



## **Strata Information**

4/55 Second Avenue, Mount Lawley, WA

### Contents

### Page

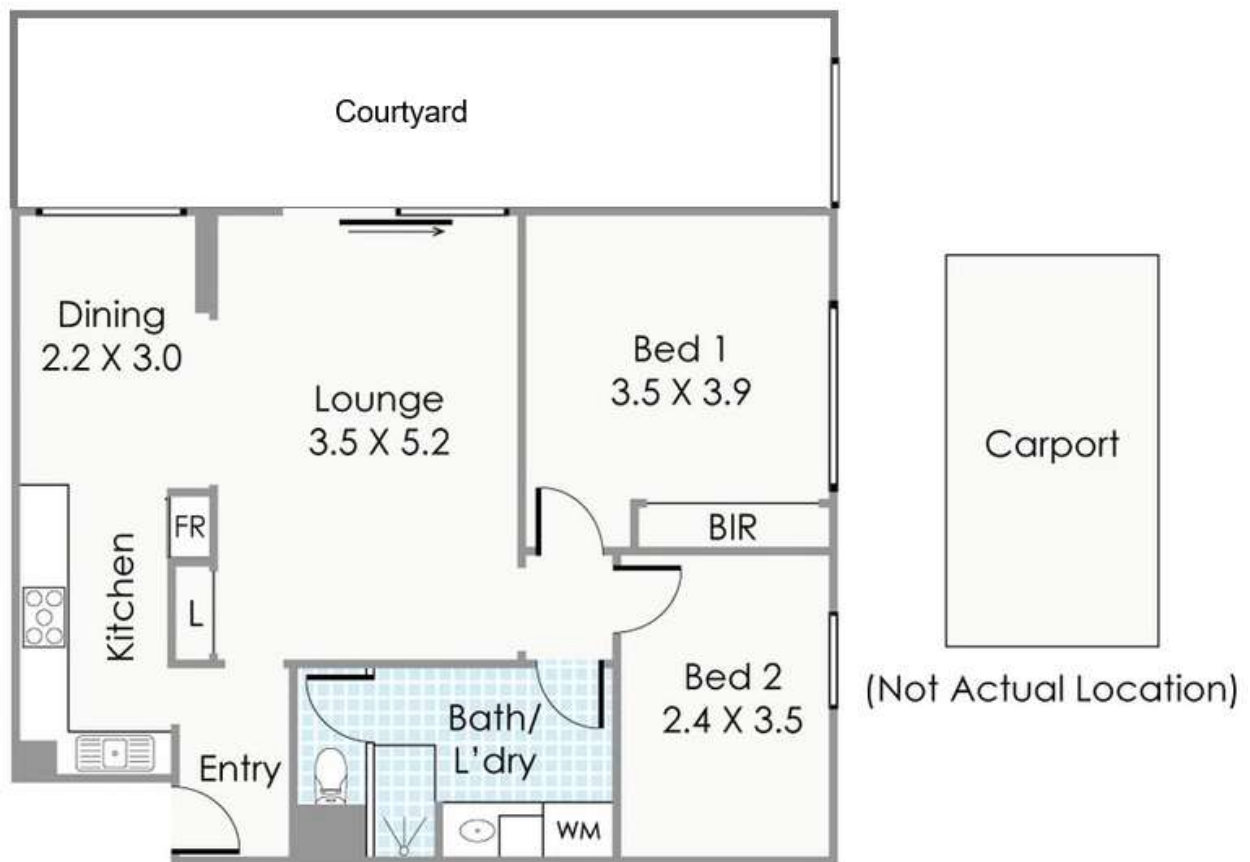
<b>Floor Plan</b> Unit 4 (Page 5), Carport (Page 13) and Courtyard (Page 41) .....	<b>2</b>
<b>Strata Plan</b> No. 766 showing lot 4 as 74sqm plus exclusive use courtyard & carport .....	<b>3</b>
<b>By-Law</b> (G698502) S1 By-Law 16 – Exclusive Use of Car Ports and Lot (Unit) 2 Courtyard.....	<b>11</b>
<b>By-Law</b> (H284060) S2 By-Law 15 (Declared Invalid pursuant to S 93(2)a Strata Titles Act 1985' .....	
<b>By-Law</b> (J215870) Order from State Administration Tribunal ordering H238060 as Invalid.....	
<b>By-Law</b> (J609633) S1 By-Law 17 – Exclusive Use of Lots (also Units) 1, 3, 4 and 5 Courtyards ..	<b>14</b>
<b>By-Law</b> (L257450) .....	<b>17</b>
<b>Minutes of Annual General Meeting</b> .....	<b>19</b>
<b>Income &amp; Expenditure Statement</b> .....	<b>24</b>
<b>Approved Budget</b> .....	<b>26</b>
<b>Balance Sheet</b> .....	<b>29</b>
<b>Certificate of Currency (Strata Insurance)</b> .....	<b>30</b>
<b>10 Year Plan</b> .....	<b>31</b>
<b>Schedule 1 &amp; Schedule 2 Strata By-Laws</b> (applies to all Strata Titles Schemes in WA) .....	<b>50</b>
<b>NOTE:</b> Pet Policy in Schedule 2 By-Law 12 (c) (applies to all Strata Titles Schemes in WA) .....	<b>55</b>

Summary of Outgoings & Owners Funds		
Council Rates	\$ 1,600.00	per year (estimate)
Water Service	\$ 1,026.41	per year
Strata Admin	\$ 835.22	per quarter
Strata Reserve	\$ 395.53	per quarter
Net Owners Funds	\$ 40,243.61	as at 31/7/25

**James Yeoman 0400 900 622**

Strata Sales Specialist james@kprperth.com.au

# Floor Plan





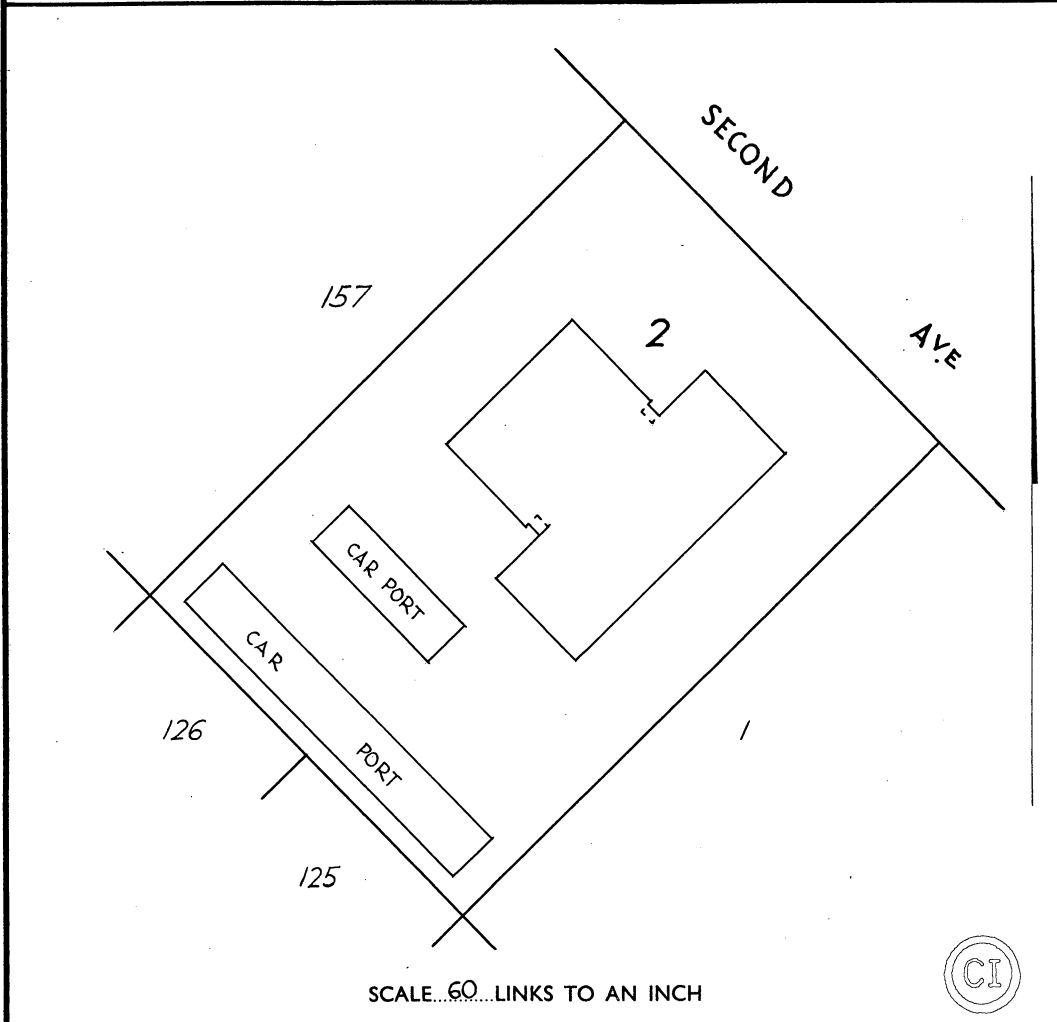
Ground Floor - Unit 4

**55 Second Avenue**

**MOUNT LAWLEY**

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

PARCEL OF LAND	LOT 2 ON DIAGRAM 37841 OF SWAN LOC. Y	
CERTIFICATE OF TITLE	VOLUME 387 FOLIO 78A	
LOCAL AUTHORITY	CITY OF STIRLING	LODGED 22-4-71
LOCALITY	MT. LAWLEY INDEX PLAN 8985	EXAMINED <i>MA</i> 23-4-71
NAME OF BUILDING	PAMELA COURT MT LAWLEY	REGISTERED <i>Appl. A 403780</i> 28-5-71
ADDRESS FOR SERVING OF NOTICES ON COMPANY	PAMELA COURT MANAGEMENT COMMITTEE 55-57 SECOND AVE, MT. LAWLEY	 <i>Michael J. ...</i> REGISTRAR OF TITLES



SCHEDULE OF UNIT ENTITLEMENT		OFFICE USE ONLY		SURVEYOR'S CERTIFICATE
LOT No.	UNIT ENTITLEMENT	CURRENT Cs. of TITLE		
		VOL.	FOL.	
				<p>I hereby certify that the building shown on the plan is within the external surface boundaries of the parcel and where eaves or guttering project beyond those boundaries, that a registered easement has been granted as an appurtenance of the parcel or, where the projection is over a road that the Local Authority has consented thereto. <i>g.r.b.</i></p> <p>DATE 19-2-71... <i>S.R. Burton.</i> LICENSED SURVEYOR.</p> <p>APPROVED BY THE TOWN PLANNING BOARD FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966</p> <p><i>[Signature]</i> DATE 20/4/71... CHAIRMAN.</p>
AGGREGATE				

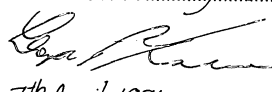
8 3770/9/70-2M-07M6D

## ANNEXURE A OF STRATA PLAN No.766

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	320	505-50A			
2	300	505-52A, 1724-272.			
3	302	505-54A, 1750-49A			
4	302	505-56A			
5	320	505-58A, 1746-683			
6	325	505-61A			
7	310	505-62A			
8	315	505-63A, 1762-149			
9	315	505-64A			
10	325	505-66A			
11	330	505-67A			
12	323	505-69A, 1756-599			
13	323	505-70A			
14	323	505-72A, 1778-950			
15	330	505-73A			
16	335	505-74A, 1778-366			
17	325	505-75A			
18	325	505-76A			
19	325	505-78A			
20	335	505-80A, 1766-33			
AGGREGATE	6408				

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966

LOCAL AUTHORITY... *City of Stirling*
  
 Date... *7th April 1971* SHIRE/TOWN CLERK.

