

RULES OF THE OWNERS CORPORATION

A copy of the Special Rules of the Owners Corporation is enclosed in this information pack. These Rules apply to all Owners Corporations, Owners and Occupiers, are therefore obligated to comply in accordance with Sections 128, 136 and 141 of the *Owners Corporations Act 2006*. It is strongly recommended that you read the attached Rules to ensure you understand the “do’s and don’ts” of the property.

All complaints regarding a Breach of the Rules must be received in writing together with supporting evidence including, but not limited to, photographs, dates, times and police reports. Complaints must be forwarded to the Owners Corporation Manager via email.

Important Note to Lot Owners:

In accordance with Section 136 of the Owners Corporations Act 2006, it is the responsibility of the Lot Owner to provide the Occupier of the Lot with a copy of the Owners Corporation Rules at the commencement of their tenancy, and a copy of any new Rules as soon as possible after the new Rules have been made.

BUILDING DEFECTS, REPAIRS AND MAINTENANCE

Defects or repairs and maintenance issues within a private lot are the responsibility of the Lot Owner, not the Owners Corporation. Common Property defects and repairs and maintenance items should be immediately reported to the Owners Corporation Manager in writing in order for the matter to be addressed. Reports of building defects, repairs and maintenance must be submitted via email to aftercare@cobild.com.au and cc the Owners Corporation Manager. **Defect Registration Application Form enclosed.**

In addition to reporting building defects, repairs and maintenance, Occupiers must notify the Owners Corporation Manager in the case of failure of any building services, or problems with the cleanliness of any public areas. Building services which are common to all occupiers include the entry intercom systems, public lighting, security car park access, lifts, waste management etc. All other services are the responsibility of the individual Owner or relevant lot’s Managing Agent.

MOVING IN/OUT PROCEDURES

All Occupier’s moving in or out of the property must confirm their move with the Manager by completing and submitting the enclosed “Move In/Move Out Request” form to the Manager via email. Bookings must be arranged at least 72 hours prior to the intended move. The booking is only confirmed once acknowledged by the Owners Corporation Manager.

Moving In/Out Procedures Form enclosed.

Under no circumstances is a person to move into or out of the property without the approval of the Owners Corporation Manager.

The initial moves take place from Monday to Saturday during the following time slots:

MORNING	8:00am to 10:00am	10:00am to 12:00pm
AFTERNOON	12:00pm to 2:00pm	2:00pm to 4:00pm
EVENING	4:00pm to 5:00pm	

** All moves must be completed by 5:00pm*

LEASE/SALE BOARDS

Lease and Sale advertising boards are not to be erected at the property without prior consent from the Owners Corporation Manager. To request permission to temporarily erect a lease or sale board, please contact the Owners Corporation Manager on 03 9818 2488 or send an email to ocmanager3@mocs.com.au to obtain the approval form which is to be completed and submitted to the Committee for approval.

SECURITY

Maintaining building security is the shared responsibility of all Occupiers. It is essential that the following guidelines be adhered to:

- Do not give building access devices to unauthorized persons;
- Do not leave the access doors/gates open and unattended;
- Do not leave your apartment, storage cage or vehicle unlocked at any time;
- Do not leave any building access devices in vehicles parked in the carpark;
- Do not give access to strangers/visitors of other apartments via the intercom system or entry doors/gates.
- Report any suspicious activity immediately to the Police by contacting 000.

KEYS/SWIPES/REMOTES

If a new key/swipe/fob/remote is required to be ordered for your apartment, a written request is to be submitted by the Lot Owner or Managing Agent to the Owners Corporation Manager to place the order. Please complete the attached "Key/Swipe/Remote Order Form" and submit to the Owners Corporation Manager via the email address provided on the form.

INTERCOM SYSTEMS

Intercom panels are located at the main entry doors. The external control panels provide access to the building by use of a security swipe/fob. The control panels within each apartment permits access to the building by manual operation by the Occupier. Occupiers are expected to exercise caution when admitting visitors and ensure that they only admit people they know or are expecting a visit from. Under no circumstances should Occupiers give access to strangers to enter the development.

