

Docherty, Patricia

From: [REDACTED]
Sent: Wednesday, 28 October 2020 10:36 AM
To: Docherty, Patricia
Cc: Larkin, Chris; Smith, Greg
Subject: RE: [REDACTED] of the owners consents for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]

Dear Patricia,

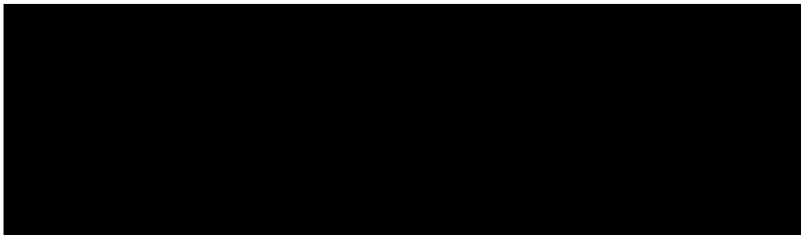
Thank you for the email below. Would you be able to send me the disclosed documents in PDF format. The documents attached to the email below were in your internal viewing format which did not enable me to access the document. I requested our IT department to try and open them but they explained it access back to your internal system so was not accessible to us.

My research is consistent with your analysis below in that the consent of all lot owners is required, including the body corporate. The relevant sections tracked through to include the owners of each lots so far as an owner's consent is concerned.

I will respond further once I can review the owners consents lodged with the original development application and the recent modification.

Many thanks for your assistance

Kind regards,



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WARNING: As hacking events are occurring more frequently, please DO NOT act on any communication (from the writer [REDACTED] otherwise) that asks you to transfer or deposit money without first telephoning the writer to confirm the authenticity of the request for money and the account details provided.

From: Docherty, Patricia <pdocherty@byron.nsw.gov.au>
Sent: Thursday, 22 October 2020 9:32 AM
To: [REDACTED]
Cc: Larkin, Chris <clarkin@byron.nsw.gov.au>; Smith, Greg <gsmith@byron.nsw.gov.au>
Subject: [REDACTED] the owners consents for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]

Hi [REDACTED]

Please see attached documents, as requested.

I have spoken with my managers. We need to go back to the applicant to ask that they demonstrate all owners have consented to the making of the application. The applicant must provide documentary evidence of all registered strata owners written and signed consent to the application being made and that the requirements of the Strata Scheme Management Act have been met.

For works that affect common property, the owners corporation consent is required. Section 108 of the Strata Schemes Management Act allows changes to common property if the owners corporation has passed a special resolution authorising the works and the owners corporation confirms the requirements of the Strata Scheme Management Act have been met.

In the absence of documentary evidence that a special resolution has been passed, strata owners individual signatures will be required for all six strata lots. Where the strata lot owner is a company, a Current Company Extract commonly produced by the Australian Securities & Investments Commission (ASIC) will be required to be attached to each signed document to demonstrate that they are the authorised signatory. This must be signed by:

- Two directors of the company, or
- One director and a company secretary, or
- Sole Director of a proprietary company.

If the registered owner is more than one person, all individually named registered owners are required to provide a signature.

If a DA is signed on the owner's behalf by their legal representative, documentary evidence (e.g. Power of Attorney, Executor, Trustee) must be provided.

Owner's names must match those recorded on Council's rates system.

The onus is on the applicant to provide this and it is an offence under s10.6 of the Environmental Planning and Assessment Act 1979 to provide false or misleading information.

Thank you for raising this matter and bringing this to Council's attention.

Regards,

Patricia Docherty
Byron Shire Council | P: 02 6626 7035

CONTACTING YOUR PLANNER If you have any questions regarding an application that I am currently assessing, I can be contacted by phone to discuss. Please note the contact details and availability below:

Patricia Docherty – Availability between 2pm – 4pm

From: [REDACTED]
Sent: Monday, 19 October 2020 5:06 PM
To: Docherty, Patricia <pdocherty@byron.nsw.gov.au>
Subject: RE: Request for a copy of the owners consents for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]

Dear Patricia,

I confirm that I am a director of Wanstead investment Coy. Pty Limited, the owner of Lot 4 in Strata Plan 16094 having its street address as 43 Lawson Street Byron Bay. My family company has owned this apartment since 1990.

I note that there was a development application lodged on 18 July 2014. More recently there has been a development application modification lodged on 17 September 2020.

Pursuant to the Government Information (Public Access) Act 2009, would you please provide me with a copy of the owners consents that were lodged for each of these applications, the development application numbers of which are set out above in the subject matter of this request.

Docherty, Patricia

From: [REDACTED]
Sent: Monday, 9 November 2020 9:32 AM
To: Docherty, Patricia
Cc: Larkin, Chris; Smith, Greg
Subject: RE: [REDACTED] Copy of the owners consents for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]
Attachments: ASIC Search of Wanstead Investment Coy. Pty Ltd ACN 010 540 388.pdf; Response from Strata Plan managers in response to question about Owners consent 19 Oct 2020.pdf; Email 19.10.2020 to Stata Manager 43 Lawson street - confirming Wanstead did not consent and no meetings of Body Corp held since AGM 15 Oct 2019..pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Patricia,

As you know, we act on behalf of Wanstead Investment Coy Pty Ltd ACN 010 540 388 ("Wanstead"). I am also a director in the sole shareholder of this company. [REDACTED] is the other director of the company and we hold his instructions to write in relation to this matter as well in his capacity as director of the company.

I **attach** the following:

- 1) ASIC search of Wanstead showing the names of the current directors;
- 2) Email correspondence from Susan Clulow of strata plus dated 19 October 2020 in response to my request for copies of any consent given by the body corporate to the DA 10.2014.417.2
- 3) My follow-up email dated 19 October 2022 the strata manager confirming Wanstead did not consent and that there had been no meeting of the body corporate held since the AGM on 15 October.

You will appreciate that the consents purportedly given by the Strata body corporate appear clearly invalid. There have been no meetings held the body corporate since 15 October 2019 at which I was the only owner attending by voting paper. You will see from the attachments from the strata plan managers that at the AGM of 15 October 2019 the election of office bearers was deferred because no nominations were received.

I am also instructed to advise you that Wanstead never provided its consent in writing for DA10.2014.417.1 or the recent DA modification 10.2014.417.2. In relation to both these applications, Wanstead, the long-term owner of Lot 4 in SP 16094, was never asked to provide written consent. We are instructed by the directors of Wanstead that it did not become aware of the first development application until after it was lodged. Wanstead was not involved in the development of those plans with the architects in any way whatsoever, and was required to seek out details about what had occurred after the event.

In relation to the first DA application, MP management brackets asked) Pty CD has never acted as property manager for Wanstead, contrary to what it stated in a letter to the Council dated 15 July 2014. That statement is false.

The consent relied upon for the most recent modification application, does not constitute a consent by either the body corporate of the strata plan, or of Wanstead as owner of Lot 4.

Finally, we only found out about the modification application as a consequence of the notification that was sent by the Byron Council dated 23rd of September 2020. Wanstead has no record of any similar notification being received in

relation to the first development application and I would be pleased if you could investigate where the notices in relation to the first development application were in fact sent and if one was sent to Wanstead.

Please let me know what action is proposed in light of the above and I appreciate the assistance that you have provided.

Wanstead does not wish to be part of a flawed process that could impact on other third parties if they were to purchase without notice.

Kind regards,

[Redacted signature block]

[Redacted signature block]

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From: Docherty, Patricia <pdocherty@byron.nsw.gov.au>

Sent: Wednesday, 28 October 2020 9:43 AM

To: [Redacted]

Cc: Larkin, Chris <clarkin@byron.nsw.gov.au>; Smith, Greg <gsmith@byron.nsw.gov.au>

Subject: RE: [Redacted] of the owners consents for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]

[Redacted]
Apologies for sending in a format you cannot open.
Please see attached.

Regards,

Patricia Docherty

Byron Shire Council | P: 02 6626 7035

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Historical Company Extract for WANSTEAD INVESTMENT COY. PTY. LTD.

Extracted from ASIC database on 19 October 2020 04:06 PM AEST

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

Current Organisation Details

Name: WANSTEAD INVESTMENT COY. PTY. LTD.
 A.C.N: 010540388
 Status: Registered
 Registered In: QLD
 Registration Date: 01/10/1984
 Review Date: 01/10/2021
 Name Start Date: 01/10/1984
 Type: Australian Proprietary Company
 Organisation Number Type: Australian Company Number
 Details Start Date: 01/10/1984
 Class: Limited By Shares
 Subclass: Proprietary Company
 Disclosing Entity: No
 Previous State Number: 84B05941L
 Registered charity: No
 Document Number: 1054038A (AR 1990)

Organisation Address

Status	Address Type	Address	Start Date - End Date	Doc Number
Current	Registered Office	24 SANDFORD STREET ST LUCIA QLD 4067	22/10/2013 -	7E5576537
Current	Principal Place of Business	24 SANDFORD STREET ST LUCIA QLD 4067	01/10/2013 -	7E5576537
Former	Registered Office	THYNNE & MACARTNEY LEVEL 27 COMALCO PL 12 CREEK STREET BRISBANE QLD 4000	26/08/2003 - 21/10/2013	019391538
Former	Registered Office	THYNNE & MACARTNEY LEVEL 29 COMALCO PL 12 CREEK STREET BRISBANE QLD 4000	07/06/1993 - 25/08/2003	01054038M (AR 2002)
Former	Registered Office	LEVEL 22 SUNCORP CENTRE ALBERT & TURBOT STS BRISBANE QLD 4000	16/02/1987 - 06/06/1993	1054038A (AR 1990)
Former	Registered Office	C/- THYNNE & MACARTNEY 18TH FL - 15/02/1987 SGIO BLDG CNR TURBOT STREET BRISBANE QLD 4000		
Former	Principal Place of Business	THYNNE & MACARTNEY LEVEL 27 COMALCO PL 12 CREEK STREET BRISBANE QLD 4000	21/07/2003 - 30/09/2013	019391538
Former	Principal Place of Business	LVL 29 COMALCO PLACE 12 CREEK STREET BRISBANE QLD 4000	30/06/1993 - 20/07/2003	01054038D (AR 1993)
Former	Principal Place of Business	LEVEL 22 SUNCORP CENTRE ALBERT & TURBOT STS BRISBANE QLD 4000	04/12/1990 - 29/06/1993	1054038A (AR 1990)

Organisation Officers

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
------	-----------------	---------	-------------------------------	---------------	------------

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Current Director			01/10/1984 -		013597170
Current Director			04/05/2011 -		029217242
Current Secretary			01/08/2008 -		1F0063696
Former Director	DOUGLAS PAUL SPENCE Date of Birth: 02/05/1947 Place of Birth: BRISBANE QLD	172 KADUMBA STREET YERONGA QLD 4104	01/10/1984 - 06/12/2012		1054038A (AR 1990)
Former Director	ROBERT COLIN DOVE Date of Birth: 24/08/1947 Place of Birth: SYDNEY NSW	25 FIRELIGHT STREET SUNNYBANK HILLS QLD 4109	22/01/1988 - 31/01/1994		1054038A (AR 1990)
Former Director	PATRICK LAWRENCE BOYCE Date of Birth: 15/12/1950 Place of Birth: IPSWICH QLD	51 THORNBURGH STREET OXLEY QLD 4075	01/07/1985 - 22/01/1988		
Former Secretary	KEVIN ARTHUR LEWIS Date of Birth: 31/05/1944 Place of Birth: BRISBANE QLD	58 BRIDGNORTH STREET CARINDALE QLD 4152	18/12/1992 - 01/08/2008		003877630
Former Secretary	COLIN ADRIAN EDWARDS Date of Birth: 10/02/1942 Place of Birth: SYDNEY NSW	12 WELCOME STREET CHAPEL HILL QLD 4069	15/04/1991 - 18/12/1992		001273711
Former Secretary	ROBERT COLIN DOVE Date of Birth: 24/08/1947 Place of Birth: SYDNEY NSW	25 FIRELIGHT STREET SUNNYBANK HILLS QLD 4109	22/01/1988 - 15/04/1991		1054038A (AR 1990)
Former Secretary	PATRICK LAWRENCE BOYCE Date of Birth: 15/12/1950 Place of Birth: IPSWICH QLD	51 THORNBURGH STREET OXLEY QLD 4075	01/10/1984 - 22/01/1988		

Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Current	ORD ORDINARY	51	\$51.00	\$0.00	1054038A (AR 1990)

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

Shareholders

Status	Class	No. Held	Beneficially Held	Fully Paid	Shareholder Details	Document Number
Current	ORD	51	Yes	Yes		1F0454083
Former	ORD	1	No	Yes	DOUGLAS PAUL SPENCE 172 KADUMBA STREET YERONGA QLD 4104	01054038D (AR 1993)

Pre-ASIC Documents

State	Received Date	Form Code	Status
QLD	13/02/1987	CCF055	NOFE
QLD	13/02/1987	CCF150	NOFE
QLD	25/03/1987	CAAKA3C	NOFE
QLD	25/03/1987	CCF061	NOFE
QLD	27/03/1987	CCF066	FP
QLD	14/04/1987	CCF015D	NOFE
QLD	03/02/1988	CCF061	NOFE
QLD	03/02/1988	CCF066	FP
QLD	25/02/1988	CCF061	NOFE
QLD	15/03/1988	CCF015D	NOFE
QLD	31/01/1989	CCF066	FPSU

State	Received Date	Form Code	Status
QLD	31/01/1989	CCF061	NOFE
QLD	14/02/1989	PCCF066	FPSU
QLD	10/04/1989	CCF015D	NOFE
QLD	12/03/1990	CCF066	FP
QLD	04/12/1990	CCF066	FP

Annual Returns

Year	Return Due	Extended Due Date	AGM Due Date	Extended AGM Due Date	AGM Held	Outstanding
1986			31/12/1986		28/11/1986	No
1987			31/12/1987		29/12/1987	No
1988			31/12/1988			No
1989			31/12/1989		18/12/1989	No
1990	31/01/1991		31/12/1990		30/11/1990	No
1991	31/01/1992		31/12/1991		10/12/1991	No
1992	31/01/1993		31/12/1992		18/12/1992	No
1993	31/01/1994		31/12/1993		17/12/1993	No
1994	31/01/1995		31/12/1994		25/11/1994	No
1995	31/01/1996		31/12/1995		01/12/1995	No
1996	31/01/1997					No
1997	31/01/1998					No
1998	31/01/1999					No
1999	31/01/2000					No
2000	31/01/2001					No
2001	31/01/2002					No
2002	31/01/2003					No