FORM 3

## STRATA PLAN No.766

**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:—**

The building subject to this plan comprises a four storied brick structure, incorporating a total of twenty living units, five on each of the ground, first, second and third floors.

The common property includes various service ducts, entrance foyers, corridors, stairways and lift, and open car ports.

The building is named "Pamela Court" and is erected on that part of Swan Location Y shown as lot 2 on diagram 37841.

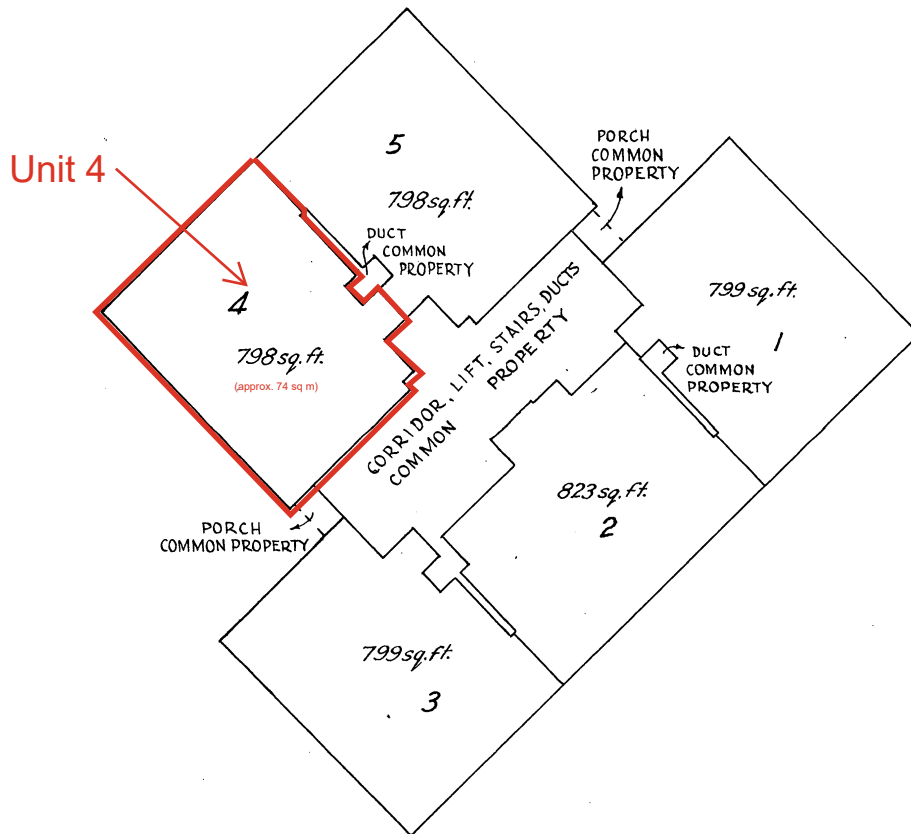
The property is commonly known as numbers 55 - 57 Second Avenue, Mount Lawley, Western Australia.

DATE 7<sup>th</sup> April 1971  
**SHIRE/TOWN CLERK**

62067/6/69-200-F802

## STRATA PLAN No.766

## GROUND FLOOR



SCALE 16 FEET TO AN INCH

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966

TOWN PLANNING BOARD

DATE 24/4/71

CHAIRMAN

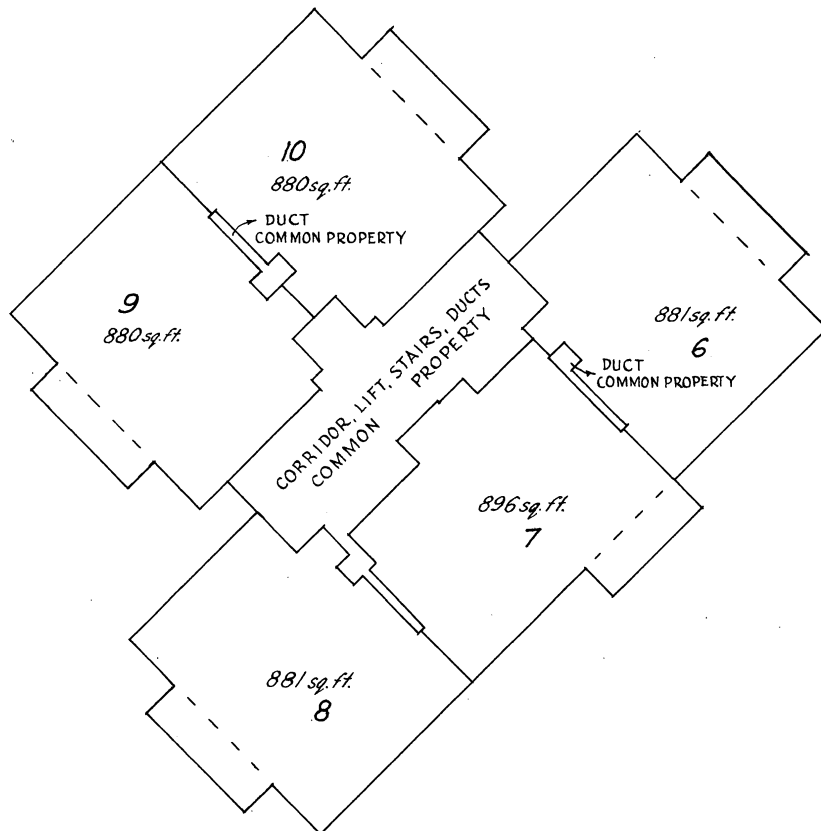
LOCAL AUTHORITY City of Stirling

DATE 7th April 1971

SHIRE TOWN CLERK

## STRATA PLAN No.766

FIRST FLOOR



SCALE 16 FEET TO AN INCH

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966

TOWN PLANNING BOARD

LOCAL AUTHORITY *City of Stirling*DATE *20/4/71*

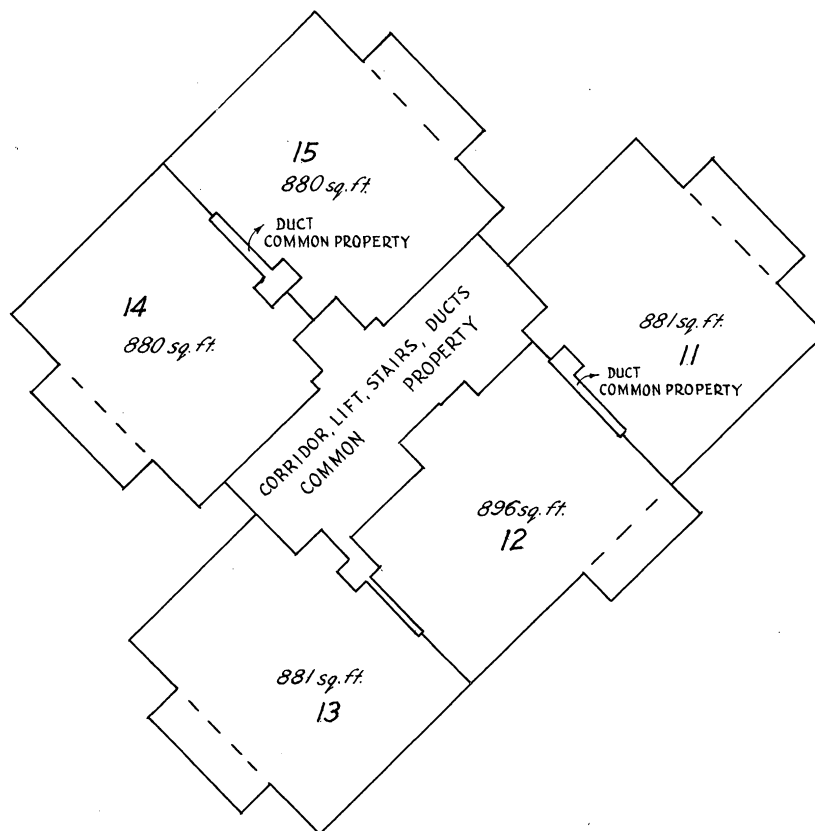
CHAIRMAN

DATE *7th April 1971* SHIRE TOWN CLERK

38956/10/67-1800-C397

## STRATA PLAN No. 766

## SECOND FLOOR



SCALE 16 FEET TO AN INCH By-Lawa 1fdsfds7(b)