CAR PARK ACCESS GATE

The carpark access gate is controlled via the remote control/s issued to your apartment. In the event that this access gate is not functioning, immediately contact the Manager to report the fault.

Under no circumstance is an Occupier permitted to tamper with the access gate equipment. Any person reported to breach this direction will immediately be issued a Breach Notice which may result in action being taken against them in VCAT. Additionally, all costs associated with repair of the access gate due to damage caused by tampering will be recoverable from the offending Occupier.

CAR PARKING

Residents must only park in their allocated parking space and must not use another car space without the permission of the respective resident. Additionally, resident must not park in car space designated for the use of visitors. Any resident reported to be illegally parking in another residents or visitor car space will be issued a Breach Notice, which may result in action being taken against them in VCAT.

Residents must ensure that their car spaces are kept clean and free from oil, petrol or like substance at all times. Failure to remove oil leakages from car spaces will result in a notice being issued to the offending vehicle owner, requiring the area to be cleaned within 14 days. If the oil is not removed following a notice being issued, the Owners Corporation reserves the right to arrange for the car space to be cleaned, with the cost of cleaning to be charged to the offending car space Occupier.

When driving in the carpark, please drive safely as pedestrians and/or other vehicles may be present.

The following rules/procedures apply with respect to parking:

- The speed limit in the carpark is 5km/h;
- Please be aware of pedestrians around the carpark;
- Watch for pedestrians and other vehicles when exiting/entering the property;
- Turn on vehicle headlights when in the carpark to make your vehicle more visible;

- Do not tailgate! Always use your remote to enter/exit the carpark to avoid the gate closing on your vehicle;
- Do not allow any unknown vehicles or pedestrians to follow you into the carpark when entering/exiting. Report any unauthorized access immediately to the Building Manager if witnessed;
- Do not leave any valuables in your vehicle, particularly building access devices.

CAR WASHING FACILITIES

There are no car washing facilities at the development. Occupants are prohibited from using any common water tap or fire hose to wash vehicles. Any person reported using the common water service for any purpose will be issued a Breach Notice which may result in action being taken against them in VCAT.

CAR STACKERS

Car stackers have been installed at the property for the use of some Occupiers. If your apartment has car spaces allocated within a car stacker system, you are required to complete an induction with the installer prior to use to ensure you are aware of how to use the system safely.

Contact Hercules Carparking Systems for booking:

https://herculescarparkingsystemsvictoria.formstack.com/forms/preinduction_form1

Under no circumstance is an Occupier to park within the car stacker system without completing an induction. If you require an induction for the car stacker system, please contact the Owners Corporation Manager. A fee may apply for this service to be provided to Occupiers. Please see enclosed car stacker dimensions.

STORAGE CAGES

The storage cages are located within the basement carpark and on each level. Residents are responsible for their own property within these areas. The Owners Corporation accepts no responsibility for any damage to or loss of personal belongings stored in the storage cages. It is strongly recommended that residents ensure appropriate insurances are in place to all items stored within these areas. Items stored in storage cages should be neatly stored and kept off the floor to prevent damage from potential water ingress. Under no circumstances is excess personal belongings to be stored on the Common Property or within car spaces. This action will result in a Breach Notice being issued which may subsequently lead to action being taken against the offender in VCAT.

RUBBISH DISPOSAL

When disposing of your rubbish bags please ensure that you deposit the bag in the correct bin i.e. general or recycling in the basement carpark. Please ensure that your household rubbish is placed in properly sealed bags to prevent any leakages on Common Property when transporting to the main bin. Under no circumstances are Occupiers to leave their rubbish in bags outside their apartment doors, on balconies. This action encourages rodents to enter the site and causes potential health and safety risks.

All cardboard boxes and packaging must be taken to the rubbish bin and be broken down and neatly placed in the recycle bins as required by the waste contractor.

HARD RUBBISH DISPOSAL

Hard rubbish items (i.e. unwanted furniture, appliances, mattresses etc.) are not to be stored/dumped on Common Property or left within your car space. The disposal of hard rubbish is the responsibility of the rubbish Owner, not the Owners Corporation.