Documents

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
484	484 Change to Company Details 484A1 3 Change Officeholder Name or Address 484A2 Change Member Name or Address		01/04/2015	02/04/2015	02/04/2015	029217242
484	484 Change to Company Details 484B 2 Change of Registered Address 484C Change of Principal Place of Business (Address)		15/10/2013	15/10/2013	15/10/2013	7E5576537
484	484 Change to Company Details 484E 5 Appointment or Cessation of a Company Officeholder 484N Changes to (Members) Share Holdings		02/01/2013	02/01/2013	02/01/2013	1F0454083
484	484E Change to Company Details Appointment or Cessation of A Company Officeholder	3	25/05/2011	25/05/2011	25/05/2011	1F0313346
484	484E Change to Company Details Appointment or Cessation of A Company Officeholder	2	21/08/2008	31/10/2008	21/08/2008	1F0063696
484	484 Change to Company Details 484B 1 Change of Registered Address 484C Change of Principal Place of Business (Address)		19/08/2003	26/08/2003	21/07/2003	019391538
316	316L Annual Return Annual Return - Proprietary Company	3	29/10/2002	10/12/2002	18/10/2002	01054038M (AR 2002)
316	316L Annual Return Annual Return - Proprietary Company	3	13/11/2001	13/11/2001	13/11/2001	01054038L (AR 2001)
316	316L Annual Return Annual Return - Proprietary Company	3	14/09/2000	14/09/2000	12/09/2000	01054038K (AR 2000)
316	316L Annual Return Annual Return - Proprietary Company	3	07/01/2000	07/01/2000	25/10/1999	01054038J (AR 1999)
316	316L Annual Return Annual Return - Proprietary Company	3	23/12/1998	23/12/1998	21/12/1998	01054038I (AR 1998)
316	316L Annual Return Annual Return - Proprietary Company	4	13/11/1997	21/11/1997	11/11/1997	01054038H (AR 1997)
304	304C Notification of Change of Name or Address of Officeholder	1	08/10/1997	09/10/1997	10/09/1997	013597170

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
316	316L Annual Return Annual Return - Proprietary Company	4	16/12/1996	16/12/1996	09/12/1996	01054038G (AR 1996)
316	316L Annual Return Annual Return - Proprietary Company	4	06/12/1995	06/12/1995	01/12/1995	01054038F (AR 1995)
316	316L Annual Return Annual Return - Proprietary Company	4	28/11/1994	06/01/1995	25/11/1994	01054038E (AR 1994)
316	316L Annual Return Annual Return	4	01/02/1994	09/02/1994	17/12/1993	01054038D (AR 1993)
304	304A Notification of Change to Officeholders of Australian Company	2	01/02/1994	08/02/1994	31/01/1994	005647373
203	203A Notification of Change of Address	1	31/05/1993	02/06/1993	24/05/1993	004246042
304	304A Notification of Change to Officeholders of Australian Company	2	26/02/1993	04/03/1993	18/12/1992	003877630
316	316L Annual Return Annual Return	4	26/02/1993	26/02/1993	18/12/1992	01054038C (AR 1992)
316	316 Annual Return 316E Corrections 316L Annual Return	4	12/12/1991	05/02/1992	12/12/1991	01054038B (AR 1991)
304	304A Notification of Change to Officeholders of Australian Company	2	13/05/1991	15/05/1991	15/04/1991	001273711
316	316 Annual Return 316A Change of Address 316B Changes Form Notifying Change of Office Hours 316C Change to Office Holders 316E Corrections	4	04/12/1990	05/02/1991	04/12/1990	1054038A (AR 1990)

Contact Address for ASIC use only

Note: The Address for ASIC Company Communications is for ASIC use only to correspond with the company. ASIC will forward notices such as the company statement, invoice statements and other correspondence where requested to this address.

Status	Address	Start Date - End Date	Doc Number
Former	GPO BOX 245 BRISBANE QLD 4001	28/06/2003 - 10/01/2014	

[REDACTED]



From: Susan Clulow <Susan.Clulow@strataplus.com.au>
Sent: Monday, 19 October 2020 2:39 PM
To: [REDACTED]
Subject: FW: 16094 Main Beach Apartments- 43 Lawson St Byron Bay.- Owners Consent form
Attachments: Owners Consent 43.pdf; ATT00001.htm; site plan 1.pdf; ATT00002.htm; Owners Consent 43-signed.pdf; SP 16094 Minutes AGM 15 October 2019 (1).pdf

[REDACTED]

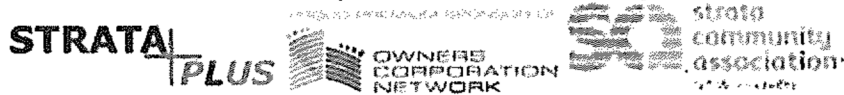
Please find attached documents and email below in relation to development. I have sent Michael an email regarding your call and queries, his email if you require it is michael.gilday@strataplus.com.au

Regards

Susan Clulow | Accredited Strata Community Manager | Strata Plus

☎ 02 4916 2800 🌐 strataplus.com.au  

2014-2019 Strata Community Association NSW Award finalists & winners



From: Waves Resorts - Administration <admin@wavesresorts.com.au>
Sent: Tuesday, 8 September 2020 1:27 PM
To: Susan Clulow <Susan.Clulow@strataplus.com.au>
Cc: Waves Resorts - Peter Rogers <pr@wavesresorts.com.au>; (MPA) Projects Office <projects@mpaust.com.au>; mpm property mgt <pmg@mpaust.com.au>
Subject: Fwd: 16094 Main Beach Apartments- 43 Lawson St Byron Bay.- Owners Consent form

Hi Susan as a separate issue, we are require some minor works carp park enclosure and new sales office at the property (potentially for sales for the future re-development proposed to be undertaken by our clients across the building).

Please find attached minor development owners consent approved by WRMG per our clients. Please arrange for signing by the BC authoring the approved town planner North Point to obtain the relevant council approvals. Signing and return of the form would be appreciated today as we wish to undertake the works when there is a quiet period mid week.

Thanks

Regards,

Peter Rogers

Commercial Director

Waves Resorts Management Group

Mobile: +61 433147112

Email: admin@wavesresorts.com.au

Website: www.wavesresorts.com.au

From: Waves Resorts - Administration <admin@wavesresorts.com.au>

Sent: Tuesday, 8 September 2020 1:12 PM

To: Susan.Clulow@strataplus.com.au

Cc: (Waves Resorts) Peter Rogers <pr@wavesresorts.com.au>; MPA - Projects Office <projects@mpaust.com.au>

Subject: Fwd: 16094 Main Beach Apartments- 43 Lawson St Byron Bay.

Hi Susan as you know WRMG acts for and is appointed to act for the majority (and controlling ownerships) of unit owners across the building at 43 Lawson St.

I had been wanting to discuss your group's fee budget for the forthcoming year. Could you please advise your director by return and his contacts and I will make contact with him shortly.

Separately can we please proceed to call the AGM of the BC on Thursday 8 Oct 20 which will leave us a week to finalise agendas which Alistair at MPA can work on with you on.

Your confirmation by return would be appreciated.

Regards

Peter Rogers

Commercial Director

Waves Resorts Management Group

Mobile: +61 433147112

Email: admin@wavesresorts.com.au

Website: www.wavesresorts.com.au

From: Waves Resorts - Administration <admin@wavesresorts.com.au>

Sent: Wednesday, 27 May 2020 2:20 PM

To: MPA - Projects Office <projects@mpaust.com.au>

Subject: FW: 16094 Main Beach Apartments

From: Susan Clulow [<mailto:Susan.Clulow@strataplus.com.au>]

Sent: Wednesday, 27 May 2020 2:18 PM

To: Waves Resorts - Administration

Subject: 16094 Main Beach Apartments

Hi

Please find attached current balance sheet and proposed budget.

Regards

Susan Clulow | Accredited Strata Community Manager | Strata Plus

OWNERS CONSENT FORM

To Whom it may concern,

We (within the remit of being the formal landowner) hereby grant the following parties: -


- a. Northpoint Planning & Environmental Services P/L (trading as Northpoint Advisory) and its representatives, including
- b. Mr. Adam Smith and others at his written direction or at the written direction, authorizing others to act on their behalf, of the landowners listed below

Our express permission to undertake the following (on behalf of the landowner);

- a. To prepare and lodge applications for approval and consent, Including Applications to Modify and Development Applications and to liaise with all relevant State & Local Authorities In respect of any development proposed on the subject lands and relating to the Environmental Planning & Assessment Act, 1979 (related Integrated Development approvals), the NSW Local Government Act, the Roads Act and any other form of necessary approvals required by the consent authority in respect of any application made. Such permission extends to the seeking of owner's consent from relevant authorities where they are also the landowner.

NOTE: *The landowner reserves the right to at any time of their choosing advise the consent authority / authorities of their rescinding of such permission at any time after lodgment of an application of any type.*

NOTE: *Permission is not granted to any other party under any circumstances (with the exception of the clear addition of approved parties by the relevant landowners).*

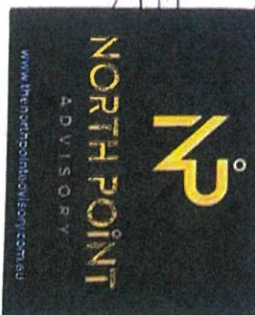
LOT NUMBER:	SECTION:	PLAN TYPE: (DP / SP / etc)	PLAN NUMBER:
No. 43 Lawson Street, Byron Bay			
PERSONS NAME: <i>NB. Please print clearly</i>	TITLE/POSITION: (if applicable - Director / Company Secretary / etc) <i>NB. Please print clearly</i>	SIGNATURE:	
Peter Rogers Metrocorp Projects (Aust) Pty Ltd	Secretary		

COMPANY/BODY CORPORATE NAME: (if owner is a corporation)		Metrocorp Projects (Aust) Pty Ltd
ACN: (if owner is a corporation)		
COMPANY SEAL: (if applicable)		

Note:

A Company can provide owners consent with or without a common seal and the application or authorisation letter must be signed by:

- A. A minimum of two (2) Directors of a Company; or*
- B. A Director and a Company Secretary of the Company; or*
- C. For a proprietary Company that has a sole Director who is also the sole Company Secretary - the express signature of that Director.*



Scale: $1\text{ cm} = 1.5\text{ m}$

OWNERS CONSENT FORM

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We (within the remit of being the formal landowner) hereby grant the following parties: -



- a. Northpoint Planning & Environmental Services P/L (trading as Northpoint Advisory) and its representatives, including
- b. Mr. Adam Smith and others at his written direction or at the written direction, authorizing others to act on their behalf, of the landowners listed below


Our express permission to undertake the following (on behalf of the landowner);

- a. To prepare and lodge applications for approval and consent, including Applications to Modify and Development Applications and to liaise with all relevant State & Local Authorities in respect of any development proposed on the subject lands and relating to the Environmental Planning & Assessment Act, 1979 (related Integrated Development approvals), the NSW Local Government Act, the Roads Act and any other form of necessary approvals required by the consent authority in respect of any application made. Such permission extends to the seeking of owner's consent from relevant authorities where they are also the landowner.

NOTE: *The landowner reserves the right to at any time of their choosing advise the consent authority / authorities of their rescinding of such permission at any time after lodgment of an application of any type.*

NOTE: *Permission is not granted to any other party under any circumstances (with the exception of the clear addition of approved parties by the relevant landowners).*

LOT NUMBER:	SECTION:	PLAN TYPE: (DP / SP / etc)	PLAN NUMBER:
		Strata Plan	16094
No. 43 Lawson Street, Byron Bay			
PERSONS NAME: <i>NB. Please print clearly</i> Michael Gilday	TITLE/POSITION: (if applicable - Director / Company Secretary / etc) <i>NB. Please print clearly</i> Managing Agent	SIGNATURE: 	
Peter Rogers Metrocorp Projects (Aust) Pty Ltd	Secretary		

COMPANY/BODY CORPORATE NAME: (if owner is a corporation)		Metrocorp Projects (Aust) Pty Ltd
ACN: (if owner is a corporation)		
COMPANY SEAL: (if applicable)		

Note:

A Company can provide owners consent with or without a common seal and the application or authorisation letter must be signed by:

- A. A minimum of two (2) Directors of a Company; or*
- B. A Director and a Company Secretary of the Company; or*
- C. For a proprietary Company that has a sole Director who is also the sole Company Secretary - the express signature of that Director.*

MINUTES OF STRATA COMMITTEE MEETING

Sections 39, 40, 263 & Schedule 2 of Strata Schemes Management Act 2015 (NSW)

TO The Owners – Strata Plan No. 16094
Main Beach Apartments
43 Lawson Street
BYRON BAY NSW 2481

DATE, PLACE AND TIME

The meeting was held immediately after the Annual General Meeting
on Tuesday 15 October 2019
at Strata Plus, 22 Bay Street Tweed Heads NSW 2485

The chairperson cancelled this meeting due to lack of quorum.
The next strata committee will be held at a date to be advised.
All motions are deferred until the next meeting.

MINUTES

MOTION 1	ACTING MEMBERS	MOTION DEFFERED THAT pursuant to section 34 of the Strata Schemes Management Act 2015, the strata committee receive and accept the appointment of any acting members of the strata committee for the purpose of this and/or any future meetings of the strata committee.	Section 34 of the Act
MOTION 2	CONFIRMATION OF MINUTES	MOTION DEFFERED THAT the minutes of the last executive committee meeting held 14 June 2017 be confirmed as a true and accurate record of that meeting.	
MOTION 3	ELECTION OF OFFICE BEARERS	MOTION DEFFERED THAT the secretary, treasurer and chairperson of the strata committee be elected.	Section 41 of the Act and Clause 11 of the Regulations
MOTION 4	ELECTRONIC SERVICE OF INSURANCE INFORMATION	MOTION DEFFERED THAT the strata committee resolve to accept all insurance and product disclosure information via email, and that the nominated email address of the owners corporation be determined.	
MOTION 5	NEXT MEETING	MOTION DEFFERED THAT the date, time and location of the next meeting(s) of the strata committee be determined.	

NOTICE DATE: 16 October 2019

MINUTES OF ANNUAL GENERAL MEETING

Section 18 & Schedule 1 of Strata Schemes Management Act 2015 (NSW)

TO The Owners – Strata Plan No. 16094

Main Beach Apartments

43 Lawson Street

BYRON BAY NSW 2481

DATE, PLACE AND TIME

The meeting was held **Tuesday 15 October 2019**

at **Strata Plus, 22 Bay Street Tweed Heads NSW 2485**

The meeting commenced at **11.00 a.m. NSW time**

PRESENT BY VOTING PAPER: Wanstead Investment Coy Pty Ltd Lot 4

IN ATTENDANCE: A Meester Strata Plus Tweed Byron

Those present determined that A Meester chair the meeting.

The chairperson declared a quorum.

The meeting was declared open at 11.05 a.m.