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966

TOWN PLANNING BOARD

DATE 24/4/71

CHAIRMAN

LOCAL AUTHORITY City of Stirling

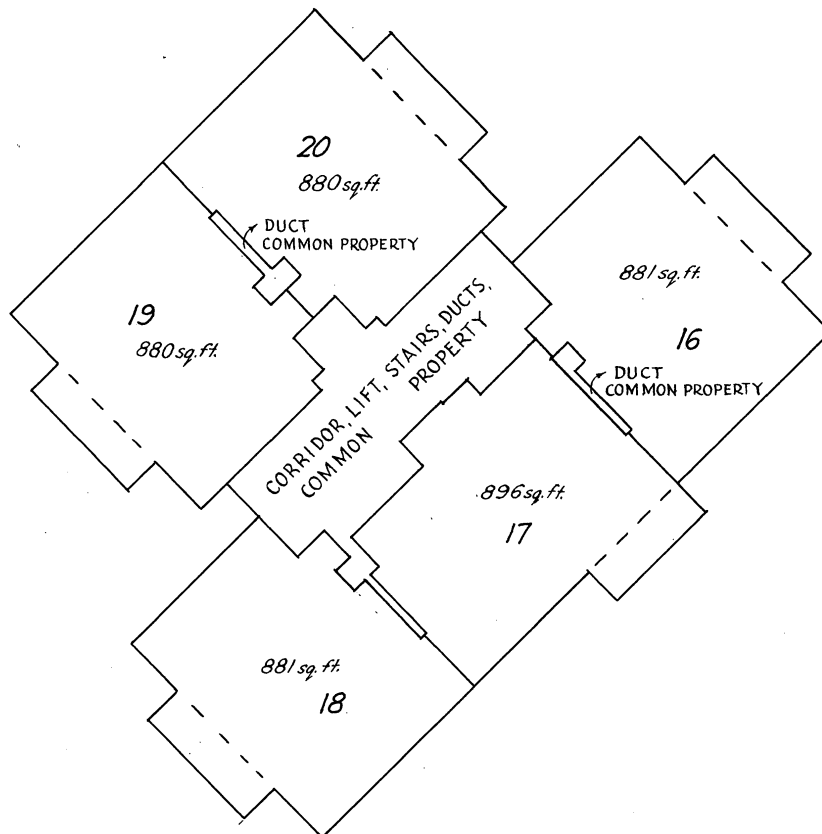
DATE 7th April 1971 SHIRE/TOWN CLERK

38956/10/67-1800-C397



## STRATA PLAN No. 766

## THIRD FLOOR



SCALE 1/6 FEET TO AN INCH

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966

TOWN PLANNING BOARD

LOCAL AUTHORITY *City of Stirling*DATE *20/4/71*

CHAIRMAN

DATE *7th April 1971*

SHIRE/TOWN CLERK

38956/10/67-1800-C397

[illegible][illegible]

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

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OFFICE USE ONLY

G 698502 AE

28 Jan, 1998 09:11:51 Perth



REG. \$ 60.00

LODGED BY John Franklin & Assoc.

ADDRESS PO Box 346

Scarborough WA

PHONE No. 9341 6633

FAX No. 9341 6022

REFERENCE No.

ISSUING BOX No.

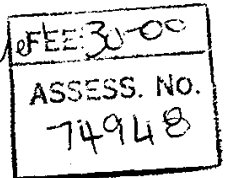
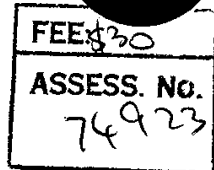
PREPARED BY

ADDRESS

PHONE No.

FAX No.

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



TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

1. \_\_\_\_\_
  2. \_\_\_\_\_
  3. \_\_\_\_\_
  4. \_\_\_\_\_
  5. \_\_\_\_\_
  6. \_\_\_\_\_
- Received Items Nos.
- 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

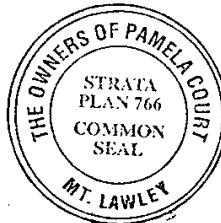
Amend By-Laws. LG14  
examined for form

## BLANK INSTRUMENT FORM

(Note 1)

FORM 21  
NOTIFICATION OF CHANGE OF BY-LAWS  
STRATA TITLES ACT 1985  
SECTION 42*MT LAWLEY*  
*MT LAWLEY*The Owners of **Pamela Court** Strata Plan Number: **766** hereby certifies:That by resolution without dissent duly passed at a meeting of the Strata Company on the 29<sup>th</sup> November 1997 which became unconditional on the 27<sup>th</sup> December 1997 the By-Laws in Schedule 1 to the Act as they apply to the Strata Company were added to as follows:By-law 16 Exclusive Use

The registered proprietor of each lot shall be entitled to the exclusive use and enjoyment of that part of the common property as is marked on the attached sketch as being "for the exclusive use of each Lot" and prefixed "EX"

The common seal of the owners of **Pamela Court** Strata Plan **766** was hereunto affixed on 29/11/97 in the presence of -*ysweller*  
*Chris Amis*  
Members of the Council*MT LAWLEY*  
*MT LAWLEY*



**INSTRUCTIONS**

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**J609633 AE**

02 Feb 2006 15:54:09 Perth



REG \$ 80.00

LODGED BY **Chambers Franklyn Strata Management**

ADDRESS **47 Cedric Street,  
STIRLING**

PHONE No. **9440 6222**

FAX No. **9440 6244**

REFERENCE No.

ISSUING BOX No.

**999L**

PREPARED BY **Chambers Franklyn Strata Management**  
ADDRESS **47 Cedric Street,  
STIRLING**

PHONE No. **9440 6222** FAX No. **9440 6244**

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

*Post to PO Box 210  
Karrinyup 6921*

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

- |                   |                           |
|-------------------|---------------------------|
| 1. <u>Form 21</u> | Received Items            |
| 2. _____          | Nos. <b>1</b>             |
| 3. _____          |                           |
| 4. _____          |                           |
| 5. _____          |                           |
| 6. _____          | Receiving Clerk <b>CA</b> |

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

*Admission to  
Sch 1*

## BLANK INSTRUMENT FORM

Form 21

(Note 1)

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

The Owners of Pamela Court, 55 Second Avenue, Mount Lawley, Strata Plan 766 hereby certifies:

that by resolution without dissent duly passed at a meeting of the Strata Company on the 8th December 2005 which became unconditional on 6<sup>th</sup> January 2006 the by-laws in Schedule 1 to the Act as they applied to the Strata Company were added to as follows:

<sup>17</sup>  
By-law 16: Exclusive Use

"The respective proprietors of Lots 1,3, 4 & 5, having given their written consent to the making of this by-law will be entitled to the exclusive use and enjoyment of the respective part of the common property as is marked on the attached sketch as being "EX1", "EX3", "EX4" & "EX5" and the retention of the courtyard walls already existing on and in these areas, conditional upon the respective proprietors:

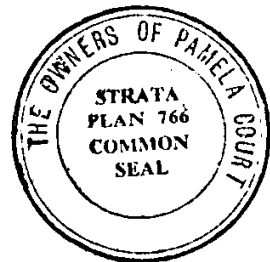
- (a) assuming full responsibility for the proper upkeep of any improvements on or within the respective areas of exclusive use and enjoyment; and
- ~~(b) paying the Strata Company a "rent" of \$120.00 per annum each, by quarterly payments on 1 December, 1 March, 1 June and 1 September in each year, commencing 1 December 2005".~~

The Owners of Pamela Court, 55 Second Avenue, Mount Lawley, Strata Plan 766 was hereunto affixed on 15<sup>th</sup> FEBRUARY 2006 in the presence of -

V. McManus

G. Kennedy

Members of the Council.



By-Law 17(b) repealed under  
Notification L257450 Change of By-Laws





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### NOTES

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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

**L257450 AE**

15 Mar 2010 11:23:29 Perth



REG \$ 110.00

LODGED BY

Chambers Franklyn Strata  
Management

ADDRESS

47 Cedric Street,  
STIRLING

PHONE No.

9440 6222

FAX No.

9440 6244

REFERENCE No.

ISSUING BOX No.

999L

PREPARED BY

Chambers Franklyn Strata  
Management

ADDRESS

47 Cedric Street,  
STIRLING

PHONE No. 9440 6222

FAX No. 9440 6244

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



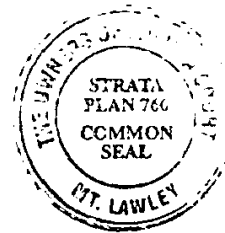
## Form 21

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

**“That by resolution without dissent duly passed at a meeting of the Strata Company on the 15th December 2009 which became unconditional on 13<sup>th</sup> January 2010 the by-laws in Schedule 1 to the Act as they applied to the Strata Company were amended by repeal of the following by-law;**

The Owners of Pamela Court, 55 Second Avenue, Mount Lawley, Strata Plan 766 was hereunto affixed on 12<sup>th</sup> MARCH 2010 in the presence of –

Albi  
K L Memos



LANDGATE COPY OF ORIGINAL NOT TO SCALE 23/08/2024 12:08 PM Request number: 67048406

## Preliminary Matters

The meeting was declared open at 6:07 p.m.

Gustavo Pereira	Lot 1
Brett & Tracey Fowler	Lot 3
David Polak	Lot 5
Mark Hodge	Lot 8
Martine Linton	Lot 12
Caroline Horobin	Lot 15
Brett White	Lot 17

Gyan Bennett                      Chambers Franklyn Strata Management

Anna & Peter Pronk	Lot 2 Voted electronically. Proxy to the meeting chairperson
Philip King & Nola Parke	Lot 4 Enduring Proxy to the meeting chairperson
Grant Kennedy	Lot 11 Voted electronically. Proxy to the meeting chairperson
Nessa Pty Ltd ATF	Lot 13 Voted electronically. Proxy to the meeting chairperson
Anilnath Nair	Lot 19 Voted electronically. Proxy to the meeting chairperson

It was RESOLVED that Gyan Bennett be appointed to chair the meeting.

The Chairperson confirmed that a quorum was present in person or by proxy as per Section 130 of the Strata Titles Act 1985.

**3.1** It was RESOLVED that the minutes of the Annual General Meeting held on the 21st of February 2024 be received and accepted as an accurate record.

There was no business arising not provided for in the meeting agenda.

Pursuant to Section 127(3)(b) of the Strata Titles Act 1985 it was RESOLVED to accept the financial statements for the period 1st of November 2023 to 31st of October 2024 as issued with the meeting agenda.

The meeting RESOLVED that in accordance with the Strata Titles Act 1985 Schedule 1 By-Law 5 the Council of Owners (CoO) would consist of four members.

The chairperson called for the council member nominations.

The following Lots were nominated and subsequently elected as members of the council until the next Annual General Meeting.

<b>Lot 1</b>	<b>Gustavo Pereira</b>
<b>Lot 5</b>	<b>David Polak</b>
<b>Lot 8</b>	<b>Mark Hodge</b>
<b>Lot 17</b>	<b>Brett White</b>

On behalf of the meeting, the chairperson thanked the outgoing councillors for their past service, thanked those re-elected for their continuation of service, and welcomed those new to the Council of Owners.

### **5.3 Execution of Documents**

Pursuant to Section 118 of the Strata Titles Act 1985, it was RESOLVED that the council is authorised to:

1. Enter into and, if required to, execute contracts, agreements, commitments, undertakings, or other legally binding arrangements, which are either desirable or necessary for the achievement of the strata company's objectives and the performance of the functions of the strata company; and,
2. If the strata company has a common seal, and when desirable or necessary to do so, use the common seal which must be attested to by the signatures of two members of the Council of the strata company.