Any cost associated with the removal of hard rubbish from the site by the Owners Corporation's waste contractor will be charged directly to the offender. We note that the current rate to remove hard rubbish

from the site by the private contractor is \$150.00 per cubic meter therefore it is strongly recommended that you arrange your own hard rubbish removal in order to prevent being charged significant fees.

FIRE SAFETY

All Residents should make themselves familiar with the location of exit doors, fire stairs and fire equipment at the development. Fire escape doors are clearly marked and must not be held open or obstructed in any way. It is critical to your safety that you evacuate the building immediately in the event of a fire. Fire extinguishers and hydrants are located on Common Property and are for use in an emergency only. Removal and/or use of this equipment results in significant replacement costs and fire service water charges to the Owners Corporation. Activation of a fire hydrant will cause a general fire alarm and the MFB may be called. Any person found responsible of obstructing fire doors or illegally using any fire equipment at the site will immediately be issued a Breach Notice which may result in action being taken against them in VCAT. Additionally, the cost of any replacement, repairs and usage charges of any fire service will be charged directly to the offender.

False alarm callouts incur unnecessary expenses of up to \$4,000.00 for each attendance by the MFB. These costs are charged to the Occupier of the apartment that is identified as being responsible in cases of negligence. The following situations are known to cause the fire alarm to be triggered:

- Smoking is not permitted on any part of the Common Property (such as corridors, car parks and stairwells etc);
- Excess cooking smoke entering common area corridors from an apartment e.g. burnt toast or other food, BBQ smoke from balcony areas etc. (in non-dangerous situations only windows and balcony doors should be opened to allow excess smoke to escape – do not open your front door);
- Excess heat/steam entering common area corridors from an apartment e.g. when the apartment front door remains open when steam cleaning of carpets is taking place;
- Works carried out near smoke detectors/alarms which result in dust;
- Unauthorized utilization of fire hoses for reasons other than a fire.

SMOKE DETECTORS WITHIN APARTMENTS

All apartments are fitted with smoke detectors. It is the Owner/Occupier's responsibility to ensure that they are fully operational at all times. If there is a beeping sound in the smoke detector, replace the batteries. Batteries should be replaced every six months.

INSURANCE

The Owners Corporation has an insurance policy in place to cover Common Property only. This policy does not include cover on private fittings built into an apartment which can be removed such as curtains, blinds, light fittings, electrical fittings, carpets and appliances etc. Additionally, this cover does not include personal belongings stored within an apartment, storage cage or car park or on Common Property. Any reports of a potential claim or queries relating to the insurance cover should be directed to the Owners Corporation Manager via email address provided under the "Owners Corporation Manager Details" section of this information pack.

Important note: It is strongly recommended that Lot Owner's leasing out their apartment to a tenant have relevant Landlords insurance in place to ensure that your lot is protected. Additionally, any Tenant leasing an apartment should ensure that they arrange their own personal contents insurance to cover all personal belongings stored at the property.

RISK OF WATER DAMAGE

Washing machines, dishwashers and overflowing baths and basins are the cause of most water damage at properties. We strongly recommend that Occupiers ensure that machines or taps are not left running when you are absent from the property and that taps are turned off when machines are not in use. We further recommend that you regularly check that the discharge hose on your washing machine/dishwasher is secure.

ANIMALS

Written consent must be obtained from the Owners Corporation Manager to keep an animal in your apartment. If an animal is responsible for any mess or damage on common property, it is the responsibility of the animal's owner to cover the cost of all cleaning/disinfecting/deodorizing and/or any rectification works required to make good the relevant area.

Any animal reported to be causing a nuisance at the property will result in a Breach Notice being issued to the animal's owner and if the behaviour persists, the Owners Corporation may order the immediate removal of the animal. Please find enclosed Pet Registration Form.

BALCONIES

Residents are not permitted to hang any item including garments, clothing, sheets, blankets, towels or other objects/storage on common property, the exterior of an apartment or balcony area if the object is visible to other persons. Please ensure that all nonvisible items on balconies are secured at all times to protect them from strong winds. If plants are being kept on balconies, residents are to take care to avoid excess water flowing when cleaning or watering plants. Cigarette butts must not be discarded over the balcony or left in ashtrays on your balcony, as winds will carry them through the development. Any person found to be carrying out any of these actions will be issued a Breach Notice, which may result in action being taken against them in VCAT.