MINUTES

CONFIRMATION OF RECORDS			
MOTION 1	CONFIRMATION OF MINUTES	RESOLVED THAT the minutes of the last general meeting of the owners corporation held 11 December 2018 be confirmed as a true and accurate record of that meeting.	
MOTION 2	ADOPTION OF FINANCIAL STATEMENTS	(a) RESOLVED THAT the unaudited financial reports for the financial year ending 31 December 2018 be adopted. (b) RESOLVED THAT the accounting records and statements of financial information for the period ending 31 December 2018 attached be adopted.	
CONTRACTS OF THE OWNERS CORPORATION			
MOTION 3	STRATA MANAGING AGENT TERMINATION OF CURRENT AGREEMENT & RE-APPOINTMENT	A RESOLVED THAT the Owners Corporation of Strata Plan No. 16094, (a) subject to entering into a new agreement, terminate its current agency agreement by the mutual consent with Strata Plus Pty Limited in accordance with clause 5.2 of the current agency agreement; and	

		<p>(b) continues to appoint Strata Plus Pty Ltd ABN 30 096 175 709 as Strata Managing Agent (Agent); and</p> <p>(c) delegate to the Agent all of the functions of:</p> <p>(i) the Owners Corporation (other than those listed in section 52(2) of the Act); and</p> <p>(ii) its Chairperson, Treasurer, Secretary and Executive Committee,</p> <p>necessary to enable the Agent to carry out the 'agreed services' and the 'additional services' as defined in the written agreement, a copy of which is attached to this notice (Agreement);</p> <p>(d) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and</p> <p>(e) the Owners Corporation execute the Agreement to give effect to this appointment and delegation; and</p> <p>(f) authority be given for the common seal of the Owners Corporation to be affixed to the Agreement by the secretary and any other member of the strata committee OR two members of the strata committee.</p> <p>B That the delegations in this motion supersede all previous delegations.</p>	
COMMON PROPERTY RISK MANAGEMENT			
MOTION 4	CONFIRMATION OF CURRENT INSURANCES	RESOLVED THAT the owners corporation's current insurance policies as detailed in the attached schedule be confirmed.	<p>RESOLVED THAT the owners corporation confirm the current insurance policies as detailed in the attached schedule.</p>
MOTION 5	INSURANCE COMMISSION	<p>RESOLVED THAT the owners corporation NOTE</p> <p>(a) Strata Plus received a commission/broker fee in the sum of \$480.77 incl. GST when the premium was placed. This commission/broker fee is in line with the existing agency agreement and has been taken into consideration when determining the management fee for the scheme.</p> <p>(b) the strata insurance industry anticipates a 5% increase for anticipated future income based on current market conditions</p>	<p>RESOLVED THAT the owners corporation note the above information and take it into consideration when determining the management fee for the scheme.</p>
MOTION 6	INSURANCE RENEWAL	RESOLVED THAT a standing authority be given to Strata Plus Pty Limited to renew the insurances for the scheme in accordance with current valuation (subject to the decision to the next motion).	<p>RESOLVED THAT a standing authority be given to Strata Plus Pty Limited to renew the insurances for the scheme in accordance with current valuation (subject to the decision to the next motion).</p>
MOTION 7	BUILDING VALUATION	<p>RESOLVED THAT a valuation be obtained for insurance purposes prior to the expiration of the current policy period and that the managing agent be authorised to alter the sum insured in accordance with the updated valuation.</p> <p>Last obtained: 9 September 2013</p>	
MOTION 8	WORKERS COMPENSATION INSURANCE	RESOLVED THAT the owner's corporation resolves to confirm that it does not employ workers, including sole traders, with annual wages exceeding \$7,500, and therefore will not require workers compensation insurance.	
MOTION 9	WINDOW LOCKS – SAFETY AND COMPLIANCE	RESOLVED THAT the owner's corporation confirms window safety locks have been fitted to all required windows onsite.	<p>RESOLVED THAT the owner's corporation confirms window safety locks have been fitted to all required windows onsite.</p> <p>relates to the Child Window Safety Devices Act 2013 NSW</p>

MOTION 10	ANNUAL FIRE SAFETY STATEMENT	<p>(a) RESOLVED THAT the owners corporation considers the status of the Annual Fire Safety Statement (AFSS) (if one is required for the building) and authorises the managing agent and building manager with the strata committee to make the arrangements for obtaining the next AFSS.</p> <p>(b) RESOLVED THAT the owners corporation authorize the following people to execute the AFSS on their behalf, in the following order:</p> <ul style="list-style-type: none">a. The secretary of the scheme, thenb. A member of the committee to be determined at the meeting, thenc. A second member of the committee to be determined at the meeting, thend. The managing agent <p>c) RESOLVED THAT the owners corporation acknowledge that a fee of one hour of the director's time will be payable by the owners corporation to the managing agent should they instruct the managing agent to sign the AFSS on their behalf.</p>					
MOTION 11	WORK, HEALTH AND SAFETY – RISK AND SAFETY REPORT	<p>RESOLVED THAT the owners corporation acknowledge the <i>Work Health and Safety Act 2011 and Regulations</i> and RESOLVE to:</p> <p>(a) instruct the managing agent to organise for an updated risk and safety report to be undertaken on the common property in compliance with its obligations under the Work Health and Safety Act 2011, noting the last report undertaken on 25 September 2013 and</p> <p>(b) convene a strata committee meeting to consider the recommendations of the report upon receipt.</p>					
MOTION 12	TERMITE INSPECTIN	RESOLVED THAT the owners corporation undertakes a termite inspection of all common property areas, noting that owners are responsible for the internal of their lot.					
MOTION 13	PEST CONTROL	RESOLVED THAT the owners corporation undertakes a pest spray for cockroaches and spiders, to all common property areas noting that owners are responsible for the internal of their lot.					
FINANCIAL MATTERS							
MOTION 14	TERM DEPOSITS	RESOLVED THAT the treasurer of the Owners Corporation be authorised by standing authority to advise the Strata Managing Agent of those amounts which may be placed on term deposit with the trust account bank.					
MOTION 15	APPOINTMENT OF AUDITOR	RESOLVED THAT an auditor be appointed by the owner's corporation for the financial year ending 31 December 2020.					
BUDGET AND LEVY CONTRIBUTIONS							
MOTION 16	ADMINISTRATIVE FUND BUDGET & LEVIES	<p>RESOLVED THAT the Administrative Fund Budget for the financial year commencing 1 January 2019 be adopted and that levies of \$25,008.08 No GST be determined as detailed in the table below:</p> <table><thead><tr><th>Due Date</th><th>Admin No GST</th></tr></thead><tbody><tr><td>1 January 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr></tbody></table>	Due Date	Admin No GST	1 January 2019 (already issued as per resolution of last AGM)	\$6,250.02	
Due Date	Admin No GST						
1 January 2019 (already issued as per resolution of last AGM)	\$6,250.02						

		<table><tr><td>1 April 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr><tr><td>1 July 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr><tr><td>1 October 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr><tr><td>Total</td><td>\$25,000.08</td></tr></table> <p>RESOLVED THAT the first levy for the 1 January 2020 financial year be due and payable to the Administrative Fund in accordance with the table below and that these amounts continue to fall due and payable on a quarterly basis until redetermined at next year's annual general meeting:</p> <table><tr><th>Due Date</th><th>Admin No GST</th></tr><tr><td>1 January 2020</td><td>\$2,000.00</td></tr></table>	1 April 2019 (already issued as per resolution of last AGM)	\$6,250.02	1 July 2019 (already issued as per resolution of last AGM)	\$6,250.02	1 October 2019 (already issued as per resolution of last AGM)	\$6,250.02	Total	\$25,000.08	Due Date	Admin No GST	1 January 2020	\$2,000.00					
1 April 2019 (already issued as per resolution of last AGM)	\$6,250.02																		
1 July 2019 (already issued as per resolution of last AGM)	\$6,250.02																		
1 October 2019 (already issued as per resolution of last AGM)	\$6,250.02																		
Total	\$25,000.08																		
Due Date	Admin No GST																		
1 January 2020	\$2,000.00																		
MOTION 17	RECOMMENDATIONS OF CAPITAL WORKS FUND FORECAST REPORT	RESOLVED THAT the recommendations of the last Capital Works (or Sinking) Fund Forecast Report prepared by Seymour Consultants be acknowledged, noting the attached summary from that report which details the forecasted expenditure and recommended contributions.	<div><div></div><div><div></div><div></div></div></div>																
MOTION 18	CAPITAL WORKS FUND FORECAST REPORT	RESOLVED THAT the managing agent be instructed to arrange for an updated Capital Works Fund Forecast Report.	<div><div></div><div><div></div><div></div></div></div>																
MOTION 19	CAPITAL WORKS FUND BUDGET & LEVIES	<p>RESOLVED THAT the Capital Works Fund Budget for the financial year commencing 1 January 2019 be adopted and that levies of \$1,000.00 No GST be determined as detailed in the table below:</p> <table><tr><th>Due Date</th><th>Capital Works No GST</th></tr><tr><td>1 January 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>1 April 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>1 July 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>1 October 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>Total</td><td>\$1,000.00</td></tr></table> <p>RESOLVED THAT the first levy for the 1 January 2020 financial year be due and payable to the Capital Works Fund in accordance with the table below and that these amounts continue to fall due and payable on a quarterly basis until redetermined at next year's annual general meeting:</p> <table><tr><th>Due Date</th><th>Capital Works No GST</th></tr><tr><td>1 January 2020</td><td>\$3,000.00</td></tr></table>	Due Date	Capital Works No GST	1 January 2019 (already issued as per resolution of last AGM)	\$250.00	1 April 2019 (already issued as per resolution of last AGM)	\$250.00	1 July 2019 (already issued as per resolution of last AGM)	\$250.00	1 October 2019 (already issued as per resolution of last AGM)	\$250.00	Total	\$1,000.00	Due Date	Capital Works No GST	1 January 2020	\$3,000.00	<div><div></div><div><div></div><div></div></div></div>
Due Date	Capital Works No GST																		
1 January 2019 (already issued as per resolution of last AGM)	\$250.00																		
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1 October 2019 (already issued as per resolution of last AGM)	\$250.00																		
Total	\$1,000.00																		
Due Date	Capital Works No GST																		
1 January 2020	\$3,000.00																		

MOTION 20	MANAGEMENT OF OUTSTANDING LEVIES	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p> <ul style="list-style-type: none"> (a) the managing agent to issue reminder notices (b) the managing agent to seek legal advice, the provision of legal services or the taking of legal action on behalf of the owners corporation for the purpose of recovering outstanding contributions and interest; (c) the strata committee to provide consent for payment plans; (d) the engagement of Le Page Lawyers and/or counsel for the purposes of payment plans and proceedings; and (e) the managing agent to instruct the solicitor and/or legal counsel in relation to the advice, services or action. 	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p>
OWNERS CORPORATION GOVERNANCE			
MOTION 21	STRATA COMMITTEE NOMINATION AND NUMBERS	<p>MOTION DEFERRED THAT:</p> <ul style="list-style-type: none"> (a) the nominations for the strata committee be declared, received and recorded; (b) the nominations be closed by the chairperson; and (c) the number of members of the strata committee be determined for the ensuing year. <p><i>NIL nominations received</i></p>	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p>
MOTION 22	STRATA COMMITTEE ELECTION	<p>MOTION DEFERRED THAT:</p> <ul style="list-style-type: none"> (a) if the number of nominations exceeds the number of members decided upon, a ballot be held to determine the successful members OR (b) if the number of nominations equals the number of members decided upon, then those members be duly elected. <p><i>NIL nominations received</i></p>	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p>
MOTION 23	RESTRICTIONS OVER THE STRATA COMMITTEE	<p>RESOLVED THAT the owners corporation resolve if any matter or class of matter, other than those imposed by the Act, is to be determined by the Owners Corporation in general meeting.</p>	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p>
MOTION 24	BY-LAW MINOR RENOVATIONS	<ul style="list-style-type: none"> (a) SPECIALLY RESOLVED THAT the owners corporation <i>specialy resolve</i> to make an additional by-law in the following terms: <ul style="list-style-type: none"> <u>SPECIAL BY-LAW</u> i. The owners corporation by resolution in general meeting may delegate to the strata committee, generally or in a particular case or cases, its functions of giving and withholding approval of minor renovations (for the purposes of s.110 of the <i>Strata Schemes Management Act 2015</i>) and of imposing conditions on such approval. ii. The owners corporation in like manner may revoke any such delegation. iii. The owners corporation may continue to exercise its functions under s.110 of the Act, despite any such delegation. (b) That the strata manager be instructed to arrange registration of the by-law. 	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p>
MOTION 25	MINOR RENOVATION ANNUAL AUTHORITY	<p>RESOLVED THAT, subject to the registration of the by-law, the functions of the owners corporation under s.110 of the Strata Schemes Management Act 2015 be delegated to the strata committee.</p>	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p>

MOTION 26	BY LAW CONSOLIDATION	RESOLVED THAT the owner's corporation instructs the strata managing agent to engage Le Page Lawyers to review & consolidate the current by-laws of the scheme, in accordance with Section 141 of the Strata Schemes Management Act 2015 NSW.	
MOTION 27	NEXT MEETING	RESOLVED THAT the next annual general meeting be held a date to be advised.	
	CLOSURE	There being no further business the meeting closed at 11.25 a.m.	

NOTICE DATE: 16 October 2019

[REDACTED]

From: [REDACTED]
Sent: Monday, 19 October 2020 3:44 PM
To: 'Susan Clulow'
Subject: RE: 16094 Main Beach Apartments- 43 Lawson St Byron Bay.- Owners Consent form [TM-MATTER.FID625942]
Attachments: 2020 - Notice of DA Modification re 43 re Lawson st 23.09.2020(5178224.1).pdf

Hi Sue,

Attached is the notice of the application we received in the mail from the Byron Shire Council about a week after the date of the letter.

That was the first I heard about this. No detail or warning was or has been provided to Wanstead.

Lot 4, owned by Wanstead Investment Coy. Pty Ltd, has not consented, and does not consent, to the DA modification application.

I note your advice that there have been no meetings of the Body Corporate since the last AGM on 15 October 2019, and no Strata committee meetings held.

Kind regards,

[REDACTED]

Follow us on LinkedIn

Member of Ally Law, a global network of law firms across more than 40 countries

WARNING: As hacking events are occurring more frequently, please DO NOT act on any communication (from [REDACTED] otherwise) that asks you to transfer or deposit money without first telephoning the writer to confirm the authenticity of the request for money and the account details provided.



From: Susan Clulow <Susan.Clulow@strataplus.com.au>
Sent: Monday, 19 October 2020 2:39 PM
To: [REDACTED]
Subject: FW: 16094 Main Beach Apartments- 43 Lawson St Byron Bay.- Owners Consent form

[REDACTED]

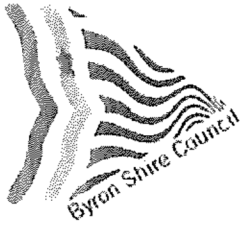
Please find attached documents and email below in relation to development. I have sent Michael an email regarding your call and queries, his email if you require it is michael.gilday@strataplus.com.au

Regards

Susan Clulow | Accredited Strata Community Manager | Strata Plus

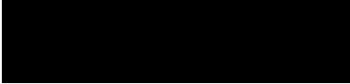
☎ 02 4916 2800 🌐 strataplus.com.au  

2014-2019 Strata Community Association NSW Award finalists & winners



23 September 2020

Wanstead Investment Company Pty Ltd



NOTIFICATION OF DEVELOPMENT APPLICATION

DA No.	10.2014.417.2
Proposal	S4.55 to Modify Staging. Stage 1: <u>Conversion of Existing Garage to Temporary Sales and Display Office for on-site Marketing of Approved Residential Flat Building</u> , Temporary Car Parking Space, Pedestrian Access and Landscaping. Stage 2: Completion of all Works and Demolition of Existing Building
Parcel No.	41930
Property Description	Lot and DP: LOT: 0 SP: 16094
Applicant	Street Address: <u>43 Lawson Street BYRON BAY</u>
Consent Authority	Northpoint Advisory Byron Shire Council

Council has received the above Development Application (DA). It is on public exhibition from 30 September 2020 to 13 October 2020.