## **6. INSURANCE**

The Strata Company has previously been advised that as required by the Financial Services Reform Act 2004 (FSRA) Gyan Bennett is an authorised representative of Lync Insurance Brokers, for which Chambers Franklyn Strata Management receives remuneration. Insurance renewal reports are available on your strata portal and disclose fees and charges applicable to the insurance of your strata scheme.

Irrespective of any of these agreements your strata scheme has the right to choose an insurance broker. If you opt to use services from other providers, we will work with you to ensure the best possible outcome for your strata scheme requirements.

The Strata Company has been advised that under the FSRA the authorised representative is required to obtain clear instructions for the renewal of the insurance.

Copies of the most recent Financial Services Guide & Product Disclosure Statement are available upon request and online at any time at [www.lyncinsure.com.au](http://www.lyncinsure.com.au).

### **6.1 Current Insurance Details**

The meeting was advised of the Strata Companies' current insurance cover (as per the copy of the certificate of currency attached to the meeting agenda) and its obligations under Section 97 of the Strata Titles Act (1985), and any additional insurance available was also advised.

Pursuant to Sections 97 and 127(3)(c) of the Strata Titles Act 1985 it was RESOLVED that the current insurance cover was adequate with no additional cover required.

### **6.2 Insurance Replacement Cost Estimate**

Gyan Bennett explained that under Section 97 of the Strata Titles Act 1985, the Strata Company was required to insure the buildings to their replacement value.

As Strata Company Managers neither Gyan Bennett nor Chambers Franklyn Strata Management could offer advice on the replacement value as neither holds the relevant qualifications.

The Strata Company Managers recommended obtaining an insurance replacement cost estimate to ascertain the replacement value as required under the Strata Titles Act 1985.

Previous insurance replacement cost estimate - \$8,734,000.00

Date 14 March 2024

Current cover - \$8,734,000.00

The meeting RESOLVED that the sums insured were adequate, declined another insurance replacement cost estimate, and instructed the strata manager to increase the building sum insured to the insurer's suggested sum at the next renewal

### **6.3 Insurance Policy Renewal**

It was RESOLVED that the Strata Management Company shall forward the insurance broker renewal proposal to the Council of Owners, who shall provide clear renewal instructions to the Strata Management Company before the renewal date.

## **7. SPECIAL BUSINESS**

### **7.1 Asbestos Report and Register**

It was resolved by ordinary resolution that the Strata Scheme obtain an asbestos report to identify and manage any asbestos that may be present within the scheme and create an asbestos register as per the Work Health and Safety (General) Regulations 2022.

### **7.2 PLUMBING STACK WORKS**

It was resolved by ordinary resolution that the quote by Hollings Plumbing & Gas for the replacement of the Plumbing Stack for \$35,579.94 incl GST be accepted. And further, that the Council of Owners have the authority to execute documents in relation to the works.

### **7.3 LINTEL REPAIRS TO LOT 13**

The Strata Company resolve by ordinary resolution to accept the quote by Federation Tuckpointing to repair the lintel in Unit 13 as well as all work associated with the repairs for \$19,761.50 incl GST.

#### **The chairperson declared the motion LOST**

*The meeting requested that a comparative quote, with a further defined scope of works.*

### **7.4 Other Business**

General discussion of items raised that were not notified as agenda items for the reference of the Council of Owners to act as directed.

#### **Tree**

The owner of Lot 2 requested a tree be planted on Common Property to assist with providing privacy from the neighbouring property, that can look directly into the unit. The meeting discussed and have referred to the Council of Owners to discuss further with the Owner regarding alternatives.

#### **Extractor Fans**

The Owner of Lot 17 requested an update on the Extractor Fans that require maintenance. The Meeting discussed and advised that the extractor fan works have been approved, to be completed with Plumbing Stack works. Should a full replacement of the Extractor Fans be required, this is to be discussed at a General Meeting for approval.

#### **By-Laws**

The Meeting was advised that the drafting of By-laws requested at the last AGM has not

been completed, however this will be completed in this financial Year, with the wording of the By-Laws to be presented at a General Meeting for all Owners to vote on.

#### **Sliding Doors**

The meeting discussed the schedule of the Sliding Door replacement, with 12 units left to have them replaced. It was decided to focus on the stack works currently, and if there is an urgent requirement for a sliding door to be replaced, it will be at that time.

#### **Gutters**

The meeting discussed the gutters and has requested an inspection be completed, and should there be any faults identified, that a quote be submitted for the Council of Owners review.

#### **Cleaning**

The meeting discussed the decline in the cleaning being carried out by the contractor. It was identified that the cleaner has reduced their attendance from weekly to fortnightly, without notifying the Strata Company or the Strata manager. The meeting requested comparative quotes for a weekly service, as well as a 6 monthly wall & balustrade cleaning.

#### **Gardening**

The meeting discussed the lack of attention to the garden and have proposed to start a Sub-Committee and working bees of the Owners to enhance the gardens at the complex, for a lower cost. For expressions of interest into the Sub-Committee, please send through to the Strata manager, who will forward through to the Council of Owners.

### **8. BUDGET AND FUND CONTRIBUTIONS**

#### **8.1 Proposed Budget of Estimated Expenditure**

Pursuant to Section 102 of the Strata Titles Act 1985, it was RESOLVED to adopt the proposed budget of estimated expenditure for the period commencing 1st of November 2024 to 31st of October 2025 as amended and included with these minutes.

Fire Protection was reduced from \$2,877.00 to \$2,000.00

Gardening was increased from \$0.00 to \$500.00

#### **8.2 Next Financial Year's Budget of Expenditure**

The Strata Company resolved that the approved budget of estimated expenditure in the motion mentioned above, be adopted for the period beginning **1st of November 2025** subject to amendment at the next Annual General Meeting.

#### **8.3 Administrative Fund Contributions**

Pursuant to Section 100(1) (a) & (c) of the Strata Titles Act 1985, it was RESOLVED that the ongoing administrative fund contributions as proposed to collect **\$ 70,888.00** p.a. (divided according to unit entitlement) be adopted and be due & payable quarterly in advance on the following dates every year:

<b>Contribution Date Due</b>	<b>Total Amount per Quarter</b>
<b>1st December 2024</b>	<b>\$ 16,832.90</b>
<b>1st March 2024</b>	<b>\$ 18,018.37</b>
<b>1st June 2024</b>	<b>\$ 18,018.37</b>
<b>1st September 2025</b>	<b>\$ 18,018.37</b>
<b>Total Administrative Contribution</b>	<b>\$ 70,888.00</b>
<b>Next Levy Due 1st December 2025</b>	<b>\$ 17,722.00</b>

#### 8.4 Reserve Fund Contributions

Pursuant to Section 100(2) of the Strata Titles Act 1985, it was RESOLVED that the ongoing reserve fund contributions as proposed to collect **\$ 30,570.00** p.a. (divided according to unit entitlement) be adopted and be due & payable quarterly in advance on the following dates every year:

Contribution Date Due	Total Amount per Quarter
1st December 2024	\$ 9,282.80
1st March 2024	\$ 8,095.73
1st June 2024	\$ 8,095.73
1st September 2025	\$ 8,095.73
Total Reserve Contribution	<b>\$ 30,570.00</b>
Next Levy Due 1st June 2025	<b>\$ 8,392.50</b>

The reserve fund contributions are estimated in accordance with the approved 10-year plan and other potential expenditures that may be required to maintain the property.

#### 8.5 Reserve Fund (Plumbing) Contributions

Pursuant to Section 100(2) of the Strata Titles Act 1985, it was RESOLVED that the one off reserve fund contribution as proposed to collect **\$ 30,000.00** p.a. (divided according to unit entitlement) be adopted and be due & payable on the 1<sup>st</sup> of February 2025

Should there be an issue with payment of this levy, please contact Strata Manager for options.

Contribution Date Due	Total Amount per Quarter
1st February 2025	\$ 30,000.00
Total	<b>\$ 30,000.00</b>

#### 10. NEXT GENERAL MEETING

The next Annual General Meeting will be held in **November** subject to confirmation from the CoO.

Any agenda items should be forwarded to the Council of Owners or Strata Managers before the next meeting.

#### 11. CLOSE OF MEETING

There being no further business, the Chairperson thanked those present, either in person, via Zoom, or by proxy, for their attendance, and declared the meeting closed at 8:43p.m.

## Income & Expenditure Statement

### for the financial year-to-date

### 01/11/2024 to 31/07/2025

The Owners of SP 766

Pamela Court, 55 Second Avenue, MT LAWLEY WA  
6050

#### Administrative Fund

Current period

01/11/2024-31/07/2025

#### Revenue

Interest on Arrears--Admin	32.09
Levies Due--Admin	52,870.30
Miscellaneous Income--Admin	232.00
Section 110 Certificate Fees	280.00
Security Keys/Tags	40.00

Total revenue	53,454.39
---------------	-----------

#### Less expenses

Admin--Accounting	0.32
Admin--Administration fees	375.03
Admin--Archive Storage Fees	66.00
Admin--Management Fees--Standard	4,124.97
Admin--Section 110 Certificate Fees Paid	280.00
Insurance - Risk Management	99.00
Insurance--Excesses	2,000.00
Insurance--Premiums	20,231.00
Maint Bldg - Gutter Cleaning	1,540.00
Maint Bldg--Asbestos Management	1,496.00
Maint Bldg--Cleaning	1,300.00
Maint Bldg--General Repairs	2,436.50
Maint Bldg--Lift--Maintenance Contract	6,551.22
Maint Bldg--Plumbing & Drainage	6,093.00
Maint Bldg--Securit Doors/Gates	506.00
Maint Grounds--Lawns & Gardening	2,730.00
Maint Grounds--Reticulation	5,993.16
Utility--Electricity	1,957.32
Utility--Water Consumption	3,108.50

Total expenses	60,888.02
----------------	-----------

Surplus/Deficit	(7,433.63)
-----------------	------------

Opening balance	(1,727.79)
-----------------	------------

Closing balance	-\$9,161.42
-----------------	-------------



## Reserve Fund

Current period

01/11/2024-31/07/2025

## Revenue

Interest on Arrears--Reserve	16.92
Levies Due (Special)--Reserve	30,000.40
Levies Due--Reserve Fund	25,475.00

Total revenue	55,492.32
---------------	-----------

## Less expenses

Maint Bldg--General Maintenance	19,005.84
Maint Bldg--Plumbing & Drainage	79,310.00

