. 30 of 2018 s. 101.]

4. Behaviour of owners and occupiers

An owner or occupier of a lot must be adequately clothed when on common property and must not use language or behave in a manner likely to cause offence or embarrassment to an owner or occupier of another lot or to any person lawfully using common property.

[Clause 4 amended by No. 30 of 2018 s. 102.]

[**5.** Deleted by No. 30 of 2018 s. 103.]

6. Depositing rubbish etc. on common property

An owner or occupier of a lot must not deposit or throw on that lot or any other lot or the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of an owner or occupier of another lot or of any person lawfully using the common property.

[Clause 6 amended by No. 58 of 1995 s. 88(2); No. 30 of 2018 s. 104.]

7. Drying of laundry items and signage

An owner or occupier of a lot must not, except with the consent in writing of the strata company –

- (a) hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible from outside the building, other than for a reasonable period on any lines provided by the strata company for the purpose; or
- (b) display any sign, advertisement, placard, banner, pamphlet or like matter on any part of their lot in such a way as to be visible from outside the building.

[Clause 7 amended No. 30 of 2018 s. 105.] [Former By-law 8 repealed by No. 58 of 1995 s. 88(3).]

8. Storage of inflammable liquids etc.

An owner or occupier of a lot must not, except with the written approval of the strata company, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material, other than chemicals, liquids, gases or other materials used or intended to be used for domestic purposes, or any such chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

[Clause 8, formerly by-law 9, renumbered as by-law 8 by No. 58 of 1995 s. 88(4); amended by No. 30 of 2018 s. 106.]

9. Moving furniture etc. on or through common property

An owner or occupier of a lot must not transport any furniture or large object through or on common property within the building unless that person has first given to the council sufficient notice of their intention to do so to enable the council to arrange for its nominee to be present at the time when that person does so.

[Clause 9, formerly by-law 10, renumbered as by-law 9 by No. 58 of 1995 s. 88(4); amended by No. 30 of 2018 s. 107.]

10. Floor coverings

An owner of a lot must ensure that all floor space within the lot (other than that comprising kitchen, laundry, lavatory or bathroom) is covered or otherwise treated to an extent sufficient to prevent the transmission therefrom of noise likely to disturb the peaceful enjoyment of an owner or occupier of another lot.

[Clause 10, formerly by-law 11, renumbered as by-law 10 by No. 58 of 1995 s. 88(4); amended by No. 30 of 2018 s. 108.]

11. Garbage disposal

An owner or occupier of a lot must –

- (a) maintain within their lot, or on such part of the common property as may be authorised by the strata company, in clean and dry condition and adequately covered, a receptacle for garbage;
- (b) comply with all local laws relating to the disposal of garbage; (c) ensure that the health, hygiene and comfort of an owner or occupier of any other lot is not adversely affected by their disposal of garbage.

[Clause 11, formerly by-law 12, renumbered as by-law 11 by No. 58 of 1995 s. 88(4); amended by No. 57 of 1997 s. 115(5); No. 30 of 2018 s. 109.]

12. Additional duties of owners and occupiers

An owner or occupier of a lot must not –

- (a) use the lot for a purpose that may be illegal or injurious to the reputation of the building; or
- (b) make undue noise in or about the lot or common property; or
- (c) keep animals on the lot or the common property after notice in that behalf given to that person by the council.

[Clause 12 inserted by No. 58 of 1995 s. 88(5); amended by No. 74 of 2003 s. 112(22); No. 30 of 2018 s. 110.]

13. Notice of alteration to lot

An owner of a lot must not alter or permit the alteration of the structure of the lot except as may be permitted and provided for under the Act and the by-laws and in any event must not alter the structure of the lot without giving to the strata company, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration.

[Clause 13 inserted by No. 58 of 1995 s. 88(5); amended by No. 30 of 2018 s. 111.]

14. Appearance of lot

An owner or occupier of a lot must not, without the written consent of the strata company, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.

[Clause 14 inserted by No. 58 of 1995 s. 88(5); amended by No. 30 of 2018 s. 112.]

15. Decoration of, and affixing items to, inner surface of lot

An owner or occupier of a lot must not, without the written consent of the strata company, paint, wallpaper or otherwise decorate a structure which forms the inner surface of the boundary of the lot or affix locking devices, flyscreens, furnishings, furniture, carpets and other similar things to that surface, if that action will unreasonably damage the common property.

[Clause 15 inserted by No. 30 of 2018 s. 113.]