The subject DA and associated documents may be viewed:

- **online** using Council's application tracking website www.byron.nsw.gov.au/DAs_exhibition.
- **at** Byron Shire Council offices, 70 Station Street Mullumbimby between 8.30am and 4.30pm Monday to Friday (public holidays excluded) using the online electronic kiosk.

The purpose of this letter is to advise you of the proposal in accordance with Council's Community Participation Plan provisions relating to public exhibition and notification of DAs and to give you the opportunity to make a written submission

Any person may make a submission in writing to Council. Where a submission is by way of objection, the grounds of objection must be specified in the submission. All submissions, including any personal information contained therein, will become publicly available documents and will be made available to the applicant and any other interested members of the public. They may also be included in Council's business paper. If you do not wish your submission to be publicly available you must provide Council with written reasons for this. Council will accept no responsibility for any defamatory comments included in submissions.

Submissions

Once you have viewed the DA, you can use the online form in the 'Make a Submission' tab on the DA Tracker or go to www.byron.nsw.gov.au/dasubmission. Further information on making a submission is available at www.byron.nsw.gov.au/Make-a-submission-on-a-DA.

Note: To enable Council to provide you with further correspondence in relation to your submission, please provide an email address.



TRADITIONAL HOME OF
THE BUNDJALUNG PEOPLE

ALL COMMUNICATIONS TO BE
ADDRESSED TO THE GENERAL MANAGER
PO Box 219 Mullumbimby NSW 2482 (70-90 Station Street)
E: council@byron.nsw.gov.au
P: 02 6626 7000 F: 02 6684 3018
www.byron.nsw.gov.au ABN: 14 472 131 473

The application will not be determined until after the exhibition period has closed. Please quote the above Development Application and Parcel numbers when making a submission.

Political Donations Disclosure

There are requirements in relation to the disclosure of political gifts and donations. Refer to Council's website to satisfy yourself that you are complying with your disclosure obligations prior to lodging a submission www.byron.nsw.gov.au/Political-donations-disclosure.

Please quote the development application and property description when making a submission.
If you have any questions about the application please contact Patricia Docherty – 02 6626 7035 available between 2pm – 4pm or E: patricia.docherty@byron.nsw.gov.au

Yours sincerely



Sharon Roberts
Development Support Officer

Please bring this letter when making enquiries

DA Tracker Tips

Go to www.byron.nsw.gov.au/DAs_exhibition

Or

Go to Council's website home page www.byron.nsw.gov.au select the 'Find a Development Application' icon then select 'Applications On Exhibition' under the Applications menu.

Icon example



Find a Development
Application

DA Number: If the DA Number for this notification is 10.2019.100.1, you would enter the search details as shown as below and select 'Submit' (NOTE: You are not required to complete any further search fields):

Search

Please enter your application search details below:

Application Year: 2019



Application Number: 000



Docherty, Patricia

From: [REDACTED]
Sent: Tuesday, 10 November 2020 11:36 AM
To: Docherty, Patricia
Cc: Larkin, Chris; Larkin, Chris
Subject: RE: Request for copies of documents re DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]
Attachments: Copy Notice of Gen Meeting to be held 20 Nov 2020 re 43 Lawson street SP 16094 - seeking consent for Owners Corp to carry out works for sales display and new c.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Patricia,

Thank you for our discussion this morning. I confirm that we act for, and I am a director of, **Wanstead investment Coy. Pty Limited, the owner of Lot 4 in Strata Plan 16094** having its street address as 43 Lawson Street Byron Bay. My family company has owned this apartment since 1990.

Request for documents - Pursuant to the Government Information (Public Access) Act 2009, would you please provide me with a copy of the **Notification of Development Application** (and mail merge) for DA 10.2014.417.1. Wanstead did not receive a copy of the notification and I wish to see to what address the notice was sent. I suspect you will find that it was sent care of PO Box 2225, Ascot, which is the Brisbane office post office address for **MP Management (AUST) Pty LTD**.

This is the company that provided a letter dated 15 July 2014 which falsely stated that it had acted as property managers on behalf of the unit owners at 43 Lawson Street Byron Bay and that the owners had authorised to that company to submit the development application on their behalf. Wanstead never gave written or oral approval or consent for that DA and that company never acted as property manager for Lot 4 owned by Wanstead. The statement is false.

Wanstead regards this as an extremely serious matter. The original DA should never have proceeded and is irregular. Wanstead requests that Council take action once it has completed its investigation as a consequence of the false and misleading information that has been provided under the auspices of DP Roberts Planning Solutions. The DA application was signed by Dwayne Roberts of that company. The owner's consent form you provided to me for DA 10.2014.417.1 was purportedly signed on behalf of the body corporate by Patrick Farrugia as "Chairman & Director". Similarly, the DA modification application DA Modification 10.2014.417.2 lodged 17.09.202, contained misleading information and falsely represented that the owners had consented (because I know Wanstead has not consented and was not even consulted about this modification application).

I confirm that the party that lodged the DA Modification application has not sought a written consent from Wanstead and, in any event, Wanstead will not be providing written consent as the owner of Lot 4.

I note that you requested copies of the lot owners consents be provided some three weeks ago and they have not yet been provided.

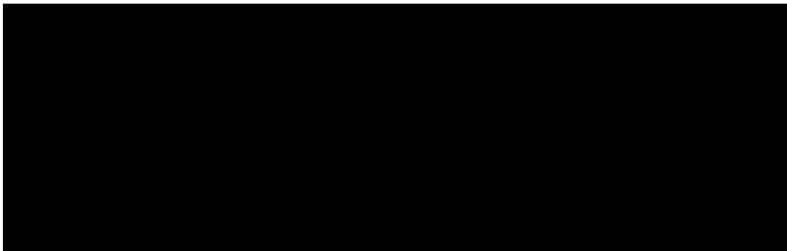
Recent notice of Strata Plan General meeting - I received on 4 November 2020 "out of the blue" a notice of General Meeting from Strata Plus who act as body corporate manager. This General Meeting is to be held on 20 November 2020. A copy of the papers as received with my proposed completed voting paper, is **attached**. You will note that motion to seeks a special resolution for consent by the owners Corporation be granted for the carrying works outlined in the site plans that are the subject of DA Modification 10.2014.417.2 lodged 17.09.2020 (lodged without Wanstead's

consent is owner). This motion for development consent to carry out the works, of course, is illegal because the DA modification has not been approved and cannot be approved because Wanstead as owner of Lot 4 was never advised of the application and nor was its consent sought or given. I wanted to make you aware of this general meeting that has been called to seek consent for the carrying out of what will become illegal Works if they are undertaken.

I will have to leave these matters with the Byron Shire Council to take whatever action considered appropriate in the circumstances.

Thank you for your interest and actions taken. If you require any further information, do not hesitate to let me know.

Kind regards,



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WARNING: As hacking events are occurring more frequently, please DO NOT act on any communication (from the writer, [redacted] that asks you to transfer or deposit money without first telephoning the writer to confirm the authenticity of the request for money and the account details provided.

From: Docherty, Patricia <pdocherty@byron.nsw.gov.au>

Sent: Tuesday, 10 November 2020 8:58 AM

To: [redacted]

Subject: FW: Voice Mail (37 seconds)

[redacted]

I tried to return your call. I understand you have an update.
Would you like to reply by email or arrange another time to speak?

Regards,

Patricia Docherty
Byron Shire Council | P: 02 6626 7035

CONTACTING YOUR PLANNER If you have any questions regarding an application that I am currently assessing, I can be contacted by phone to discuss. Please note the contact details and availability below:

Patricia Docherty – Availability between 10am – 12 noon

Liability limited by a scheme approved under Professional Standards Legislation.

IMPORTANT - This communication is confidential and may be privileged. Privilege is not waived if this communication is misdirected or distributed. If received in error, please contact us and destroy all copies.

NOTICE OF GENERAL MEETING
Section 18 & Schedule 1 of Strata Schemes Management Act 2015 (NSW)

Rec'd 4/11/2020

TO The Owners – Strata Plan No. 16094
Main Beach Apartments
43 Lawson Street, Byron Bay

DATE **Friday 20th November 2020**
TIME **9.00am**

The meeting will be held via completion of attached voting paper

Your attendance is not required

All motions are to be voted via Pre-meeting electronic voting only and in accordance regulation 15 of The Strata Schemes Management Regulation 2016.

Please complete and return the attached voting paper to susan.clulow@strataplus.com.au no later than 24 hours before the meeting.

AGENDA

- (a) Preliminaries
 - a. recording of electronic votes
 - b. receipt of persons entitled to vote
 - c. determination of a quorum
- (b) Opening
 - a. confirming chairperson
 - b. commencement time
- (c) Recording of Electronic votes
- (d) Closure

Should you have any queries regarding this notice of meeting or any of the items contained within, please contact our office prior to the meeting on 07 5508 5888.

Your Strata Manager is Susan Clulow (email: susan.clulow@strataplus.com.au)

NOTICE DATE: 30th October 2020

CONTENTS

Meeting Notice
Statutory information
Motions for consideration
Previous general meeting minutes
Additional supporting documents
Pre Meeting Electronic Voting Paper

INFORMATION

Types of resolutions

Motions requiring special resolution or unanimous resolution will be clearly stated. All other resolutions are by a simple majority of votes cast.

A *special resolution* means that not more than one-quarter of votes cast have voted against. The value of the vote is based in the unit of entitlement.

A *unanimous resolution* means that no vote has been cast against. Owners do not need to be financial in order to vote for a unanimous resolution.

Tenants

Registered tenants are entitled to attend but not entitled to vote. Tenants may only address the meeting if there is a resolution giving them the authority to do so. The owners corporation can determine at any time during the AGM that the tenants are not to be present when discussing financial matters.

Definitions

Act means the Strata Schemes Management Act 2015 (NSW)

Managing agent means the duly appointed strata managing agent pursuant to Section 49 of the Act.

Motion means a motion submitted for consideration by the owners corporation. It can be made by an owner, or any person entitled to vote, via a written notice which sets out the required motion, names the person, and provides an explanation of not more than 300 words.

Registered Tenant means a tenant notified and listed on the Strata Roll of the owners corporation in accordance with Section 258 of the Act.

Regulations means the Strata Schemes Management Regulation 2016 (NSW)

STATUTORY INFORMATION

PERSONS ENTITLED TO VOTE AT GENERAL MEETINGS

(Clauses 8, 23 & 24 of Schedule 1 of the Act)

Each owner, and each person entitled to a priority vote, has voting rights that may be exercised at a general meeting of the owners corporation, but only if the owner or person is recorded in the strata roll and, in the case of a corporation, the company nominee is recorded in the strata roll.

Voting may be exercised in person or by proxy. If the owner is a corporation, voting may be exercised only by the company nominee in person, or by a proxy appointed by the corporation.

- ✓ If you are the company nominee and unsure whether you are recorded on the strata roll, then call the office to check or execute and return the enclosed company nominee form prior to the meeting.

Priority vote

A vote at a meeting by the owner of a lot does not count if a priority vote in respect of the lot is cast in relation to the same matter. A priority vote has no effect however, unless at least 2 days' written notice of intention to exercise the priority vote at the particular meeting has been given to the owner of the lot.

Essentially, this means that an owners vote does not count if a vote is cast on the same motion by:

- (a) The mortgagee shown on the strata roll for the lot
- (b) The covenant chargee shown on the strata roll for the lot
- (c) In the case of multiple mortgagees or covenant charges, the priority mortgagee or chargee shown on the strata roll.

Voting eligibility & financial status

A vote at a general meeting by an owner of a lot or a person with a priority vote in respect of a lot will not count (other than on a motion requiring a unanimous resolution) unless payment has been made before the meeting of all contributions levied on the owner, and any other amounts recoverable from the owner, in relation to the lot that are owing.

- (a) These contributions and amounts recoverable must be paid in full prior to the meeting. "Payment" means that cleared funds must be in the owners corporation's bank account before the meeting. Cash, bank cheques, personal cheques or copies of post office receipts (or the like) will **not** be accepted on the day of the meeting.

QUORUM

(Clause 17 of Schedule 1 of the Act)

A motion submitted at a general meeting of an owners corporation must not be considered, and an election of the strata committee must not be held, unless there is a quorum present to consider and vote on the motion or on the election.

There is a quorum for considering and voting on such a motion or at such an election only if:

- (a) at least one-quarter of the number of persons entitled to vote is present, either personally or by duly appointed proxy, or
- (b) at least one-quarter of the aggregate unit entitlement of the strata scheme is represented by the persons who are present and entitled to vote, either personally or by duly appointed proxy.
- (c) If there is more than one owner in the strata scheme and the quorum calculated is less than 2 persons, the quorum is 2 persons entitled to vote on the motion or at the election of the executive committee.

A person who has voted, or intends to vote, on a motion or an election at a meeting, by permitted means other than a vote in person is taken to be present for the purpose of determining whether the quorum exists.

If no quorum

If a quorum is not present within the next half-hour after the relevant motion or business arises for consideration at the meeting, then the chairperson **must** either:

- (A) Adjourn the meeting for at least 7 days, or
- (B) Declare that those present constitutes a quorum.

If a quorum is not present within the next half-hour after the time fixed for the adjourned meeting, the persons present personally or by duly appointed proxy and entitled to vote constitute a quorum for considering that motion or business.

ADJOURNMENTS

(Clause 20 of Schedule 1 of the Act)

A general meeting of an owners corporation may be adjourned for any reason if a motion is passed at the meeting for the adjournment.

If a general meeting of the owners corporation is adjourned (including where the meeting is adjourned due to a lack of quorum):

- (a) the time and place at which the adjourned meeting is to be resumed must be fixed by the person who was presiding at the meeting or, in the case of a meeting that is adjourned due to lack of a quorum, by the person who would have presided at the meeting, and
- (a) notice of that time and place must be served by the secretary on the members of the owners corporation at least 1 day prior to the meeting.