Total expenses	98,315.84
----------------	-----------

Surplus/Deficit	(42,823.52)
-----------------	-------------

Opening balance	80,819.81
-----------------	-----------

Closing balance	\$37,996.29
-----------------	-------------

## Approved Budget to apply from 01/11/2024

The Owners of SP 766

Pamela Court, 55 Second Avenue, MT LAWLEY WA  
6050

### Administrative Fund

Approved  
budget

#### Revenue

Levies Due--Admin	70,888.00
Total revenue	70,888.00

#### Less expenses

Admin--Administration fees	495.00
Admin--Archive Storage Fees	66.00
Admin--By-law Lodgement	1,200.00
Admin--Legal Fees	350.00
Admin--Management Fees--Standard	5,500.00
Admin--Meeting Fees	850.00
Insurance - Risk Management	99.00
Insurance--Premiums	17,827.00
Maint Bldg - Gutter Cleaning	1,540.00
Maint Bldg--Cleaning	5,473.00
Maint Bldg--Electrical	856.00
Maint Bldg--Fire Protection	2,000.00
Maint Bldg--General Repairs	2,517.00
Maint Bldg--Lift--Maintenance Contract	9,166.00
Maint Bldg--Pest/Vermin Control	495.00
Maint Bldg--Plumbing & Drainage	4,745.00
Maint Bldg--Securit Doors/Gates	3,362.00
Maint Grounds--Gardening	500.00
Maint Grounds--Lawns & Gardening	4,465.00
Maint Grounds--Reticulation	1,608.00
Maint Grounds--Rubbish Removal	250.00
Utility--Electricity	3,286.00
Utility--Water Consumption	3,172.00
Total expenses	69,822.00

Surplus/Deficit	1,066.00
-----------------	----------

Opening balance	(1,727.79)
-----------------	------------

Closing balance	-\$661.79
-----------------	-----------

Administrative Fund

Approved  
budget

Total units of entitlement

6408

Levy contribution per unit entitlement

\$11.06

## Reserve Fund

Approved  
budget

## Revenue

Levies Due (Special)--Reserve	30,000.00
Levies Due--Reserve Fund	33,570.00
Total revenue	63,570.00

## Less expenses

Maint Bldg--Exhaust fan systems	7,000.00
Maint Bldg--General Replacement	20,000.00
Maint Bldg--Plumbing & Drainage	35,579.94
Total expenses	62,579.94

Surplus/Deficit	990.06
-----------------	--------

Opening balance	80,819.81
-----------------	-----------

Closing balance	\$81,809.87
-----------------	-------------

Total units of entitlement	6408
----------------------------	------

Levy contribution per unit entitlement	\$5.24
--	--------

## Balance Sheet

### As at 31/07/2025

The Owners of SP 766

Pamela Court, 55 Second Avenue, MT LAWLEY WA  
6050

	Current period
Owners' funds	
Administrative Fund	
Operating Surplus/Deficit--Admin	(7,433.63)
Owners Equity--Admin	521.91
	<u>(6,911.72)</u>
Reserve Fund	
Operating Surplus/Deficit--Reserve	(42,823.52)
Owners Equity--Reserve	47,185.98
	<u>4,362.46</u>
Net owners' funds	<u><u>-\$2,549.26</u></u>

Represented by:

#### Assets

Administrative Fund	
Cash at Bank--Admin	(3,462.54)
	<u>(3,462.54)</u>
Reserve Fund	
Cash at Bank--Reserve	43,706.15
	<u>43,706.15</u>
Unallocated Money	
	<u>0.00</u>
Total assets	<u><u>40,243.61</u></u>

#### Less liabilities

Administrative Fund	
Levies paid in advance--Admin	132.48
	<u>132.48</u>
Reserve Fund	
Prepaid Levies--Reserve	59.53
	<u>59.53</u>
Unallocated Money	
	<u>0.00</u>
Total liabilities	<u>192.01</u>
Net assets	<u><u>\$40,051.60</u></u>

\* As the previous financial year has not been finalised, the current financial year reporting will not be accurate.



## CERTIFICATE OF CURRENCY

### THE INSURED

POLICY NUMBER	POL11034090
PDS AND POLICY WORDING	Residential Strata Product Disclosure Statement and Policy Wording <a href="#">SCI034-Policy-RS-PPW-02/2021</a> Supplementary Product Disclosure Statement <a href="#">SCIA-036_SPDS_RSC-10/2021</a>
THE INSURED SITUATION	The Owners of 55-57 Second Avenue Mount Lawley Strata Plan 766 55 Second Avenue, Mount Lawley, WA, 6050
PERIOD OF INSURANCE	Commencement Date: 4:00pm on 29/01/2025 Expiry Date: 4:00pm on 29/01/2026
INTERMEDIARY	PSC Property Lync Insurance Brokers
ADDRESS	PO Box 7476, Cloisters Square PO, WA, 6850
DATE OF ISSUE	28/01/2025

### POLICY LIMITS / SUMS INSURED

SECTION 1	PART A	1. Building	\$8,734,000
		Common Area Contents	\$87,340
	PART B	2. Terrorism Cover under Section 1 Part A2	Applies
		Loss of Rent/Temporary Accommodation	\$1,310,100
	OPTIONAL COVERS	1. Flood	Included
		2. Floating Floors	Included
SECTION 2	Liability		\$30,000,000
SECTION 3	Voluntary Workers		Included
SECTION 4	Workers Compensation		Selected
SECTION 5	Fidelity Guarantee		\$100,000
SECTION 6	Office Bearers' Liability		\$1,000,000
SECTION 7	Machinery Breakdown		\$50,000
SECTION 8	Catastrophe		\$2,620,200
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



# RESERVE FUND PLANS<sup>TM</sup>

Insurance Valuations · WHS (Safety) Reports · Asbestos Reports

ABN 90 620 626 565

Independent Professional Reports

## 10 YEAR RESERVE FUND PLAN

DATE OF INSPECTION: 4 MARCH 2021



55 SECOND AVENUE, MOUNT LAWLEY :: SP766



**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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# RESERVE FUND PLANS<sup>TM</sup>

Insurance Valuations · WHS (Safety) Reports · Asbestos Reports

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ABN 90 620 626 565

## Independent Professional Reports

The Owners of Pamela Court, Strata Plan 766  
55 Second Avenue, Mount Lawley

5 March 2021

Dear Sirs,

**RE: 10 Year Reserve Fund Plan - 55 Second Avenue, Mount Lawley - Strata Plan 766**

Thank you for your instructions to provide a 10 Year Reserve Fund Plan for your strata scheme.

You will find that our Reports are easy to read and understand, however if you have any questions feel free to contact us directly.

Over 34% of all Strata Managers in Western Australia utilise Reserve Fund Plans to carry out various property compliance reports including the 10 Year Plan required under s102 of the Strata Titles Act 1985 and Regulation 77 of the Strata Titles (General) Regulations 2019.

As far as we know Reserve Fund Plans are the only company that provides a 10 Year Plan that complies with the legislation in Western Australia.

Our other services include:

- |                      |                                   |                                  |
|----------------------|-----------------------------------|----------------------------------|
| - Asbestos Registers | - Building Insurance Valuations   | - Common Property Safety Reports |
| - COVID-19 Plans     | - Cladding Clearance Certificates | - Life Cycle Maintenance Reports |

The above Reports, Plans and Certificates are carried out on all types of property including residential, retail, commercial, industrial, high rise, CBD, marinas, stratum, non-strata and others.

Contact your Strata Manager to engage Reserve Fund Plans to provide any of the above additional Reports, or alternately contact us if you have any questions on these Reports.

Congratulations, you now comply with the Strata Titles Act 1985 and the Strata Titles (General) Regulations 2019, in regard to obtaining a compliant 10 Year Plan from Reserve Fund Plans.

Your sincerely,



**Wal Dobrow** FAPI FRICS FREI REIV(Aust) CDP CPP CPV  
Director



Specialist Strata Property Professionals

Ph: 1300 55 18 30

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





## Contents

<b>Identification of Covered Items</b> .....	3
<b>Condition Report - Method and Reasoning</b> .....	4
Condition Report - Estimated Lifespan.....	4
Payment Plan.....	5
Proof of our Recommendations .....	5
Assumptions.....	5
Recommendation - First Year Reserve Fund Contributions per lot .....	6
Graph - Reserve Fund Balance, Costs and Contributions.....	7
<b>Method</b> .....	8
Additional Comments.....	8
Recommendation.....	9
Points of consideration.....	9
Summary.....	10
<b>The Legislation</b> .....	11
Budget.....	11
Decisions made by the Strata Company about the Plan.....	11
Covered Items.....	12
Condition Report.....	12
Long Term Capital Items.....	12
Reserve Fund Plans compliance with the Legislation.....	12
<b>General background comments</b> .....	13
Explanation of a Reserve Fund Plan.....	13
Practical Approach.....	13
Benefit of a well prepared Reserve Fund Plan.....	13
Maintenance Plan v 10 Year Plan.....	13
Contractors and Consultants.....	14
Photographs.....	15

### **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	
10 Year Plan for:					The Owners of Pamela Court, Strata Plan 766 - 55 Second Avenue, Mount Lawley						Strata Plan:		SP766			
Period covered by the Plan:					31 October 2020 to 31 October 2030						Plan prepared on:		5 March 2021			
					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		
Ser- ial	*Covered Items	Current Cost	Approx year work required	Escalated amount	Oct-21	Oct-22	Oct-23	Oct-24	Oct-25	Oct-26	Oct-27	Oct-28	Oct-29	Oct-30		
1	Structure															
2	Roof	\$54,000	10	\$83,860										\$83,860		
3	Long term capital items	\$10,000	10	\$15,530										\$15,530		
4	Appendages															
5	Common prop. doors + windows	\$5,000	9	\$7,430									\$7,430			
6	Common property lighting	\$3,400	9	\$5,053									\$5,053			
7	Fire safety services	\$12,500	6	\$16,278						\$16,278						
8	Security gate + motor + car ports	\$11,500	8	\$16,354								\$16,354				
9	Converting to external downpipes	\$5,200	3	\$5,765			\$5,765									
10	Guttering + downpipes	\$7,000	8	\$9,955								\$9,955				
11	Distribution boards	\$4,800	4	\$5,508				\$5,508								
12	Balustrades + handrails	\$8,000	3	\$8,870			\$8,870									
13	Elevator	\$12,000	9	\$17,833									\$17,833			
14	Other															
15	Internal painting + carpet	\$15,000	2	\$16,068		\$16,068										
16																
17	Intercom + security doors	\$7,700	8	\$10,950								\$10,950				
18	Seal elevated walkways + balconies	\$8,500	2	\$9,105		\$9,105										
19	Outside															
20	External painting	\$24,000	6	\$31,254						\$31,254						
21	Utility services, cabinets, conduits	\$2,300	8	\$3,271								\$3,271				
22	Fences + gates	\$3,600	8	\$5,120								\$5,120				
23	Asphalt driveway + bollards	\$12,000	7	\$16,330							\$16,330					
24	Garden + reticulation	\$3,300	4	\$3,787				\$3,787								
25	Garbage bin area	\$2,600	7	\$3,538							\$3,538					
26	Trip slip hazards + stair nosings	\$3,500	1	\$3,623	\$3,623											
27	Stormwater pits + pipes	\$950	2	\$1,018		\$1,018										
28	Waterproofing	\$5,600	2	\$5,999		\$5,999										
29	Pavers + tiles	\$5,800	5	\$6,889					\$6,889							
30	Line marking + signage	\$1,700	4	\$1,951				\$1,951								
31	Mail boxes	\$1,100	5	\$1,306					\$1,306							
	Total Estimate (rounded)	\$231,050		\$312,646	\$3,623	\$32,190	\$14,635	\$11,246	\$8,195	\$47,532	\$19,869	\$45,649	\$30,316	\$99,390		