Alterations to balconies are not permitted without the approval of the Owners Corporation. Membranes, if disturbed, can cause leakage to apartments below and therefore all work to balconies must be clearly detailed and provided to the Owners Corporation for approval via the postal or email address provided under the "Owners Corporation Manager Details" section of this information pack.

NOISE

Noise from any radio, television, sound system, musical instrument or similar device or any other noise which may be unreasonably obtrusive to any other Occupier, visitor or guest must not be audible outside your apartment. Any excessive noise should be reported to the Owners Corporation Manager. Offender's will be contacted directly by the Manager and requested that the noise be lowered. Failure to do so will result in the Police being contacted and a Breach Notice being issued which may result in action being taken against the offender in VCAT.

SERVICES CONNECTION

Telephone, Internet & Pay TV

You can contact your preferred telecommunications service provider to arrange the connection of internet, telephone & Pay TV services. Foxtel is available by subscription and is the responsibility of the Occupier to arrange. Please contact the Owners Corporation Manager should your contractor require access (Office hour) to Common Property to complete any installation.

Please note that purchasers are responsible for all telephone and internet connection costs.

Electricity

There will be no power connected to your apartment following the settlement date. The Summerhill Apartment has been built using an embedded electrical network contracted to BEnergy Pty Ltd for the supply of electricity. Therefore, residents are unable to arrange billing through a different electricity supplier. To arrange connection, please go to **BENERGY** Website (www.benergy.com.au/benergy-application-form) or by phone 1300 761 390 or email admin@benergy.com.au.

Unit number: Meter number:

Gas & Bulk Hot Water

The Summerhill Apartment has a bulk hot water supply with separate meters for each apartment. These separate meters establish individual resident's gas consumption. Residents will need to arrange for an account to be set up with Origin Energy. This service is restricted to Origin, therefore residents are unable to arrange billing through different gas suppliers. You can contact Origin by Phone **1800 684 993** or Website www.originenergy.com.au

Billing: You will receive an invoice from Origin energy for the gas consumption used to heat the hot water and a flat rate for gas consumption for the cook-top.

Unit number: Meter number:

Water

The water supplier is Yarra Valley Water. All owners or residents are responsible to contact the Yarra Valley Water directly to set up an account.



Dear Customer

Important information about your hot water supply

While you're settling into your new apartment, we would like to let you know that Origin manages the supply of hot water you are currently using. Each apartment in your block has a dedicated hot water meter and you are individually charged for the energy used to heat the water consumed in your apartment. In some cases, apartments are also charged for gas used for operating the cooktop, so if applicable, charges for gas used by your cooktop will be shown as a separate charge on your account.

Sign up with Origin today

We have left the hot water connected at your property so that you can enjoy it when you move in. However, it's important that you set up a hot water account with us immediately so your hot water supply can continue.

It's easy to sign up:

- Visit originenergy.com.au 3345 Open-an-account and fill out the form online Or
- Fax the attached form to us on 03 8635 3012 or
- Scan and email the attached form to bhwmove@originenergy.com.au Or
- Call us on 13 24 61

Kind regards

Rebekah O'Flaherty
General Manager, Sales and Marketing

Do you need an interpreter? Call 13 14 50

خدمة الترجمة الهاتفية للغات غير الإنكليزية.

Servicio Telefónico de intérpretes para otros idiomas.

Per lingue oltre all'Inglese contattate il Servizio d'Interpretariato Telefonico

Dịch vụ thông dịch qua điện thoại cho những ngôn ngữ khác không phải tiếng Anh.

Τηλεφωνική Υπηρεσία Διερμηνέων για άλλες γλώσσες εκτός της αγγλικής.

非英語語言電話傳譯服務。

MOVING IN/OUT PROCEDURES SUMMERHILL APARTMENTS



Bookings: This form must be submitted to the Manager via email ocmanager3@mocs.com.au at least 72 hours prior to the planned move in order to confirm the move. Booking is only confirmed once acknowledged in an email by the Owners Corporation Manager.