MOTIONS FOR CONSIDERATION

CONFIRMATION OF RECORDS			
MOTION 1	CONFIRMATION OF MINUTES	<p>THAT the minutes of the last general meeting of the Owners Corporation held 15 October 2019 be confirmed as a true and accurate record of that meeting.</p>	<p>Clause 8 (1) of Schedule 1 of the Act</p>
MOTION 2	<p>DEVELOPMENT CONSENT</p> <p><i>Special resolution</i></p>	<p><i>(Proposed by Lot 1 & 3)</i></p> <p>THAT the Owners Corporation – Strata Plan 16094 <i>specially resolve</i>, pursuant to section 108 of the Strata Schemes Management Act 2015 and the provisions of the Strata Development Act 2015, consent is granted for the works outlined (and associated with) in the following documents attached to this notice:</p> <ol style="list-style-type: none"> 1. Site Plan 1 prepared by Northpoint Advisory and dated 26.8.2020 (except where varied by the swept paths plan referred to below); 2. Site Plan 2 prepared by Northpoint Advisory and dated 26.8.2020 (except where varied by the swept paths plan referred to below); 3. Plan titled 20201008 Swept Paths, prepared by Northpoint Advisory and dated 8.10.2020; and 4. Any and all further plans and descriptions as submitted (ie Mod Report as Submitted) with the permission and acting with the authority of the owners corporation, by Northpoint Advisory in support of the application for approval of the works. <p><i>Note to motion:</i> <i>Council require a special resolution of the owners corporation as the works above affect common property and requires the owners corporation approval for works to proceed.</i></p>	

MINUTES OF ANNUAL GENERAL MEETING

Section 18 & Schedule 1 of Strata Schemes Management Act 2015 (NSW)

TO The Owners – Strata Plan No. 16094

Main Beach Apartments

43 Lawson Street

BYRON BAY NSW 2481

DATE, PLACE AND TIME

The meeting was held **Tuesday 15 October 2019**

at **Strata Plus, 22 Bay Street Tweed Heads NSW 2485**

The meeting commenced at **11.00 a.m. NSW time**

PRESENT BY VOTING PAPER: Wanstead Investment Coy Pty Ltd Lot 4

IN ATTENDANCE: A Meester Strata Plus Tweed Byron

Those present determined that A Meester chair the meeting.

The chairperson declared a quorum.

The meeting was declared open at 11.05 a.m.

MINUTES

CONFIRMATION OF RECORDS			
MOTION 1	CONFIRMATION OF MINUTES	RESOLVED THAT the minutes of the last general meeting of the owners corporation held 11 December 2018 be confirmed as a true and accurate record of that meeting.	Clause 8 (1) of Schedule 1 of the Act
MOTION 2	ADOPTION OF FINANCIAL STATEMENTS	(a) RESOLVED THAT the unaudited financial reports for the financial year ending 31 December 2018 be adopted. (b) RESOLVED THAT the accounting records and statements of financial information for the period ending 31 December 2018 attached be adopted.	Section 92 and clause 9 (a) & (b) of Schedule 1 of the Act Forms 2 & 3 in Schedule 1 of the Regulations
CONTRACTS OF THE OWNERS CORPORATION			
MOTION 3	STRATA MANAGING AGENT TERMINATION OF CURRENT AGREEMENT & RE-APPOINTMENT	A RESOLVED THAT the Owners Corporation of Strata Plan No. 16094, (a) subject to entering into a new agreement, terminate its current agency agreement by the mutual consent with Strata Plus Pty Limited in accordance with clause 5.2 of the current agency agreement; and	Sections 15(h), 49 & 50 of the Act

		<p>(b) continues to appoint Strata Plus Pty Ltd ABN 30 096 175 709 as Strata Managing Agent (Agent); and</p> <p>(c) delegate to the Agent all of the functions of:</p> <p>(i) the Owners Corporation (other than those listed in section 52(2) of the Act); and</p> <p>(ii) its Chairperson, Treasurer, Secretary and Executive Committee,</p> <p>necessary to enable the Agent to carry out the 'agreed services' and the 'additional services' as defined in the written agreement, a copy of which is attached to this notice (Agreement);</p> <p>(d) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and</p> <p>(e) the Owners Corporation execute the Agreement to give effect to this appointment and delegation; and</p> <p>(f) authority be given for the common seal of the Owners Corporation to be affixed to the Agreement by the secretary and any other member of the strata committee OR two members of the strata committee.</p> <p>B That the delegations in this motion supersede all previous delegations.</p>	
COMMON PROPERTY RISK MANAGEMENT			
MOTION 4	CONFIRMATION OF CURRENT INSURANCES	RESOLVED THAT the owners corporation's current insurance policies as detailed in the attached schedule be confirmed.	Sections 164 & 165 and clause 9(c)&(d) of Schedule 1 of the Act
MOTION 5	INSURANCE COMMISSION	<p>RESOLVED THAT the owners corporation NOTE</p> <p>(a) Strata Plus received a commission/broker fee in the sum of \$480.77 incl. GST when the premium was placed. This commission/broker fee is in line with the existing agency agreement and has been taken into consideration when determining the management fee for the scheme.</p> <p>(b) the strata insurance industry anticipates a 5% increase for anticipated future income based on current market conditions</p>	Section 60 and clause 9(g) of Schedule 1 of the Act
MOTION 6	INSURANCE RENEWAL	RESOLVED THAT a standing authority be given to Strata Plus Pty Limited to renew the insurances for the scheme in accordance with current valuation (subject to the decision to the next motion).	Sections 164, 165(1) & (2) & 166 and clause 9 (c) & (d) of Schedule 1 of the Act
MOTION 7	BUILDING VALUATION	<p>RESOLVED THAT a valuation be obtained for insurance purposes prior to the expiration of the current policy period and that the managing agent be authorised to alter the sum insured in accordance with the updated valuation.</p> <p>Last obtained: 9 September 2013</p>	
MOTION 8	WORKERS COMPENSATION INSURANCE	RESOLVED THAT the owner's corporation resolves to confirm that it does not employ workers, including sole traders, with annual wages exceeding \$7,500, and therefore will not require workers compensation insurance.	
MOTION 9	WINDOW LOCKS – SAFETY AND COMPLIANCE	RESOLVED THAT the owner's corporation confirms window safety locks have been fitted to all required windows onsite.	Section 118 of the Act and Clauses 30 & 31 of the Regulations relates to the <i>Child Window Safety Devices Act 2013 NSW</i>

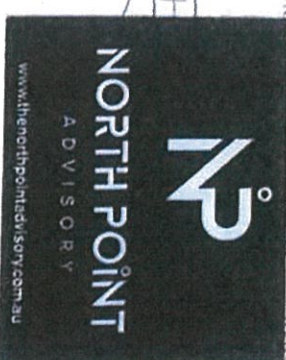
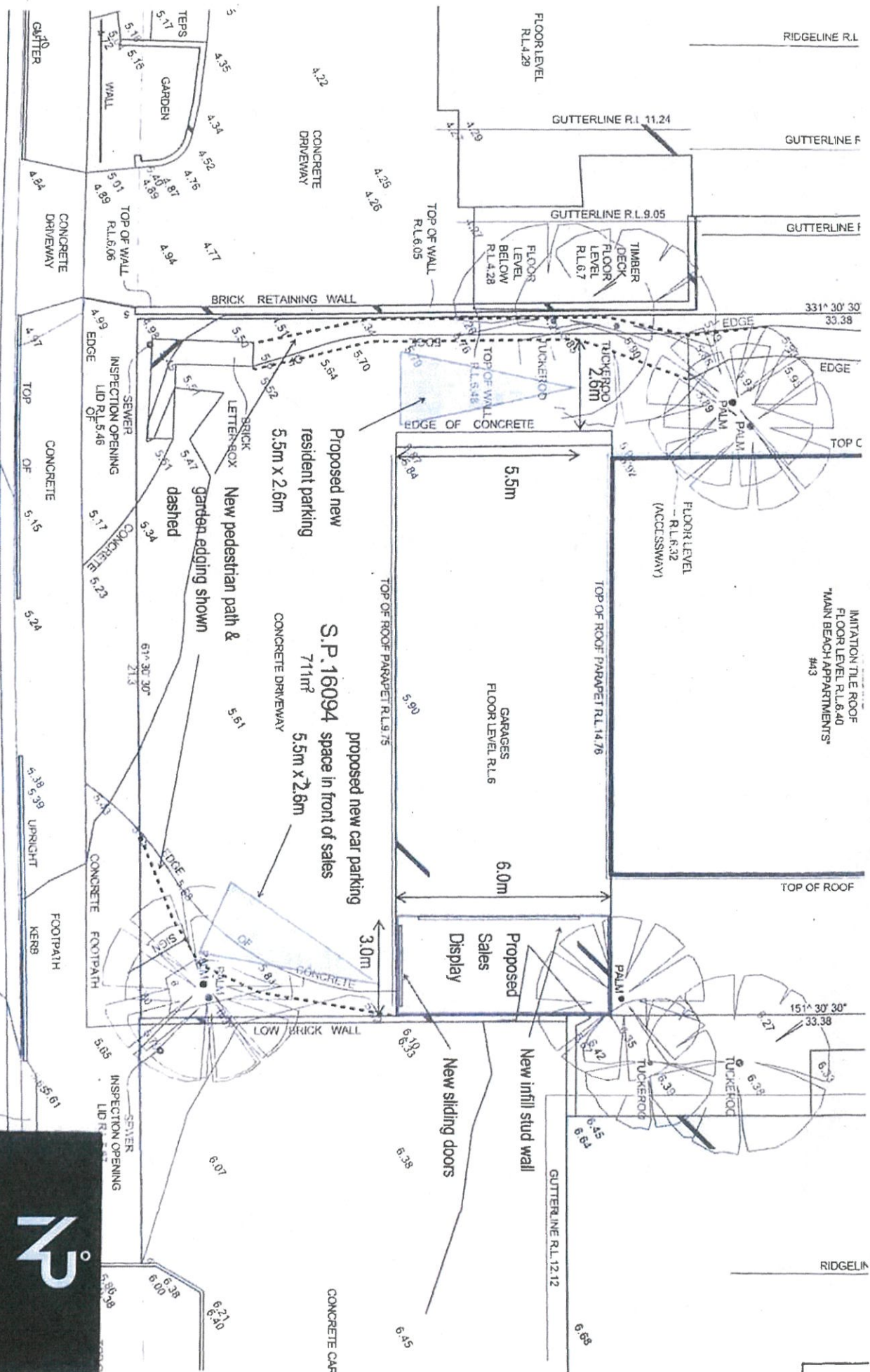
MOTION 10	ANNUAL FIRE SAFETY STATEMENT	<p>(a) RESOLVED THAT the owners corporation considers the status of the Annual Fire Safety Statement (AFSS) (if one is required for the building) and authorises the managing agent and building manager with the strata committee to make the arrangements for obtaining the next AFSS.</p> <p>(b) RESOLVED THAT the owners corporation authorize the following people to execute the AFSS on their behalf, in the following order:</p> <ul style="list-style-type: none">a. The secretary of the scheme, thenb. A member of the committee to be determined at the meeting, thenc. A second member of the committee to be determined at the meeting, thend. The managing agent <p>c) RESOLVED THAT the owners corporation acknowledge that a fee of one hour of the director's time will be payable by the owners corporation to the managing agent should they instruct the managing agent to sign the AFSS on their behalf.</p>	<p>Notes: In order for Strata Plus to sign the AFSS documentation, the contractor appointed to sign the certificate needs to be listed as accredited on the FPA Australia Fire Safety Assessor Register for the items they are certifying: http://connect.fpa.com.au/FireSafetyAssess or If the contractor is not on the register, then the Secretary is required to sign the AFSS.</p>				
MOTION 11	WORK, HEALTH AND SAFETY – RISK AND SAFETY REPORT	<p>RESOLVED THAT the owners corporation acknowledge the <i>Work Health and Safety Act 2011 and Regulations</i> and RESOLVE to:</p> <p>(a) instruct the managing agent to organise for an updated risk and safety report to be undertaken on the common property in compliance with its obligations under the Work Health and Safety Act 2011, noting the last report undertaken on 25 September 2013 and</p> <p>(b) convene a strata committee meeting to consider the recommendations of the report upon receipt.</p>					
MOTION 12	TERMITE INSPECTIN	RESOLVED THAT the owners corporation undertakes a termite inspection of all common property areas, noting that owners are responsible for the internal of their lot.					
MOTION 13	PEST CONTROL	RESOLVED THAT the owners corporation undertakes a pest spray for cockroaches and spiders, to all common property areas noting that owners are responsible for the internal of their lot.					
FINANCIAL MATTERS							
MOTION 14	TERM DEPOSITS	RESOLVED THAT the treasurer of the Owners Corporation be authorised by standing authority to advise the Strata Managing Agent of those amounts which may be placed on term deposit with the trust account bank.	Sections 75(1) and 78(1) of the Act.				
MOTION 15	APPOINTMENT OF AUDITOR	RESOLVED THAT an auditor be appointed by the owner's corporation for the financial year ending 31 December 2020.	Sections 95 and clause 9(c) of Schedule 1 of the Act Clause 21 of the Regulations				
BUDGET AND LEVY CONTRIBUTIONS							
MOTION 16	ADMINISTRATIVE FUND BUDGET & LEVIES	<p>RESOLVED THAT the Administrative Fund Budget for the financial year commencing 1 January 2019 be adopted and that levies of \$25,008.08 No GST be determined as detailed in the table below:</p> <table><tr><th>Due Date</th><th>Admin No GST</th></tr><tr><td>1 January 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr></table>	Due Date	Admin No GST	1 January 2019 (already issued as per resolution of last AGM)	\$6,250.02	Section 79(1) & 81(1) of the Act
Due Date	Admin No GST						
1 January 2019 (already issued as per resolution of last AGM)	\$6,250.02						

		<table><tr><td>1 April 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr><tr><td>1 July 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr><tr><td>1 October 2019 (already issued as per resolution of last AGM)</td><td>\$6,250.02</td></tr><tr><td>Total</td><td>\$25,000.08</td></tr></table> <p>RESOLVED THAT the first levy for the 1 January 2020 financial year be due and payable to the Administrative Fund in accordance with the table below and that these amounts continue to fall due and payable on a quarterly basis until redetermined at next year's annual general meeting:</p> <table><tr><th>Due Date</th><th>Admin No GST</th></tr><tr><td>1 January 2020</td><td>\$2,000.00</td></tr></table>	1 April 2019 (already issued as per resolution of last AGM)	\$6,250.02	1 July 2019 (already issued as per resolution of last AGM)	\$6,250.02	1 October 2019 (already issued as per resolution of last AGM)	\$6,250.02	Total	\$25,000.08	Due Date	Admin No GST	1 January 2020	\$2,000.00					
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Total	\$25,000.08																		
Due Date	Admin No GST																		
1 January 2020	\$2,000.00																		
MOTION 17	RECOMMENDATIONS OF CAPITAL WORKS FUND FORECAST REPORT	RESOLVED THAT the recommendations of the last Capital Works (or Sinking) Fund Forecast Report prepared by Seymour Consultants be acknowledged, noting the attached summary from that report which details the forecasted expenditure and recommended contributions.	Clause 6(b) of Schedule 1 of the Act																
MOTION 18	CAPITAL WORKS FUND FORECAST REPORT	RESOLVED THAT the managing agent be instructed to arrange for an updated Capital Works Fund Forecast Report.	Clause 6(b) of Schedule 1 of the Act																
MOTION 19	CAPITAL WORKS FUND BUDGET & LEVIES	<p>RESOLVED THAT the Capital Works Fund Budget for the financial year commencing 1 January 2019 be adopted and that levies of \$1,000.00 No GST be determined as detailed in the table below:</p> <table><tr><th>Due Date</th><th>Capital Works No GST</th></tr><tr><td>1 January 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>1 April 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>1 July 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>1 October 2019 (already issued as per resolution of last AGM)</td><td>\$250.00</td></tr><tr><td>Total</td><td>\$1,000.00</td></tr></table> <p>RESOLVED THAT the first levy for the 1 January 2020 financial year be due and payable to the Capital Works Fund in accordance with the table below and that these amounts continue to fall due and payable on a quarterly basis until redetermined at next year's annual general meeting:</p> <table><tr><th>Due Date</th><th>Capital Works No GST</th></tr><tr><td>1 January 2020</td><td>\$3,000.00</td></tr></table>	Due Date	Capital Works No GST	1 January 2019 (already issued as per resolution of last AGM)	\$250.00	1 April 2019 (already issued as per resolution of last AGM)	\$250.00	1 July 2019 (already issued as per resolution of last AGM)	\$250.00	1 October 2019 (already issued as per resolution of last AGM)	\$250.00	Total	\$1,000.00	Due Date	Capital Works No GST	1 January 2020	\$3,000.00	Section 79(2), (5) & (6) and 81(1) of the Act
Due Date	Capital Works No GST																		
1 January 2019 (already issued as per resolution of last AGM)	\$250.00																		
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1 January 2020	\$3,000.00																		