\*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
10 Year Plan for:		The Owners of Pamela Court, Strata Plan 766 - 55 Second Avenue, Mount Lawley	Strata Plan:	SP766
Period covered by the Plan:		31 October 2020 to 31 October 2030	Plan prepared on:	5 March 2021

Method and Reasoning						
Ser- ial	*Covered Items	Current Cost	*Approx year work required	Details of any maintenance, repair, renewal or replacement that is anticipated to be required in the period covered by the Plan	Current Condition or operating state	Estimated Lifespan after work carried out
1	<b>Structure</b>					
2	Roof	\$54,000	10	Contribution towards the maintenance of the roof	Average condition	15-20 years
3	Long term capital items	\$10,000	10	Contribution towards the repair of the long term capital items		More than 20 years
4	<b>Appendages</b>					
5	Common prop. doors + windows	\$5,000	9	Contribution towards the repair of the common prop. doors + windows	Average condition	5-7 years
6	Common property lighting	\$3,400	9	Allowance for the renewal of the common property lighting	Average condition	5-7 years
7	Fire safety services	\$12,500	6	Contribution towards the renewal of the fire safety services	Average condition	5-7 years
8	Security gate + motor + car ports	\$11,500	8	Allowance for the repair of the security gate + motor + car ports	Average condition	7-10 years
9	Converting to external downpipes	\$5,200	3	Allowance to converting to external downpipes		7-10 years
10	Guttering + downpipes	\$7,000	8	Contribution towards the repair of the guttering + downpipes	Average condition	11-15 years
11	Distribution boards	\$4,800	4	Contribution towards the upgrade of the distribution boards	Average condition	11-15 years
12	Balustrades + handrails	\$8,000	3	Allowance for the repair of the balustrades + handrails	Average condition	11-15 years
13	Elevator	\$12,000	9	Contribution towards the maintenance of the elevator	Average condition	7-10 years
14	<b>Other</b>					
15	Internal painting + carpet	\$15,000	2	Contribution towards the renewal of the internal painting + carpet	Good condition	7-10 years
16						
17	Intercom + security doors	\$7,700	8	Allowance for the repair of the intercom + security doors	Average condition	7-10 years
18	Seal elevated walkways + balconies	\$8,500	2	Allowance to seal elevated walkways + balconies	Average condition	5-7 years
19	<b>Outside</b>					
20	External painting	\$24,000	6	Contribution towards the renewal of the external painting	Average condition	7-10 years
21	Utility services, cabinets, conduits	\$2,300	8	Contribution towards the repair of the utility services, cabinets, conduits	Average condition	11-15 years
22	Fences + gates	\$3,600	8	Allowance for the repair of the fences + gates	Good condition	15-20 years
23	Asphalt driveway + bollards	\$12,000	7	Contribution towards the maintenance of the asphalt driveway + bollards	Average condition	7-10 years
24	Garden + reticulation	\$3,300	4	Contribution towards the renewal of the garden + reticulation	Below average cond.	5-7 years
25	Garbage bin area	\$2,600	7	Contribution towards the upgrade of the garbage bin area	Average condition	5-7 years
26	Trip slip hazards + stair nosings	\$3,500	1	Allowance for trip slip hazards + stair nosings	Average condition	5-7 years
27	Stormwater pits + pipes	\$950	2	Contribution towards the maintenance of the stormwater pits + pipes	Average condition	7-10 years
28	Waterproofing	\$5,600	2	Allowance for waterproofing	Average condition	7-10 years
29	Pavers + tiles	\$5,800	5	Allowance for the repair of the pavers + tiles	Average condition	7-10 years
30	Line marking + signage	\$1,700	4	Allowance for the renewal of the line marking + signage	Average condition	5-7 years
31	Mail boxes	\$1,100	5	Contribution towards the repair of the mail boxes	Average condition	7-10 years
	<b>Total Estimate (rounded)</b>	<b>\$231,050</b>				

\* This means the year after the Plan is prepared.

PAYMENT PLAN	Recommended Annual Reserve Fund Payment Plan and verification of our recommendations			Page 5
10 Year Plan for:	The Owners of Pamela Court, Strata Plan 766 - 55 Second Avenue, Mount Lawley		Strata Plan:	SP766
Period covered by the Plan:	31 October 2020 to 31 October 2030		Plan prepared on:	5 March 2021

End of Year	Year Ending	Recommended Reserve Fund Payment	Annual % change in Reserve Fund Payment	Adjusted 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%
							\$28,119	\$211
1	Oct-21	\$25,323			\$53,653	\$3,623	\$50,031	\$375
2	Oct-22	\$26,336	4.00%		\$76,742	\$32,190	\$44,552	\$334
3	Oct-23	\$27,390	4.00%		\$72,275	\$14,635	\$57,640	\$432
4	Oct-24	\$28,485	4.00%		\$86,558	\$11,246	\$75,312	\$565
5	Oct-25	\$29,625	4.00%		\$105,502	\$8,195	\$97,307	\$730
6	Oct-26	\$30,810	4.00%		\$128,846	\$47,532	\$81,313	\$610
7	Oct-27	\$32,042	4.00%		\$113,965	\$19,869	\$94,097	\$706
8	Oct-28	\$33,324	4.00%		\$128,126	\$45,649	\$82,477	\$619
9	Oct-29	\$34,657	4.00%		\$117,752	\$30,316	\$87,435	\$656
10	Oct-30	\$36,043	4.00%		\$124,134	\$99,390	\$24,744	\$186
11	Oct-31	\$37,485	4.00%		\$62,414		\$62,414	\$468

Note: some figures may be rounded

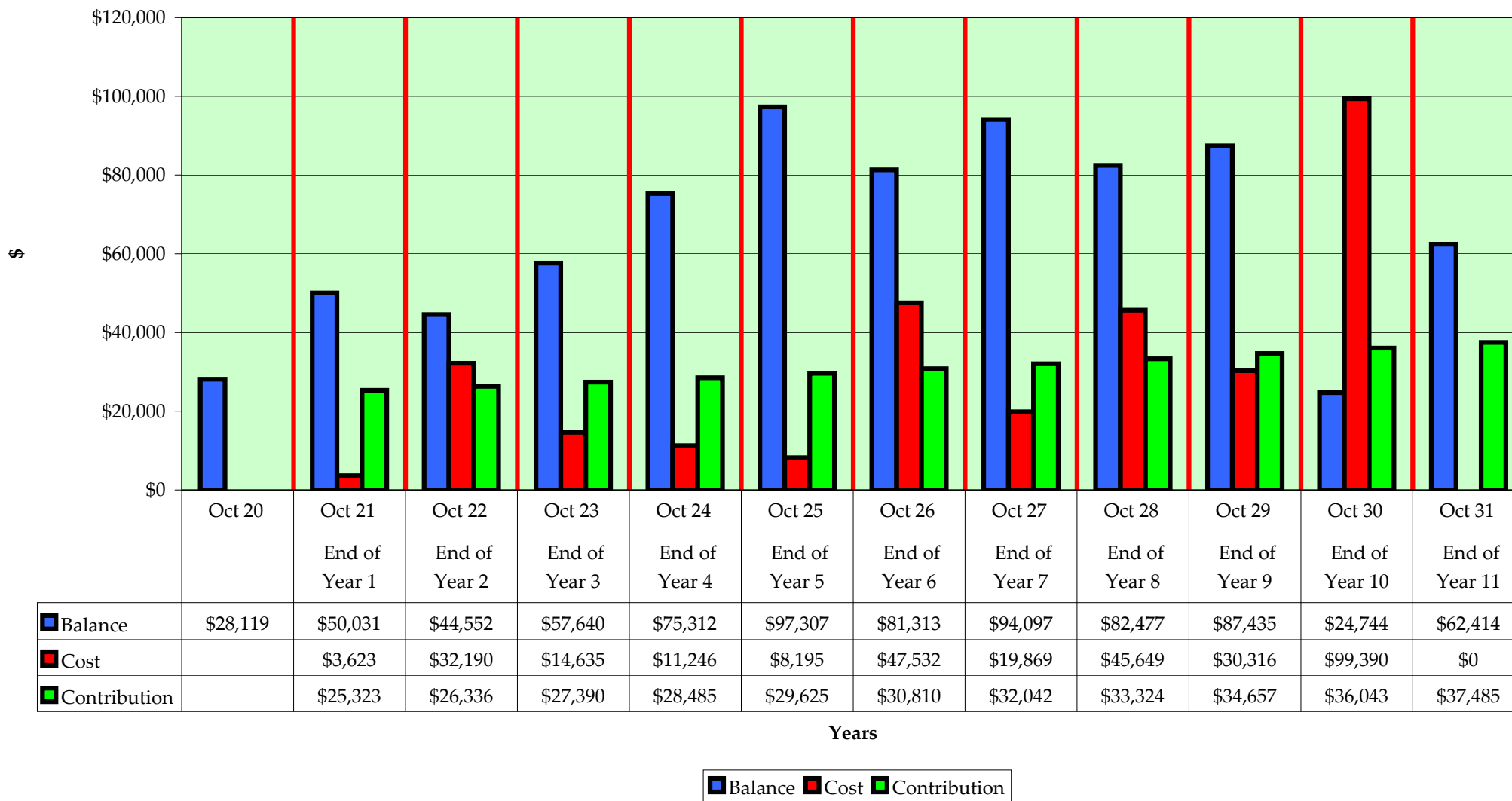
Assumptions		Our Recommendation of the Annual Reserve Fund Payments for the next 11 years is set out in the Table above. Column C (Recommended Reserve Fund Payment) may include Extra Costs Payments (positive adjustment) or reductions in the Recommended Reserve Fund Payment (negative adjustment) from 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	\$31,123	
Buffer (or adjustment to the base annual contribution)	-\$5,800	
<b>Recommended Annual Fund Contribution (After Buffer)</b>	<b>\$25,323</b>	
Current Annual Reserve Fund contribution (as instructed)	\$4,100	
Current Reserve Fund Balance (as instructed)	\$28,119	
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			Page 6
10 Year Plan for:	The Owners of Pamela Court, Strata Plan 766 - 55 Second Avenue, Mount Lawley	Strata Plan:	SP766	
Period covered by the Plan:	31 October 2020 to 31 October 2030	Plan prepared on:	5 March 2021	