Times: Move are only permitted to be carried out Mondays to Fridays during the following time slots (Saturday allowances 1 month from initial settlements):

The initial moves take place from Monday to Saturday during the following time slots:

MORNING	8:00am to 10:00am	10:00am to 12:00pm
AFTERNOON	12:00pm to 2:00pm	2:00pm to 4:00pm
EVENING	4:00pm to 5:00pm	

* All moves must be completed by 5:00pm

A pre and post inspection will be carried out by the caretaker to inspect for damage caused during the move. If damage has evidently been caused during your move in/out, you will be charged all costs associated with rectifying the damage caused therefore we urge you to take extreme care when moving your items through the Common Property. Furthermore, any items dumped at the property by vacating Residents will be removed by the Owners Corporation, with the cost being deducted from the Resident's bond accordingly.

Access: All moves must be made via the building car park, and NOT through the front entry of the building. There is no loading bay area, it is suggested that vehicles be parked on street parking outside the building. Maximum height clearance of the car park is 2.1 Meters therefore, high vehicle cannot gain access.

APPLICANT DETAILS:

Unit Number: / 1150 Toorak Road, Camberwell Vic 3124

Resident/s Name:

Phone Numbers:.....Email Address:.....

MOVE IN/OUT DETAILS:

Date of Move:Time Slot for Move:

Type of Move: Self-Move / Removalist (*please circle*)

REMOVALIST DETAILS:

Removalist Company:Company Address:

Phone Number:..... Email Address:

It is a requirement of the Owners Corporation that any Removal Company engaged has Public Liability Insurance, with a copy of the Certificate of Currency to be provided to the Building Manager with this Move in/out Request Form. Additionally, the below section must be completed and signed by the Removalist and Resident for the move to be approved. If a Removalist is engaged and the below section has not been completed by the Removalist or a copy of the Public Liability Insurance has not been provided with this form, then the Resident will have to accept the liability on behalf of the Removalist and take responsibility for any damage caused during the move.

INDEMNITY SECTION - TO BE COMPLETED BY RESIDENT AND REMOVALIST COMPANY

I/We from
 (Removal Company Employee) (Removal Company Name)
 and/or from Unit No.....
 (Resident Name)

UNDERTAKE TO TAKE ALL DUE CARE AND DILIGENCE DURING THE MOVING PROCESS. Furthermore, the Removal Company agrees to reimburse the Owners Corporation on Plan of Subdivision No. 732671 S any expense incurred by the Owners Corporation to reinstate to the original condition any surface or item which may become damaged or marked by the company's action during the move in/out. In the event that the Removal Company refuses to reimburse the expenses to fix damages, the Resident agrees to accept liability for the charges to be billed to them directly.

.....
 (Removalist Employee Signature) (Resident/s Signature)
 Date: Date:

PET REGISTRATION

Dear Residents,

Please be informed that we have no objection in principle for the proposed keeping of your pet, subject to the following terms and conditions:

Owners Corporation Rules – PETS

An owner must not, and must ensure that the occupier of an owner's lot does not:

- (i) keep any animal within an owner's lot without having first notified the owners corporation;
- (ii) keep any animal on the common property, common facilities or within the owner's lot after being given notice by the Owners Corporation to remove such animal after the owners corporation has resolved that the animal is causing a nuisance;
- (iii) exercise any animals on common property, allow any animal to roam freely or allow any animal to defecate or urinate on common property at any time;
- (iv) fail to clean up any animal debris or make good any damage to common property caused by an animal;
- (v) fail to clean up each day any animal debris from balconies, courtyards or patios within an owner's lot;
- (vi) keep any animal on a balcony, courtyard or patio within the owner's lot if the owner, occupier or an invitee is not present.