MOTION 20	MANAGEMENT OF OUTSTANDING LEVIES	<p>RESOLVED THAT the owners corporation authorise, for the purpose of collecting levy contributions, interest and recovery costs:</p> <ul style="list-style-type: none"> (a) the managing agent to issue reminder notices (b) the managing agent to seek legal advice, the provision of legal services or the taking of legal action on behalf of the owners corporation for the purpose of recovering outstanding contributions and interest; (c) the strata committee to provide consent for payment plans; (d) the engagement of Le Page Lawyers and/or counsel for the purposes of payment plans and proceedings; and (e) the managing agent to instruct the solicitor and/or legal counsel in relation to the advice, services or action. 	<p>Clause 9(h) of Schedule 1 of the Act And clauses 18 & 19 of the Regulations</p>
OWNERS CORPORATION GOVERNANCE			
MOTION 21	STRATA COMMITTEE NOMINATION AND NUMBERS	<p>MOTION DEFERRED THAT:</p> <ul style="list-style-type: none"> (a) the nominations for the strata committee be declared, received and recorded; (b) the nominations be closed by the chairperson; and (c) the number of members of the strata committee be determined for the ensuing year. <p><i>NIL nominations received</i></p>	<p>Sections 29 to 32 and Clauses 5, 8(1)(b), 9(e) of Schedule 1 of the Act) Clause 9 of the Regulations</p>
MOTION 22	STRATA COMMITTEE ELECTION	<p>MOTION DEFERRED THAT:</p> <ul style="list-style-type: none"> (a) if the number of nominations exceeds the number of members decided upon, a ballot be held to determine the successful members <u>OR</u> (b) if the number of nominations equals the number of members decided upon, then those members be duly elected. <p><i>NIL nominations received</i></p>	<p>Sections 29 to 32 and Clauses 5, 8(1)(b), 9(e) of Schedule 1 of the Act) Clauses 9 & 10 of the Regulations</p>
MOTION 23	RESTRICTIONS OVER THE STRATA COMMITTEE	<p>RESOLVED THAT the owners corporation resolve if any matter or class of matter, other than those imposed by the Act, is to be determined by the Owners Corporation in general meeting.</p>	<p>Section 36(3)(b) and Clause 6(a) & 9(i) of Schedule 1 of the Act</p>
MOTION 24	BY-LAW MINOR RENOVATIONS	<p>(a) SPECIALLY RESOLVED THAT the owners corporation <i>specially resolve</i> to make an additional by-law in the following terms:</p> <p><u>SPECIAL BY-LAW</u></p> <ul style="list-style-type: none"> i. The owners corporation by resolution in general meeting may delegate to the strata committee, generally or in a particular case or cases, its functions of giving and withholding approval of minor renovations (for the purposes of s.110 of the <i>Strata Schemes Management Act 2015</i>) and of imposing conditions on such approval. ii. The owners corporation in like manner may revoke any such delegation. iii. The owners corporation may continue to exercise its functions under s.110 of the Act, despite any such delegation. <p>(b) That the strata manager be instructed to arrange registration of the by-law.</p>	<p>Sections 110 & 141 of the Act.</p>
MOTION 25	MINOR RENOVATION ANNUAL AUTHORITY	<p>RESOLVED THAT, subject to the registration of the by-law, the functions of the owners corporation under s.110 of the <i>Strata Schemes Management Act 2015</i> be delegated to the strata committee.</p>	<p>Section 110 of the Act</p>

MOTION 26	BY LAW CONSOLIDATION	RESOLVED THAT the owner's corporation instructs the strata managing agent to engage Le Page Lawyers to review & consolidate the current by-laws of the scheme, in accordance with Section 141 of the Strata Schemes Management Act 2015 NSW.	Section 141 of the Act
MOTION 27	NEXT MEETING	RESOLVED THAT the next annual general meeting be held a date to be advised.	
	CLOSURE	There being no further business the meeting closed at 11.25 a.m.	

NOTICE DATE: 16 October 2019



SITE PLAN No. 1
No. 43 LAWSON STREET,
26.8.20.
LAWSON STREET

Scale 1:1000 = 1.5m.



LAWSON STREET

Proposed Residential Parking

S.P. 16094

711m²

REVERSE
PARKING
ONLY

REVERSE
PARKING
ONLY

GAUCHES

TOP OF ROAD PARADEY 14.14 M

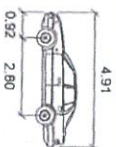
3 STOREY
REAR BUILDING
NORTH POINT ADVISORY
FLOOR LEVEL R.L. 4.40
MAIN READY APARTMENTS
NO

PROPOSED
SALES
DISPLAY

TOP OF ROAD PARADEY 14.14 M

BACK
LETTER BOX

Proposed Visitor Parking



AS B85

meters

Width : 1.94
Track : 1.84
Lock to Lock Time : 6.0
Steering Angle : 28.9

VEHICLE SWEPT PATH ENVELOPE

VEHICLE BODY CLEARANCE (bottom)

CLIENT

METROCORP PROJECTS PTY LTD

DESIGNED

NORTHPOINT ADVISORY

BASE PROVIDED BY:

PROVIDED BY CLIENT

DRAWING TITLE:

PROPOSED RECONFIGURATION OF RESIDENTIAL PARKING
B85 SWEPT PATH ENTERING (REVERSE) RHS VISITOR PARKING

ADDRESS: 43 Lawson Street, Byron Bay, 2481 NSW
Council: Byron Shire Council

PROJECT REFERENCE:

081020

DRAWING NO.

003

REV

1

CLIENT

METROCORP PROJECTS PTY LTD

DESIGNED

NORTHPOINT ADVISORY

BASE PROVIDED BY:

PROVIDED BY CLIENT

DRAWING TITLE:

PROPOSED RECONFIGURATION OF RESIDENTIAL PARKING
B85 SWEPT PATH ENTERING (REVERSE) RHS VISITOR PARKING

ADDRESS: 43 Lawson Street, Byron Bay, 2481 NSW
Council: Byron Shire Council

PROJECT REFERENCE:

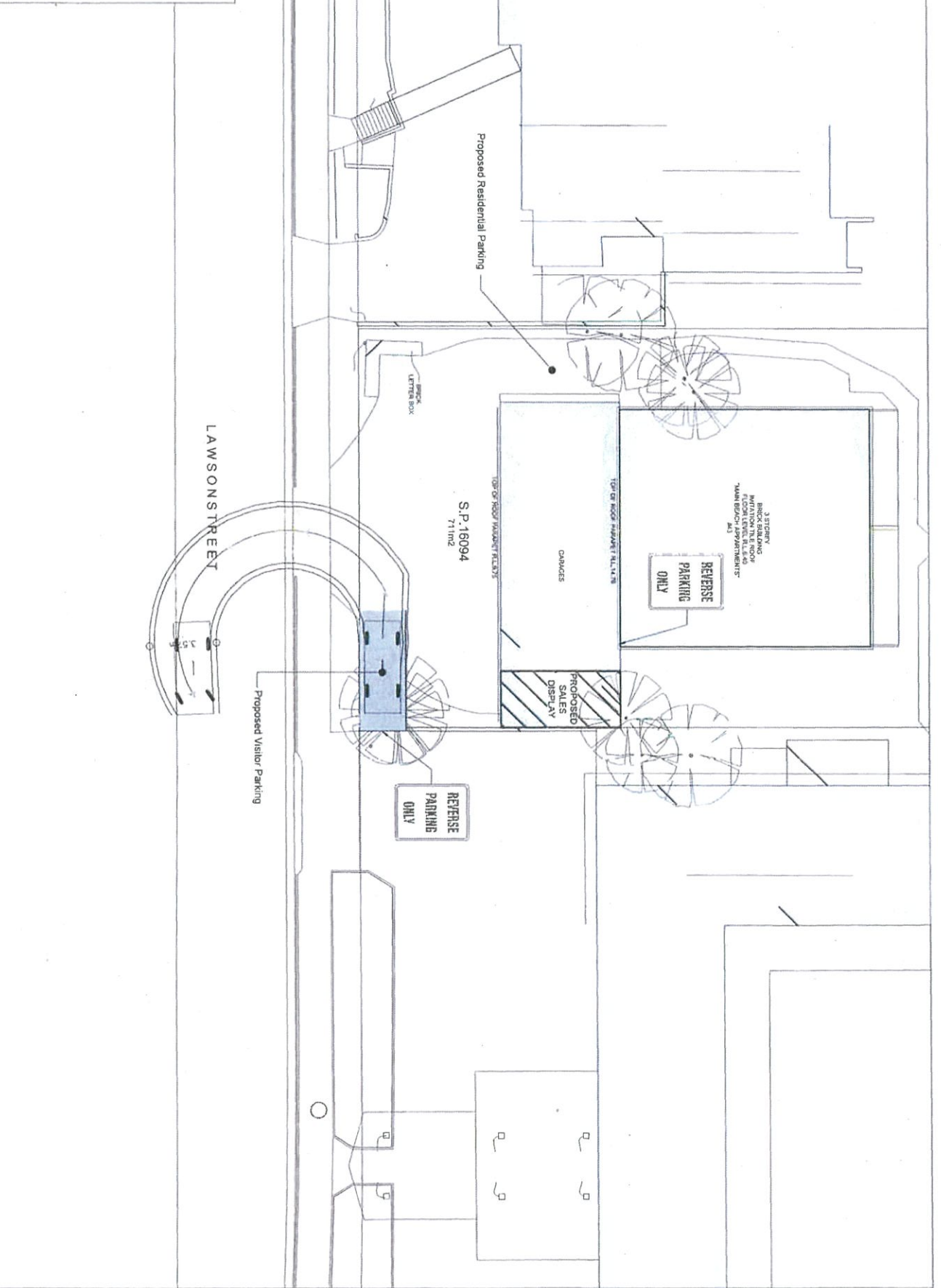
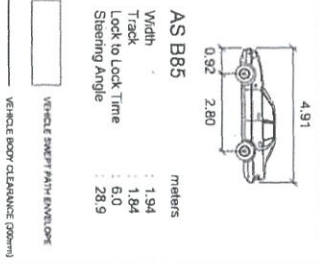
081020

DRAWING NO.