Rate per U/E	Lot No	Unit Entitlem.	First Year Reserve Fund Payment PA
\$3.95	1	320	\$1,265
	2	300	\$1,186
	3	302	\$1,193
Total Unit Entitlement	4	302	\$1,193
	5	320	\$1,265
	6	325	\$1,284
6408	7	310	\$1,225
	8	315	\$1,245
	9	315	\$1,245
Recommended First Year Reserve Fund Contribution	10	325	\$1,284
	11	330	\$1,304
	12	323	\$1,276
	13	323	\$1,276
\$25,323	14	323	\$1,276
	15	330	\$1,304
	16	335	\$1,324
	17	325	\$1,284
	18	325	\$1,284
	19	325	\$1,284
	20	335	\$1,324
			\$25,323

GRAPH RESULTS	Graph - Recommended Reserve Fund Contributions, Estimated Costs, Reserve Fund Balance - 10 Years			Page 7
10 Year Plan for:	The Owners of Pamela Court, Strata Plan 766 - 55 Second Avenue, Mount Lawley	Strata Plan:	SP766	
Period covered by the Plan:	31 October 2020 to 31 October 2030	Plan prepared on:	5 March 2021	

### 10 Year Reserve Fund Plan



## **Method**

The Method by which the estimated costs for the maintenance, repair, renewal or replacement of the Covered Items as set out in the 10 Year Plan were determined is set out below: See Regulation 77(1)(g). The assessments contained in this Plan have been calculated in accordance with the Strata Titles Act 1985 (Act), in particular section 100(2A), and the Strata Titles (General) Regulations 2019 (Regulations), specifically, Regulations 77 and 179.

The recommended Contributions 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.

I have relied upon published Building Costs Guides and my extensive experience in costs assessment to determine the costs of maintenance, repair, renewal, replacement or upgrading of Covered Items and do not accept responsibility for any errors from the above providers of source data. 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.

The easily accessible areas of the property are physically inspected at the time of our inspection, and the Covered 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 my over 30 years experience as a Valuer, and specialising in strata matters and 10 year Sinking and Reserve Fund Plans.

## **Additional comments**

The property appears to be well maintained for its age. I have made allowances for more common property lighting (some of which can be as simple as solar gutter lights), garbage area, sealing the balconies and any elevated exposed walkways to prevent water penetration and subsequent concrete spalling (cancer), stair nosings or non slip finishes for additional safety, the asphalt driveway, handrails have been allowed as a safety barrier and also to prevent a fall hazard, converting the internal downpipes to external downpipes in order to prevent the stormwater leakage into the eaves lining which causes mould, discolouration and other issues, upgrading the electrical boards with Residual Current Devices (kill switches) if needed, maintaining the fire services from a capital and not a recurrent basis, and other Covered Items of a capital (not recurrent) nature, amongst other things.



## **Recommendation**

I consider that the existing Reserve Fund Balance is good, the Current Contributions are not sufficient and additional allowances should always be made for any unforeseen circumstances. I recommend that the Owners adopt as a minimum, the Reserve Fund Payments as shown.

## **Points of consideration**

I have made the following allowances:

- in year 10, contribution towards the maintenance of the roof.
- contribution towards the repair of the long term capital items, if required.
- in year 9, contribution towards the repair of the common prop. doors + windows, if required.
- allowance for the renewal of the common property lighting in year 9.
- contribution towards the renewal of the fire safety services, if required.
- allowance for the repair of the security gate + motor + car ports.
- allowance to converting to external downpipes in year 3, if required.
- in year 8, contribution towards the repair of the guttering + downpipes.
- in year 4, contribution towards the upgrade of the distribution boards, if required.
- allowance for the repair of the balustrades + handrails in year 3.
- contribution towards the maintenance of the elevator, if required.
- in year 2, contribution towards the renewal of the internal painting + carpet, if required. In order to maintain a fresh appearance and provide ongoing protection.
- allowance for the repair of the intercom + security doors in year 8, if required.
- in year 2, allowance to seal elevated walkways + balconies.
- contribution towards the renewal of the external painting in year 6, if required. If performed regularly, repainting will prevent excessive preparation costs in the future.
- contribution towards the repair of the utility services, cabinets, conduits in year 8.
- in year 8, allowance for the repair of the fences + gates, if required. Where appropriate, at 50% of the cost in accordance with the Dividing Fences Act 1961.
- contribution towards the maintenance of the asphalt driveway + bollards in year 7.
- contribution towards the renewal of the garden + reticulation, if required. The owners may wish to refresh and restore the landscaped areas.
- contribution towards the upgrade of the garbage bin area.
- allowance for trip slip hazards + stair nosings in year 1, if required.
- in year 2, contribution towards the maintenance of the stormwater pits + pipes.
- in year 2, allowance for waterproofing, if required.
- allowance for the repair of the pavers + tiles in year 5.
- allowance for the renewal of the line marking + signage, if required.
- contribution towards the repair of the mail boxes.

Note that this Reserve Fund Plan is only an estimate of what items may reasonably require maintenance, repair, renewal or replacement during the period covered by the Plan. There is no guarantee that a reasonable assessment of a future projection today may in fact come to pass. Additional items of capital repairs or replacement that are unforeseen at the time of preparing a Reserve Fund Plan may occur in the immediate future. This Reserve Fund Plan should be reviewed periodically to remove items that are no longer required and to add new items that are discovered.



## Summary

The following annual Reserve Fund contributions are recommended at the dates shown below.

Year	Year Ending	Recommended Reserve Fund Payment (includes any Extra Costs payment)
1	Oct-21	\$25,323
2	Oct-22	\$26,336
3	Oct-23	\$27,390
4	Oct-24	\$28,485
5	Oct-25	\$29,625
6	Oct-26	\$30,810
7	Oct-27	\$32,042
8	Oct-28	\$33,324
9	Oct-29	\$34,657
10	Oct-30	\$36,043
11	Oct-31	\$37,485

For the recommended annual contribution for each Lot and for each year in the Plan see Annexure A.

Plan prepared by:



**W. L. Dobrow FAPI FRICS FREI REIV(Aust) CDP CPP CPV**

Licenced Valuer No. 44995 Western Australia - Unrestricted

Australian Property Institute - Certified Practising Valuer

Accredited Practitioner (Fire Safety) No F053119A

Suite 18, 30 Kearns Crescent, Applecross WA 6153

This Plan is for the use of the Strata Company and the Strata Manager to assist in determining budgets 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 Plan. Neither the whole nor any part of this Plan or any reference thereto may be included in any published document, circular or statement or published in any way without my written approval of the form and context in which it may appear. This Plan has been prepared on the basis of the instruction being for a 10 Year Plan for the Reserve Fund only and in order to satisfy the requirements of the Act and the Regulations, and for no other purpose.

A comprehensive Report including a 10 Year Reserve Fund Plan should be commissioned if a party requires a Report for another purpose or for use in litigation matters. I reserve the right to review or withdraw my Plan at any time. This Plan does not cover the structural condition of the property nor environmental contamination. This Plan 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.

The amounts shown on the Plan are a recommendation based upon my assessment of the likely expenditure on the Covered Items contained in the 10 Year Reserve Fund Plan, as requested by the Strata Company. The Strata Company is entitled to choose whatever Reserve Fund contributions they deem appropriate for their particular circumstances.

## The Legislation

The Strata Titles Act 1985 was amended on 1 May 2020 and the Strata Titles (General) Regulations 2019 commenced operation on that date. The Act requires a Designated Strata Company to have a Reserve Fund and to prepare a 10 year plan.

**A Designated Strata Company** is defined as a strata company for a:

- a. strata company for a scheme with 10 or more lots, or
- b. strata company for a scheme that has a scheme building replacement cost of more than \$5,000,000, or
- c. strata company for a survey-strata scheme if the replacement cost of the improvements on the common property is more than \$5,000,000.

Section 100 of the Strata Titles Act 1985 states that any other strata company **MAY** establish a Reserve Fund, the purpose of which is to accumulate funds for contingent expenses of a non-routine nature and major expenses of the strata company likely to arise in the future.

## Budget

The legislative purpose of a 10 Year Plan is to assist owners and a strata company 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.*

I have called my Plan a **Reserve Fund Plan** because the 10 Year Plan is aimed at assisting owners to decide how much money to allocate to the Reserve Fund.

## Decisions made by the Strata Company about the Plan

The Strata Company has instructed us to prepare the 10 year Plan on the following basis:

1. The Covered Items contained within the Plan are all of the items the Strata Company anticipates will require maintenance, repair, renewal or replacement in the period covered by the plan: see regulation 77(1)(e) of the Regulations.
2. The Covered Items contained within the Plan includes all of the items of value that form part of the common property or the personal property of the Strata Company that, in the opinion of the Strata Company, should be included in the Plan having regard to the maintenance, repair, renewal or replacement that it is anticipated will be required in the period covered by the Plan: see regulation 77(2) of the Regulations.
3. The Strata Company considers the way the items have been itemised separately or grouped together in the Plan as appropriate: see regulation 77(4) of the Regulations.
4. The Strata Company considers the information contained in the Condition Report within the Plan as the appropriate information for each Covered Item in accordance with regulation 77(6) of the Regulations.

Regulation 77 of the Regulations 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 include 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)). If the Strata Company or the Owners choose not to provide any of the above information, this Reserve Fund Plan is a 10 Year Plan that still complies with the Strata Titles Act 1985 and the Strata Titles (General) Regulations 2019.

When I prepare the 10 year Reserve Fund Plan, I already take into account the above details as best available, and the Owners may choose to add or amend the information provided within my 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

I take into account the list of Covered Items set out in Regulation 77(3) being the items of value of common property of the scheme and personal property of the Strata Company, 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 estimate of the costs to repair, maintain, renew or replace those items. The additional items may include 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

My 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.