Any cats or dogs kept on an owner's lot must be microchipped and registered with the Boroondara City Council. All dog and cat registrations must be renewed by **10 April** each year. This date is set for all councils under the *Domestic Animals Act 1994* and you may be fined if your dog or cat is not registered. For more information contact

<https://www.boroondara.vic.gov.au/community-support/pets/renew-your-pet-registration>

A Member must reimburse the Owners Corporation for the cost associated to repair/clean or reinstate the Common Property as a result of any damage, marks, smells or paw prints caused by any animal belonging to them or in their control. Any such cost is to be paid to the Owners Corporation within 28 days of receiving the respective invoice.

Please confirm your acceptance by signing and returning this letter and enclosed Pet Registration Form. This is required to obtain Owners Corporation approval to keep the pet in your apartment.

CONFIRMATION OF ACCEPTANCE

I/ We, _____, hereby agree to the terms and conditions stated above.

Name and Signature

Date

OWNERS CORPORATION PLAN NO. PSP5733671S
1150 TOORAK ROAD, CAMBERWELL

PET REGISTRATION FORM

ALL DOGS
MUST BE ON
LEASH.
ALL CATS
MUST BE IN
CARRIERS.
NO EXCEPTIONS

Applicant Details (Applicant to complete)

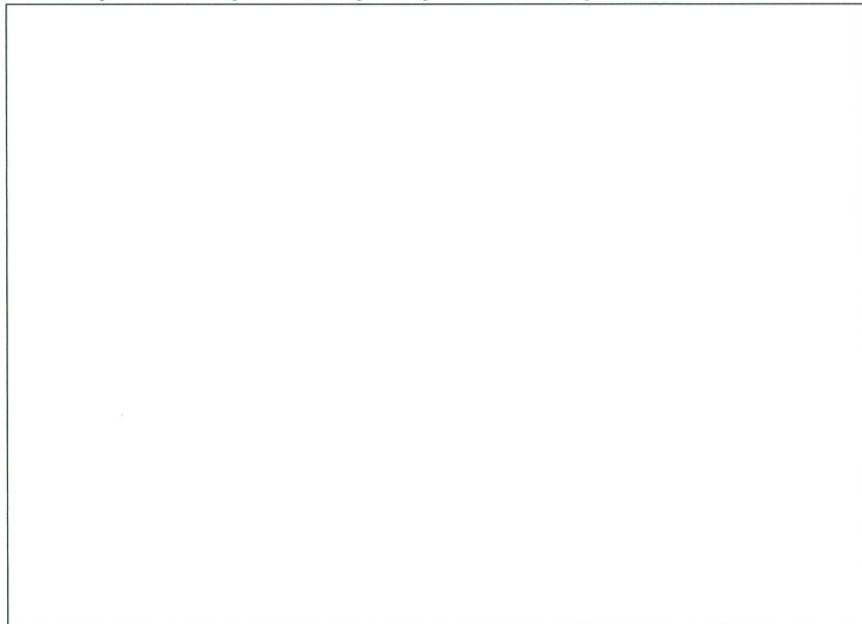
Name (owner): Mr/Mrs/Miss/Ms.....

Apartment Number:

Contact Phone Number:

(Please circle) OWNER or TENANT

Please provide a photo of your pets in the space below.



Please provide details of your pets: E.g. Name, Breed/type.....

.....

Is your pet registered with Council ? (Please circle)

Yes or No

Is your pet microchip? (Please circle)

Yes or No

Any damage caused by the pets to the common property will be on charged to the pet owner.
Pets must be on leashed or be carried at all times when in/on common property.

Please return to the Manager via email: ocmanager3@mocs.com.au

RESTRICTED KEY REQUEST FORM

ALL FIELDS ARE MANDATORY – Please note payment details must be provided

Return completed form to keys@omegacorp.com.au

Date: _____

Key System Number : _____ (this number is engraved on all keys)

Company Name / Individual : _____

Delivery Address: _____

Suburb: _____ Post Code _____

Contact Phone No: _____

Please supply the following restricted keys to the above Master Key System

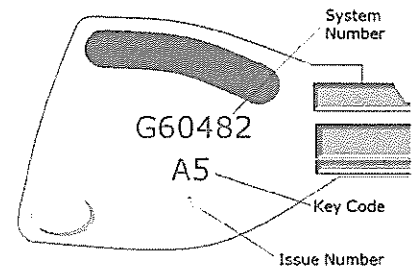
Key No: _____ Qty: _____ Key No: _____ Qty: _____