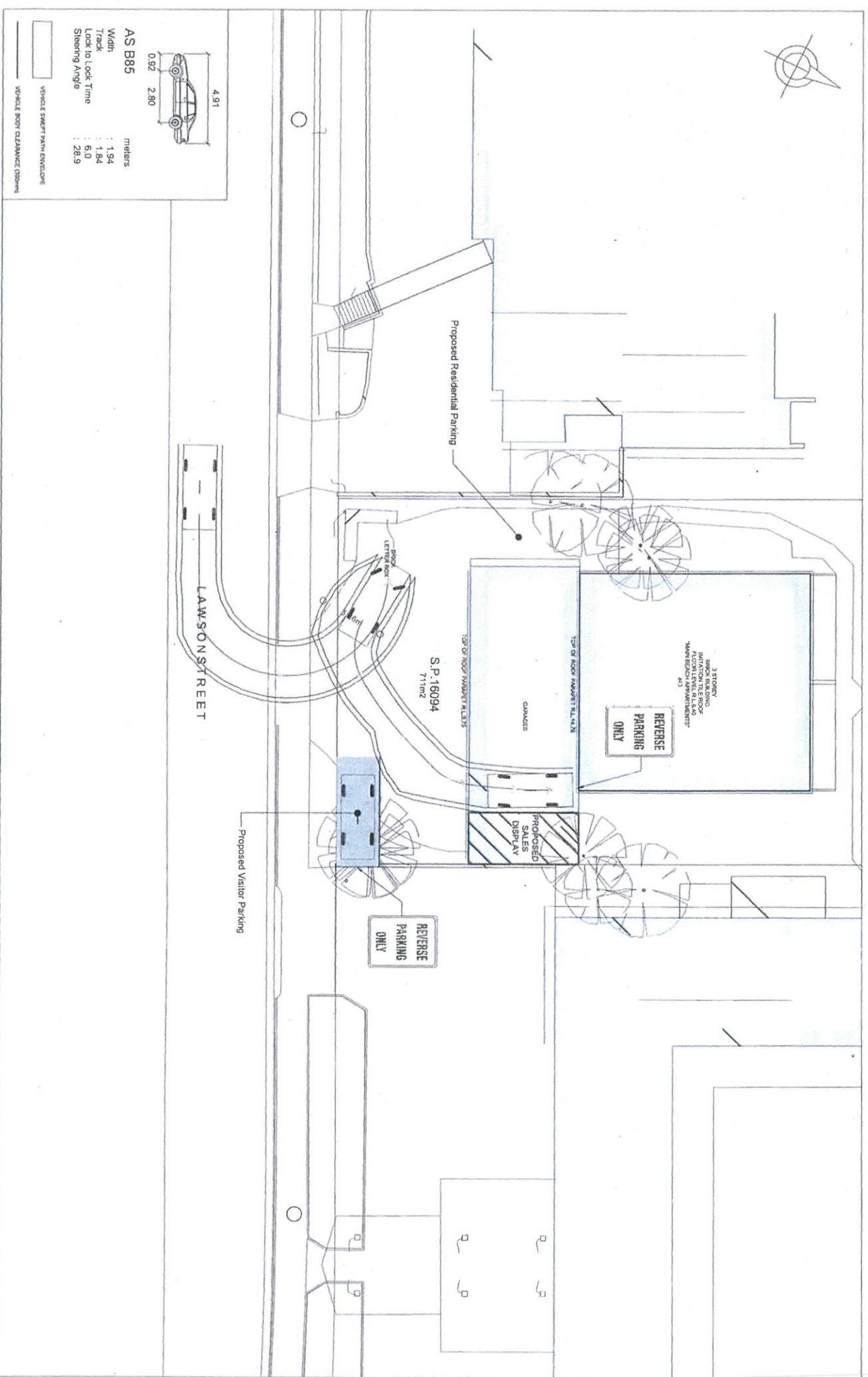
003

REV

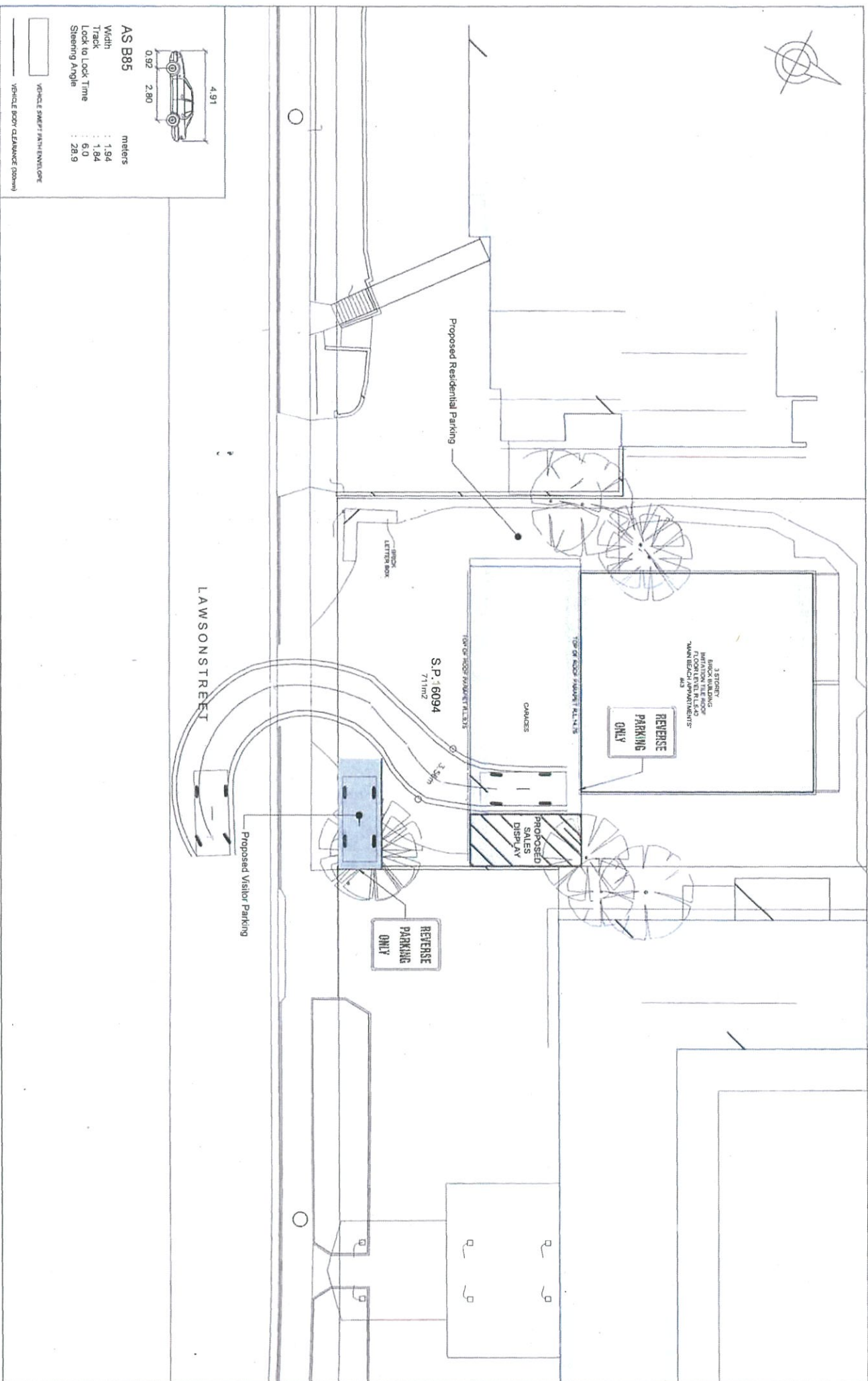
1



CLIENT		DESIGNED BY		BASE PROVIDED BY		DRAWING TITLE		PROJECT REFERENCE	
METROCORP PROJECTS PTY LTD		NORTHPOINT ADVISORY		PROVIDED BY CLIENT		PROPOSED RECONFIGURATION OF RESIDENTIAL PARKING		08/10/20	
SCALE BAR		DESIGN CHECK		SCALE		NORTHPOINT		DRAWING NO.	
		NORTHPOINT ADVISORY		1:100 @ A3		PROPOSED RECONFIGURATION OF RESIDENTIAL PARKING		REV.	
		NORTHPOINT ADVISORY		DATE		ADDRESS: 43 Lawson Street, Byron Bay, 2481 NSW		004	
		NORTHPOINT ADVISORY		08/10/20		Council: Byron Shire Council		1	
B85 SWEPT PATH EXITING RHS VISITOR PARKING		NAME		DATE					
NO.		REV							



CLIENT		DESIGNED BY		BASE PROVIDED BY:		DRAWING TITLE		PROJECT REFERENCE:	
METROCORP PROJECTS PTY LTD		NORTHPOINT ADVISORY		PROVIDED BY CLIENT		NORTH POINT		081020	
SCALE BAR		DESIGN CHECK		SCALE		PROPOSED RECONFIGURATION OF RESIDENTIAL PARKING		DRAWING NO.	
		NORTHPOINT ADVISORY		1:100 @ A3		B85 SWEEP PATH ENTERING (REVERSE) EXISTING RPS PARKING		REV.	
		DRAWN:		DATE:		ADDRESS: 43 Lawson Street, Byron Bay, 2481 NSW		005	
		NORTHPOINT ADVISORY		08/10/20		Council: Byron Shire Council		1	
B85 SWEEP PATH ENTERING EXISTING RPS PARKING		DATE		REV					
NAME									
NO									



CLIENT		DESIGNED BY		BASE PROVIDED BY		DRAWING TITLE		PROJECT REFERENCE	
METROCORP PROJECTS PTY LTD		NORTHPOINT ADVISORY		P-ROVIDED BY CLIENT		NORTHPOINT		08/10/20	
SCALE BAR		DESIGN CHECK: NORTHPOINT ADVISORY		SCALE: 1:100 @ A3		PROPOSED RECONFIGURATION OF RESIDENTIAL PARKING		DRAWING NO. 006	
		DRAWN: NORTHPOINT ADVISORY		DATE: 09/10/20		ADDRESS: 43 Lawson Street, Byron Bay, 2481 NSW		REV. 1	
		DRAWN CHECK: NORTHPOINT ADVISORY				Council: Byron Shire Council			
001 B85 SWEEP PATH EXISTING EXISTING RHS PARKING		DATE: 09/10/20							
NAME		DATE		REV					

The Owners – Strata Plan No. 16094
Main Beach Apartments

LOT 4

WANSTEAD INVESTMENT COY. PTY. LTD.
A.C.N. 010 540 388

The meeting will be held on Friday 20th November 2020 at 9:00am.

Your attendance is not required

PLEASE RETURN THIS FORM TO susan.clulow@strataplus.com.au

By completing this voting paper you do not have to attend the meeting in person.

- ✓ To record your vote for each of the motions being considered please place a tick to indicate whether you are FOR or AGAINST the motion.
- ✓ You must return the completed Voting Paper at least 24 hours prior to the start of the meeting.
- ✓ The closing date is Thursday 19th November 2020 – 9:00am

In accordance with Regulation 15 of the Strata Schemes Management Regulation 2016, I cast my vote for the meeting specified above as follows:-

MOTION 1	CONFIRMATION OF MINUTES	FOR	<input checked="" type="checkbox"/>	AGAINST	<input type="checkbox"/>
MOTION 2	DEVELOPMENT CONSENT <i>Special resolution</i>	FOR	<input type="checkbox"/>	AGAINST	<input checked="" type="checkbox"/>

Given that the motion is to be determined wholly by electronic voting, the motions cannot be amended at the meeting.

NAME(S)	WANSTEAD INVESTMENT COY. PTY. LTD. A.C.N. 010 540 388 DIRECTOR		LOT NO.
DATE	7 November 2020		4
CAPACITY	OWNER / COMPANY NOMINEE / MORTGAGEE / COVENANT CHARGE * clearly select one only		

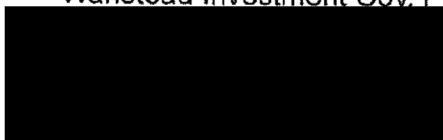
STRATA
PLUS...

Return undelivered mail only to:
GPO Box 9998
In your capital city



037 R 11
575607320

Wanstead Investment Cov. Pty Ltd.



Docherty, Patricia

From: [REDACTED]
Sent: Sunday, 22 November 2020 3:25 PM
To: [REDACTED]
Cc: Larkin, Chris; Larkin, Chris
Subject: RE: Request for a copy of the files for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]

Thank you for our previous discussions and assistance.

I confirm that we act for, and I am a director of, **Wanstead investment Coy. Pty Limited ("Wanstead")**, the owner of **Lot 4 in Strata Plan 16094** having its street address as 43 Lawson Street Byron Bay.

My family company has owned this apartment since 1990.

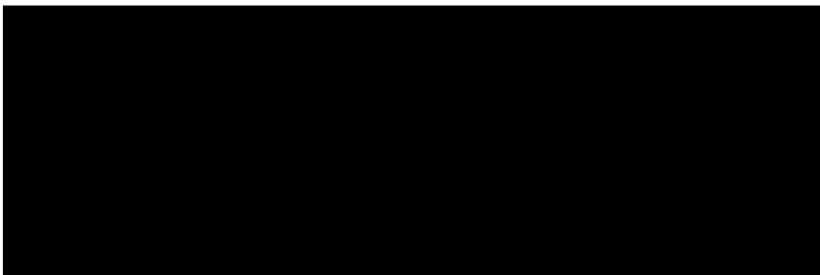
Request for documents - Pursuant to the Government Information (Public Access) Act 2009, would you please provide me with a copy of the councils complete file for Development application the above DA and modification DA, including any meeting notes or correspondence, phone calls and anything comprising the file leading to the approval. I think ultimately I will need to provide a copy of the file to the court if the developer seeks to try and establish the validity of the DA 10.2014.417 which was obtained without the knowledge or consent of Wanstead.

I also request that those associated with that DA application and the modification be prosecuted by the council for making misleading statements to the council and making the DA application without the consent of all owners. The Purported Strata owners consent was also not obtained and the signatories to that consent had no authority to do so, in the same was that the modification application purported to have the starta owners corporation's consent when clearly it did not. MP Management has never represented Wanstead. That company has never been our letter agent and it never managed Wanstead's unit. Wanstead's unit has ben managed by Raine & Horne at Byron Bay. Before they were appointed, it was Ray White.

Wanstead treats what has occurred very seriously.

I note you have requested copies of the owners consents. There will be no consent from Wanstead, unless they are forgeries. The Strata owners consents were invalid. Please provide us with a copy of Wanstead's written consent to the two DA applications.

Kind regards,



Follow us on LinkedIn 

Member of Ally Law, a global network of law firms across more than 40 countries.

WARNING: As hacking events are occurring more frequently, please DO NOT act on any communication (from the writer, [REDACTED] that asks you to transfer or deposit money without first telephoning the writer to confirm the authenticity of the request for money and the account details provided.

Liability limited by a scheme approved under Professional Standards Legislation.

IMPORTANT - This communication is confidential and may be privileged. Privilege is not waived if this communication is misdirected or distributed. If received in error, please contact us and destroy all copies.

Docherty, Patricia

From: [REDACTED]
Sent: Monday, 14 December 2020 12:35 PM
To: Docherty, Patricia; Larkin, Chris
Cc: Larkin, Chris
Subject: RE: Request for a copy of the files for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]
Attachments: 2020 - Email + Voting paper GM 14.12.2020 Lot 4 Main Beach Apartments.pdf; 2020 - Notice GM 14.12.2020 to Ratify 2014 _Consent_.pdf; 2020 - Minutes GM 20.11.2020 Main beach Apts.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi Patricia,

I rang and left a message. I was wondering if you could send a pdf copy of the informal GIPA access form as the link you sent did not appear to work.

I have also attached a copy of the minutes of the 20.11.2020 general meeting (Wanstead voted against motion 2) and the Notice of general meeting that presumably took place this morning as well as a copy of Wanstead's voting paper.

All these recent Owners Corporation General meetings only go to show the developers did not have the required Owners Corporation consent when the two Da's were lodged in 2014 and 2020(Modification) and they seek to ratify consents they never had at time of lodgement. They did not have all the individual lot owners consents back then, or now, either. I say this because Wanstead has never given its consent in 2014 or to the more recent 2020 modification application. As I understand the position the 2014 DA expires tomorrow. The modification application, as I understand the position, will not be granted.

Please let me know the status with the DA's when you have a moment.

Kind regards,

Follow us on LinkedIn 

Our offices will be closed from 5pm Thursday 24 December and reopening 8.30am Monday 11 January 2021.

Member of Ally Law, a global network of law firms across more than 40 countries.

WARNING: As hacking events are occurring more frequently, please DO NOT act on any communication (from the writer, [REDACTED] that asks you to transfer or deposit money without first telephoning the writer to confirm the authenticity of the request for money and the account details provided.

From: Docherty, Patricia <pdocherty@byron.nsw.gov.au>
Sent: Monday, 23 November 2020 3:34 PM
To: [REDACTED]; Larkin, Chris <clarkin@byron.nsw.gov.au>
Cc: Larkin, Chris <clarkin@byron.nsw.gov.au>
Subject: RE: Request for a copy of the files for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]
Importance: High

[REDACTED]

I have escalated this with my manager and await a response. I can advise that Council will not approve S4.55 modification 10.2014.417.2 without full and proper owner's consent. At this stage as you would expect this is not forthcoming and now that the 20 November date for the proposed meeting of the body corporate has lapsed with no resolution the only outcome is for the modification application to be refused.

The request for all details pertaining to the applications 10.2014.417.1 / 10.2014.417.2 would be provided by Council's records department. I need you to complete and sign the informal GIPA access form requesting the full documents and I can send that request to our Records department to handle for you. I already have your ASIC certificate etc. The form is available here:

<https://www.byron.nsw.gov.au/files/assets/public/hptrim/information-management-access-requests-informal-f14-access-to-information-applications-2012/dm984948-gipa-informal-access-application-form.pdf>

Regards,

Patricia Docherty
Byron Shire Council | P: 02 6626 7035

CONTACTING YOUR PLANNER If you have any questions regarding an application that I am currently assessing, I can be contacted by phone to discuss. Please note the contact details and availability below:

Patricia Docherty – Availability between 10am – 12 noon

From: [REDACTED]
Sent: Sunday, 22 November 2020 3:25 PM
To: [REDACTED] Docherty, Patricia <pdocherty@byron.nsw.gov.au>
Cc: Larkin, Chris <clarkin@byron.nsw.gov.au>; Larkin, Chris <clarkin@byron.nsw.gov.au>
Subject: RE: Request for a copy of the files for DA10.2014.417.1 lodged 18.07.2014 and DA Modification 10.2014.417.2 lodged 17.09.2020 [TM-MATTER.FID625942]

Thank you for our previous discussions and assistance.