### Long Term Capital Items

My Long Term Capital Items comprises two broad components. (1) minor and small items that would not warrant a separate inclusion on the Plan ie hinges, glass window rollers or glass door rollers, seals, locks and similar fittings; and (2) contingency and larger long term items such as 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, 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 \$50 to \$75 per lot for the 10 year Plan.

### Reserve Fund Plans Compliance with the Legislation

In weighing up the above approach and analysis of the legislation, my Reserve Fund Plan complies with each relevant aspect of the Strata Titles Act 1985 and Strata Titles (General) Regulations 2019 relating to 10 Year Plans.

## General background comments

The following comments and observations do not form part of the Plan and are only provided to assist the owners.

### Explanation of a Reserve Fund Plan

Primarily the purpose of a Reserve Fund Plan is to determine the most practical and cost effective annual contribution for the reserve fund budget, and which covers the anticipated costs for the maintenance, repair, renewal, replacement or the upgrade of items of value that form part of the common property of the scheme and the personal property of the Strata Company for the 10 year period that the Plan covers.

### Practical approach

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

### 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 amount of money that should be budgeted to cover the cost of properly maintaining, repairing, renewing or replacing items primarily of a capital nature, rather than those costs and items of a routine nature.

My 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 Company to meet their legislative obligations to repair and maintain the common property.

### 10 Year Plan v Maintenance Plan

A Maintenance Plan is generally different to a 10 year Plan required under the Act, and will tend to schedule the cost of items such as the renewal of painting or waterproofing of the balconies or elevated walkways and stairs that will need be needed after so much scheduled use. 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 Corporation where large special levies are typically imposed upon owners in a scheme as a result of poor financial planning. For example, a Maintenance Plan for painting may have no money required for years 1 to 4, and then have a large amount in year 5, 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, whereas a properly prepared 10 Year Plan will consider the Reserve Fund balance and make adjustments for reasonable and practical annual Reserve Fund contributions.

### Contractors and consultants

Two tier strata schemes (typically low rise multi-storey residential, and sometimes a mixed use with retail or commercial) may have consultants and contractors that provide maintenance servicing, testing, repairs and similar for common property services such as fire protection with hydrant tanks, pumps, piping, detection and alarm systems, external painting, roofing experts, landscaping and garden, waterproofing, stormwater drainage, plumbing, electrical, structural engineering, 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 I make an allowance towards these likely costs.

In addition, some schemes may have engaged engineers or fire or 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 need 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, my 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 estimated contingent costs to maintain, repair, renew, replace or upgrade each anticipated Covered Item.



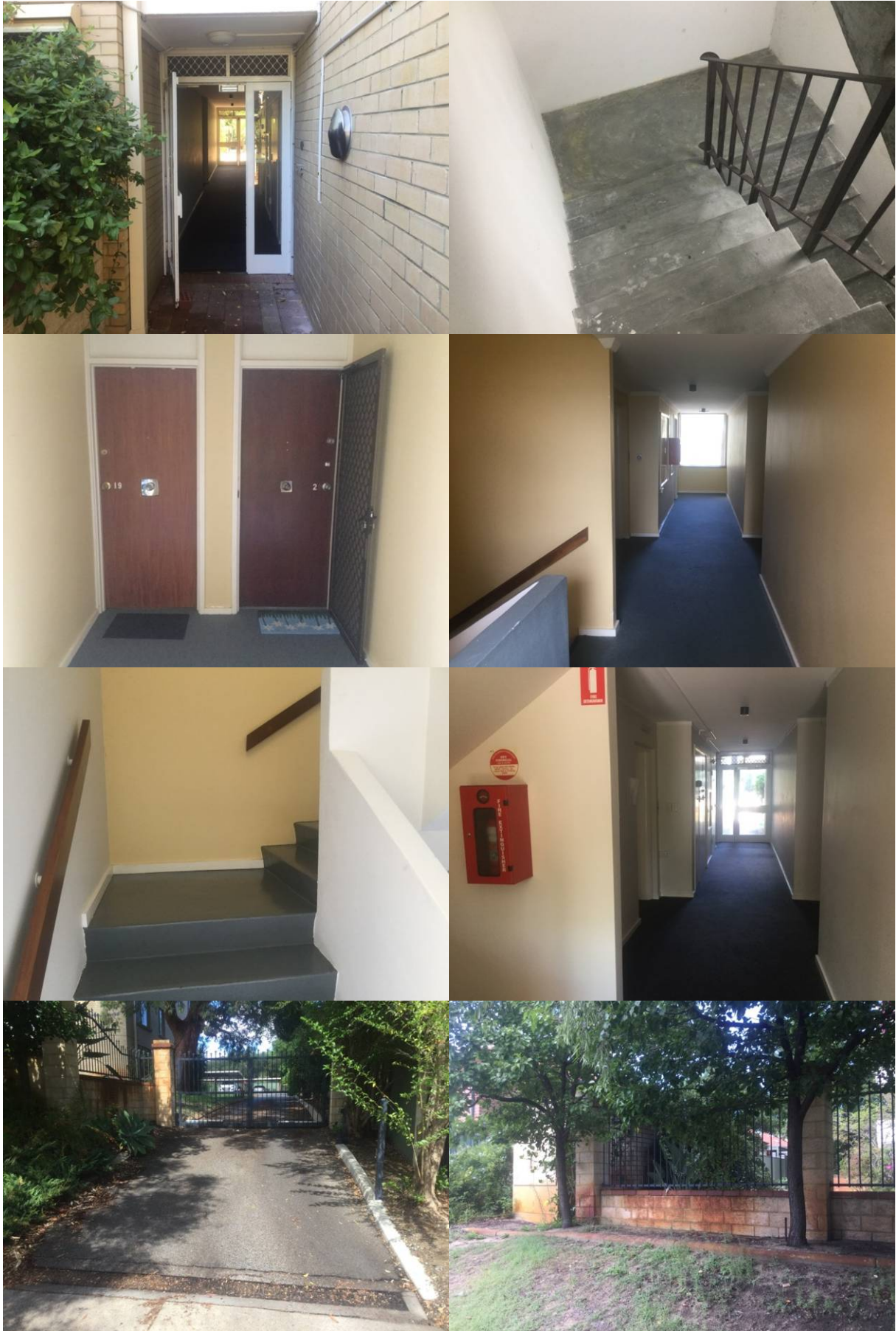
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ANNEXURE A		Annual Individual Lot Contributions over the 10 Year Reserve Fund Plan			
10 Year Plan for:		The Owners of Pamela Court, Strata Plan 766 - 55 Second Avenue, Mount Lawley			
Period covered by the Plan:		31 October 2020 to 31 October 2030			
		Strata Plan:		SP766	
		Prepared:		5 March 2021	

Figures may be rounded		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
Lot No	Unit Ent.	Oct-21	Oct-22	Oct-23	Oct-24	Oct-25	Oct-26	Oct-27	Oct-28	Oct-29	Oct-30	Oct-31
1	320	\$1,265	\$1,315	\$1,368	\$1,422	\$1,479	\$1,539	\$1,600	\$1,664	\$1,731	\$1,800	\$1,872
2	300	\$1,186	\$1,233	\$1,282	\$1,334	\$1,387	\$1,442	\$1,500	\$1,560	\$1,623	\$1,687	\$1,755
3	302	\$1,193	\$1,241	\$1,291	\$1,342	\$1,396	\$1,452	\$1,510	\$1,571	\$1,633	\$1,699	\$1,767
4	302	\$1,193	\$1,241	\$1,291	\$1,342	\$1,396	\$1,452	\$1,510	\$1,571	\$1,633	\$1,699	\$1,767
5	320	\$1,265	\$1,315	\$1,368	\$1,422	\$1,479	\$1,539	\$1,600	\$1,664	\$1,731	\$1,800	\$1,872
6	325	\$1,284	\$1,336	\$1,389	\$1,445	\$1,503	\$1,563	\$1,625	\$1,690	\$1,758	\$1,828	\$1,901
7	310	\$1,225	\$1,274	\$1,325	\$1,378	\$1,433	\$1,490	\$1,550	\$1,612	\$1,677	\$1,744	\$1,813
8	315	\$1,245	\$1,295	\$1,346	\$1,400	\$1,456	\$1,515	\$1,575	\$1,638	\$1,704	\$1,772	\$1,843
9	315	\$1,245	\$1,295	\$1,346	\$1,400	\$1,456	\$1,515	\$1,575	\$1,638	\$1,704	\$1,772	\$1,843
10	325	\$1,284	\$1,336	\$1,389	\$1,445	\$1,503	\$1,563	\$1,625	\$1,690	\$1,758	\$1,828	\$1,901
11	330	\$1,304	\$1,356	\$1,411	\$1,467	\$1,526	\$1,587	\$1,650	\$1,716	\$1,785	\$1,856	\$1,930
12	323	\$1,276	\$1,327	\$1,381	\$1,436	\$1,493	\$1,553	\$1,615	\$1,680	\$1,747	\$1,817	\$1,889
13	323	\$1,276	\$1,327	\$1,381	\$1,436	\$1,493	\$1,553	\$1,615	\$1,680	\$1,747	\$1,817	\$1,889
14	323	\$1,276	\$1,327	\$1,381	\$1,436	\$1,493	\$1,553	\$1,615	\$1,680	\$1,747	\$1,817	\$1,889
15	330	\$1,304	\$1,356	\$1,411	\$1,467	\$1,526	\$1,587	\$1,650	\$1,716	\$1,785	\$1,856	\$1,930
16	335	\$1,324	\$1,377	\$1,432	\$1,489	\$1,549	\$1,611	\$1,675	\$1,742	\$1,812	\$1,884	\$1,960
17	325	\$1,284	\$1,336	\$1,389	\$1,445	\$1,503	\$1,563	\$1,625	\$1,690	\$1,758	\$1,828	\$1,901
18	325	\$1,284	\$1,336	\$1,389	\$1,445	\$1,503	\$1,563	\$1,625	\$1,690	\$1,758	\$1,828	\$1,901
19	325	\$1,284	\$1,336	\$1,389	\$1,445	\$1,503	\$1,563	\$1,625	\$1,690	\$1,758	\$1,828	\$1,901
20	335	\$1,324	\$1,377	\$1,432	\$1,489	\$1,549	\$1,611	\$1,675	\$1,742	\$1,812	\$1,884	\$1,960
6408		\$25,323	\$26,336	\$27,390	\$28,485	\$29,625	\$30,810	\$32,042	\$33,324	\$34,657	\$36,043	\$37,485

**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.]