Key No: _____ Qty: _____ Key No: _____ Qty: _____

Delivery Method:

☐ Registered Post @ \$10.50 ☐ Ring When Ready for Collection ☐ Courier: POA

Lockwood Gen6



Payment Type – PAYMENT DETAILS MUST BE PROVIDED

Credit Card Details: ☐ Visa / Master Card ☐ Amex ☐ Diners

Number: _____ Exp: _____ CCV _____

☐ **For EFT Payment**, please provide email address and a proforma invoice will be sent including banking details

Email : _____

☐ **Cheque** - please send a copy of this completed form with cheque

☐ **Company Account** – PLEASE INVOICE TO:

Company Account Name: _____ Omega Account Code: _____

☐ Invoice to be sent with goods. ☐ Invoice to be sent to Company Account holder

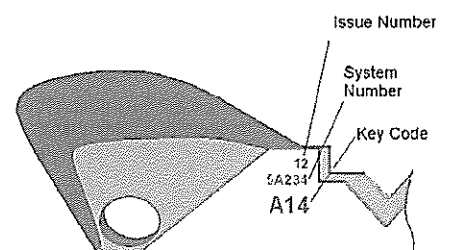
Authorisation for Keys to Be Cut

I hereby certify that I am registered as an authorised signatory for the above Master Key System, and I authorise Omega Security Solutions Pty Ltd to cut the above keys as required.

Authorised Signature: _____

Print Name: _____

BI-Lock New Generation



GENERAL INFORMATION FOR OWNERS ABOUT OWNERS CORPORATIONS

What is an Owners Corporation?

Formally known as Body Corporate, an Owners Corporation is incorporated by registration of a Plan of Subdivision. When you purchase a lot on a Plan of Subdivision, you automatically become a Member of the Owners Corporation and will have ongoing obligations to the Owners Corporation whilst you remain an Owner. The Owners Corporation is the collective of all Lot Owners who equally own any common property such as driveways, gardens, car parks etc.

The Owners Corporation's responsibilities include:

- To manage and administer the common property;
- To repair and maintain:
 - Common Property;
 - The chattels, fixtures, fittings and services related to the Common Property or its enjoyment;
 - Equipment and services for which an easement or right exists for the benefit of the land affected by the Owners Corporation or which are otherwise for the benefit of all or some of the land affected by the Owners Corporation.
- To take out, maintain and pay premiums on insurance required;
- To keep an Owners Corporation Register;
- To provide an Owners Corporation Certificate in accordance with the *Owners Corporations Act 2006*;
- To carry out any other function conferred by the *Owners Corporations Act 2006*;
- Appointment of Manager.

What is Common Property?

Common property means the land shown as Common Property on a Plan of Subdivision. This is all the areas on the plan which is not contained within the boundary of a private lot. The Owners Corporation is responsible for the administration and repairs and maintenance of the Common Property.

Private property includes your apartment (lot) and in most cases, your car space/s (part lots), as shown by the boundary on the Plan of Subdivision. This area is the responsibility of the Lot Owner to maintain.

Annual General Meeting

Annual General Meetings (AGM) will be held once a year, and you will be given a minimum of 14 days' notice to attend the meeting. Meetings cover a host of matters concerning the Owners Corporation, such as reviewing the financial statements, adopting the annual budget, reviewing insurance, appointing a Committee, and any maintenance requirements of the Common Property.

Your attendance at the meeting will keep you informed about the current status of the property and give you the opportunity to vote on any of the motions on the Agenda. You will also have the opportunity to meet fellow Owners Corporation Members at these meetings.

Members who are unable to attend meetings have a right to appoint a proxy to attend and vote on their behalf. A proxy form will be attached to your AGM Notice which will need to be returned to our office prior to the meeting.

Please note that any un-financial Members (i.e. with outstanding fees at the time of the meeting) are not entitled to vote, either in person, by ballot or by proxy, except when a **special resolution* or **unanimous resolution* is required therefore it is imperative to ensure your fees are paid to date to enable your vote to count.

** Special Resolution is a resolution passed by 75% of the total votes for all the lots affected by the Owners Corporation*

** Unanimous Resolution is a resolution passed by the total votes of all the lots affected by the Owners Corporation*

Owners Corporation Committee

The Owners Corporation Committee is elected at the Annual General Meeting and remains in office until the following AGM, when all positions become vacant and a new Committee is elected. The Committee must consist of at least 3 and no more than 12 Members, and a Chairperson and Secretary must be appointed.

The Committee is delegated all of the powers and functions of the Owners Corporation that are delegated under Section 11 of the *Owners Corporations Act 2006*, except where a special or unanimous resolution is required. All Members or their proxy may nominate to be a Member the Committee, however the lot must be financial in order to be elected.

The Committee works closely with the Owners Corporation Manager regarding administration and other matters pertaining to the Owners Corporation. Committee Meetings may be held throughout the year, if required by the Committee Members.

The Committee is required to provide a report of its activities during the year at each Annual General Meeting.

Owners Corporation Manager

The Owners Corporation Manager is appointed by the Members to assist the Owners Corporation in carrying out its functions in managing and administering the Common Property. Any person or company carrying on business as an Owners Corporation Manager for a fee or reward in Victoria must be registered by the Business Licensing Authority.

The Owners Corporation Manager is required to provide a report of its activities during the year at each Annual General Meeting.

Owners Corporation Fee/Levy Notices

The Owners Corporation is required to raise from all Members to cover recurrent expenditure items such as building insurance, common electricity and water, caretaking, servicing of fire protection equipment and administration costs etc. The amount payable by each Lot Owner is based on the lot liability allocated to each lot as detailed on the Plan of Subdivision, which is calculated by the planning surveyors and is a registered component on the plan.

Fee Notices for Luma are due and payable quarterly in advance. The fee notices are issued 28 days prior to the due date. In the event that your fee notice is not paid within 28 days of the due date, a Final Fee Notice will be issued which will incur a late payment administration charge of \$33.00 incl. GST. Additionally, the Owners Corporation may resolve at a meeting to charge interest on arrears in accordance with the current maximum rate per the *Penalty Interest Rates Act 1983*.

Insurance

The Owners Corporation has an obligation to obtain reinstatement and replacement insurance for all the buildings on the Common Property. Prior to the renewal date of each year, the Owners Corporation Manager will arrange quotations for insurance, via a broker, in order to obtain the best market policy and premium. The insurance policy will also include other covers such as Legal Liability on Common Property, Office Bearer's Liability to protect the Owners Corporation Committee, Machinery Breakdown etc. It is recommended that the Owners Corporation obtains an insurance valuation from a Valuer every 3-5 years to ensure the amount of building cover is adequate.

Whilst the Owners Corporation has appropriate insurance for the fabric of the building and common areas, individual Lot Owners should ensure they take out their own insurance to cover legal liability inside their apartments, car space(s) and or storage cage.

Maintenance

The Owners Corporation Committee and Owners Corporation Manager will arrange the upkeep of the Common Property. Any maintenance or building improvements that are undertaken will be reflected in the annual financial statements provided to the Members, in addition to be recorded in the Manager's Report tabled at each Annual General Meeting.

At the Annual General Meeting, Members may consider to formally adopt a Maintenance Plan and Fund in order to cover the cost of future capital works such as painting, lift repairs, concrete repairs, window repairs etc. The adoption of a Maintenance Plan will minimize the raising of Special Levies and provide the Members relief when budgeting for any major works.

Dispute Resolution

The *Owners Corporations Act 2006* offers Owners and Occupiers of lots and Owners Corporation Managers to make an official complaint, provided that the complaint is about a breach of the Act, Regulations or Rules of the Owners Corporation. If the Owners Corporation receives a complaint in the approved form, it must decide one of the following:

- a) To take action by firstly arranging a dispute resolution meeting;
- b) To apply to VCAT for an order for the person to rectify the breach; or
- c) To take no action in respect of the alleged breach

As required under the Act, a report of any breaches or action taken by the Owners Corporation must be reported to the Members at each Annual General Meeting.