I confirm that we act for, and I am a director of, **Wanstead investment Coy. Pty Limited ("Wanstead")**, the owner of **Lot 4 in Strata Plan 16094** having its street address as 43 Lawson Street Byron Bay.

My family company has owned this apartment since 1990.

Request for documents - Pursuant to the Government Information (Public Access) Act 2009, would you please provide me with a copy of the councils complete file for Development application the above DA and modification DA, including any meeting notes or correspondence, phone calls and anything comprising the file leading to the approval. I think ultimately I will need to provide a copy of the file to the court if the developer seeks to try and establish the validity of the DA 10.2014.417 which was obtained without the knowledge or consent of Wanstead.

I also request that those associated with that DA application and the modification be prosecuted by the council for making misleading statements to the council and making the DA application without the consent of all owners. The Purported Strata owners consent was also not obtained and the signatories to that consent had no authority to do so, in the same was that the modification application purported to have the strata owners corporation's consent when clearly it did not. MP Management has never represented Wanstead. That company has never been our letter agent and it never managed Wanstead's unit. Wanstead's unit has ben managed by Raine & Horne at Byron Bay. Before they were appointed, it was Ray White.

Wanstead treats what has occurred very seriously.

I note you have requested copies of the owners consents. There will be no consent from Wanstead, unless they are forgeries. The Strata owners consents were invalid. Please provide us with a copy of Wanstead's written consent to the two DA applications.

Kind regards,



Member of Ally Law, a global network of law firms across more than 40 countries.

WARNING: As hacking events are occurring more frequently, please DO NOT act on any communication (from the writer [redacted] that asks you to transfer or deposit money without first telephoning the writer to confirm the authenticity of the request for money and the account details provided.

Liability limited by a scheme approved under Professional Standards Legislation.

IMPORTANT - This communication is confidential and may be privileged. Privilege is not waived if this communication is misdirected or distributed. If received in error, please contact us and destroy all copies.

Liability limited by a scheme approved under Professional Standards Legislation.

IMPORTANT - This communication is confidential and may be privileged. Privilege is not waived if this communication is misdirected or distributed. If received in error, please contact us and destroy all copies.

[REDACTED]

From: [REDACTED]
Sent: Sunday, 13 December 2020 1:46 PM
To: 'Susan Clulow'
Subject: SP 16094 Main Beach Apartments lot 4 voting paper [TM-MATTER.FID625942]
Attachments: 2020 - Voting Paper GM 14.12.2020 Lot4 SP 16094 Main Beach Apts.pdf

Dear Susan,

Attached is the voting paper for Lot 4.

Wanstead is voting against the motions as they are false and dishonest. Motion 2(c) is a statement that the Owners Corporation did consent to the making of the 15 July 2014 DA. All of these resolutions purport to acknowledge and / or ratify matters that did not in fact occur and Wanstead disassociates itself from this attempt to legitimise something that did not occur. You know these resolutions to be false . The Owners Corporation never gave its consent to that 2014 DA.

Wanstead reserves its rights against Strat Plus and the other owners for putting forward motions that attempt to legitimise something that did not occur.

Please acknowledge receipt of this voting paper.

Kind regards,

[REDACTED]

Follow us on LinkedIn 

Our offices will be closed from 5pm Thursday 24 December and reopening 8.30am Monday 11 January 2021.

Member of Ally Law, a global network of law firms across more than 40 countries.

WARNING: As hacking events are occurring more frequently, please DO NOT act on any communication ([REDACTED] otherwise) that asks you to transfer or deposit money without first telephoning the writer to confirm the authenticity of the request for money and the account details provided.

LOT 4
SP 16094.

STRATA
PLUS

PRE MEETING ELECTRONIC VOTING PAPER

The Owners – Strata Plan No. 16094
Main Beach Apartments

DATE Monday 14th December 2020

TIME 9:00am

The meeting will be held via completion of voting paper to be returned at least 24 hours prior to meeting time.

Your attendance is not required

PLEASE RETURN THIS FORM TO susan.clulow@strataplus.com.au

By completing this voting paper you do not have to attend the meeting in person.

- ✓ To record your vote for each of the motions being considered please place a tick to indicate whether you are FOR or AGAINST the motion.
- ✓ You must return the completed Voting Paper at least 24 hours prior to the start of the meeting.
- ✓ The closing date is Sunday 13th December 2020 – 9:00am

In accordance with Clause 14(1) of the Strata Schemes Management Regulation 2016, I cast my vote for the meeting specified above as follows:-

MOTION 1	CONFIRMATION OF MINUTES	FOR <input type="checkbox"/>	AGAINST <input checked="" type="checkbox"/>
MOTION 2	DEVELOPMENT CONSENT <i>Special resolution</i>	FOR <input type="checkbox"/>	AGAINST <input checked="" type="checkbox"/>

Given that the motion is to be determined wholly by electronic voting, the motions cannot be amended at the meeting.

WANSTEAD INVESTMENT COY. PTY. LTD.
A.C.N. 010 540 888

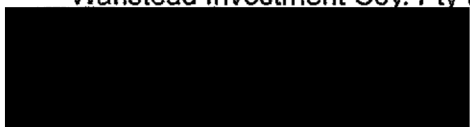
NAME(S)	[REDACTED] Director [REDACTED]	LOT NO.
DATE	13 December 2020 (DIR)	4
CAPACITY	OWNER COMPANY NOMINEE / MORTGAGEE / COVENANT CHARGE * clearly select one only	

STRATA
PLUS.

Return undelivered mail only to:
GPO Box 8898
In your capital city

037 P 7
590602538

Wanstead Investment Coy. Pty Ltd.



CONTENTS

Meeting Notice
Statutory information
Motions for consideration
Previous general meeting minutes
Additional supporting documents
Pre Meeting Electronic Voting Paper

INFORMATION

Types of resolutions

Motions requiring special resolution or unanimous resolution will be clearly stated. All other resolutions are by a simple majority of votes cast.

A *special resolution* means that not more than one-quarter of votes cast have voted against. The value of the vote is based in the unit of entitlement.

A *unanimous resolution* means that no vote has been cast against. Owners do not need to be financial in order to vote for a unanimous resolution.

Tenants

Registered tenants are entitled to attend but not entitled to vote. Tenants may only address the meeting if there is a resolution giving them the authority to do so. The owners corporation can determine at any time during the AGM that the tenants are not to be present when discussing financial matters.

Definitions

Act means the Strata Schemes Management Act 2015 (NSW)

Managing agent means the duly appointed strata managing agent pursuant to Section 49 of the Act.

Motion means a motion submitted for consideration by the owners corporation. It can be made by an owner, or any person entitled to vote, via a written notice which sets out the required motion, names the person, and provides an explanation of not more than 300 words.

Registered Tenant means a tenant notified and listed on the Strata Roll of the owners corporation in accordance with Section 258 of the Act.

Regulations means the Strata Schemes Management Regulation 2016 (NSW)

STATUTORY INFORMATION

PERSONS ENTITLED TO VOTE AT GENERAL MEETINGS

(Clauses 8, 23 & 24 of Schedule 1 of the Act)

Each owner, and each person entitled to a priority vote, has voting rights that may be exercised at a general meeting of the owners corporation, but only if the owner or person is recorded in the strata roll and, in the case of a corporation, the company nominee is recorded in the strata roll.

Voting may be exercised in person or by proxy. If the owner is a corporation, voting may be exercised only by the company nominee in person, or by a proxy appointed by the corporation.

- ✓ If you are the company nominee and unsure whether you are recorded on the strata roll, then call the office to check or execute and return the enclosed company nominee form prior to the meeting.

NOTICE OF GENERAL MEETING

Section 18 & Schedule 1 of Strata Schemes Management Act 2015 (NSW)

TO The Owners – Strata Plan No. 16094
Main Beach Apartments
43 Lawson Street, Byron Bay

DATE Monday 14th December 2020
TIME 9.00am

*Re: mail
Friday 27/11/2020
J.*

The meeting will be held via completion of attached voting paper

Your attendance is not required

All motions are to be voted via Pre-meeting electronic voting only and in accordance regulation 15 of The Strata Schemes Management Regulation 2016.

Please complete and return the attached voting paper to susan.clulow@strataplus.com.au no later than 24 hours before the meeting.

AGENDA

- (a) Preliminaries
 - a. recording of electronic votes
 - b. receipt of persons entitled to vote
 - c. determination of a quorum
- (b) Opening
 - a. confirming chairperson
 - b. commencement time
- (c) Recording of Electronic votes
- (d) Closure

Should you have any queries regarding this notice of meeting or any of the items contained within, please contact our office prior to the meeting on 07 5508 5888.

Your Strata Manager is Susan Clulow (email: susan.clulow@strataplus.com.au)

NOTICE DATE: 23 November 2020

Priority vote

A vote at a meeting by the owner of a lot does not count if a priority vote in respect of the lot is cast in relation to the same matter. A priority vote has no effect however, unless at least 2 days' written notice of intention to exercise the priority vote at the particular meeting has been given to the owner of the lot.

Essentially, this means that an owners vote does not count if a vote is cast on the same motion by:

- (a) The mortgagee shown on the strata roll for the lot
- (b) The covenant chargee shown on the strata roll for the lot
- (c) In the case of multiple mortgagees or covenant charges, the priority mortgagee or chargee shown on the strata roll.

Voting eligibility & financial status

A vote at a general meeting by an owner of a lot or a person with a priority vote in respect of a lot will not count (other than on a motion requiring a unanimous resolution) unless payment has been made before the meeting of all contributions levied on the owner, and any other amounts recoverable from the owner, in relation to the lot that are owing.

- (a) These contributions and amounts recoverable must be paid in full prior to the meeting. "Payment" means that cleared funds must be in the owners corporation's bank account before the meeting. Cash, bank cheques, personal cheques or copies of post office receipts (or the like) will *not* be accepted on the day of the meeting.

QUORUM

(Clause 17 of Schedule 1 of the Act)

A motion submitted at a general meeting of an owners corporation must not be considered, and an election of the strata committee must not be held, unless there is a quorum present to consider and vote on the motion or on the election.

There is a quorum for considering and voting on such a motion or at such an election only if:

- (a) at least one-quarter of the number of persons entitled to vote is present, either personally or by duly appointed proxy, or
- (b) at least one-quarter of the aggregate unit entitlement of the strata scheme is represented by the persons who are present and entitled to vote, either personally or by duly appointed proxy.
- (c) If there is more than one owner in the strata scheme and the quorum calculated is less than 2 persons, the quorum is 2 persons entitled to vote on the motion or at the election of the executive committee.

A person who has voted, or intends to vote, on a motion or an election at a meeting, by permitted mean other than a vote in person is taken to be present for the purpose of determining whether the quorum exists.

If no quorum

If a quorum is not present within the next half-hour after the relevant motion or business arises for consideration at the meeting, then the chairperson *must* either:

- (A) Adjourn the meeting for at least 7 days, or
- (B) Declare that those present constitutes a quorum.

If a quorum is not present within the next half-hour after the time fixed for the adjourned meeting, the persons present personally or by duly appointed proxy and entitled to vote constitute a quorum for considering that motion or business.

ADJOURNMENTS

(Clause 20 of Schedule 1 of the Act)

A general meeting of an owners corporation may be adjourned for any reason if a motion is passed at the meeting for the adjournment.

If a general meeting of the owners corporation is adjourned (including where the meeting is adjourned due to a lack of quorum):

- (a) the time and place at which the adjourned meeting is to be resumed must be fixed by the person who was presiding at the meeting or, in the case of a meeting that is adjourned due to lack of a quorum, by the person who would have presided at the meeting, and
 - (a) notice of that time and place must be served by the secretary on the members of the owners corporation at least 1 day prior to the meeting.

MOTIONS FOR CONSIDERATION

CONFIRMATION OF RECORDS			
MOTION 1	CONFIRMATION OF MINUTES	THAT the minutes of the last general meeting of the Owners Corporation held 20 November 2020 be confirmed as a true and accurate record of that meeting.	Clause 8 (1) of Schedule 1 of the Act
MOTION 2	DEVELOPMENT CONSENT <i>Special resolution</i>	<p><i>(Proposed by Lot 1 & 3)</i></p> <p>THAT the Owners Corporation – Strata Plan 16094 <i>specially resolve</i>, pursuant to section 108 of the Strata Schemes Management Act 2015 and the provisions of the Strata Development Act 2015:</p> <ul style="list-style-type: none"> a) to ratify its consent to the development application dated 15 July 2014 with the Byron Shire Council lodged on its behalf by Dwayne Roberts for the demolition of the building the subject of strata plan 16094 and the construction thereon of a new residential flat building and associated works (Development Application); b) to acknowledge and ratify the authority of M. P. Management (Aust) Pty Ltd and its secretary Prakash Shastri to sign the consent dated 15 July 2014 to the making of the Development Application on behalf of the Owners Corporation; c) to acknowledge that the Owners Corporation did consent to the making of the Development Application; d) to do all such things as may be necessary to enforce the Development Application; e) to making the Development Application; and f) if required, the Body Corporate shall reimburse MP Management in respect of any project and consultant costs incurred in respect of the Development Application, including a project management fee of 10% (plus GST) of the total cost of all consultant fees and other third party project costs incurred in respect of the Development Application. Such reimbursement is to occur within 7 days of the presentation of all paid invoices, together with MP Management project management Invoice. <p><i>Note to motion:</i> Requirement to ratify consent to previous DA by special resolution of the owners corporation, documents relating to this notice are attached.</p>	

NOTICE OF GENERAL MEETING

Section 18 & Schedule 1 of Strata Schemes Management Act 2015 (NSW)

TO The Owners – Strata Plan No. 16094
Main Beach Apartments
43 Lawson Street, Byron Bay

DATE Monday 14th December 2020
TIME 9.00am

Rec'd mail
Friday 27/11/2020
[Signature]

The meeting will be held via completion of attached voting paper

Your attendance is not required

All motions are to be voted via Pre-meeting electronic voting only and in accordance regulation 15 of The Strata Schemes Management Regulation 2016.

Please complete and return the attached voting paper to susan.clulow@strataplus.com.au no later than 24 hours before the meeting.

AGENDA

- (a) Preliminaries
 - a. recording of electronic votes
 - b. receipt of persons entitled to vote
 - c. determination of a quorum
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- (c) Recording of Electronic votes
- (d) Closure

Should you have any queries regarding this notice of meeting or any of the items contained within, please contact our office prior to the meeting on 07 5508 5888.

Your Strata Manager is Susan Clulow (email: susan.clulow@strataplus.com.au)

NOTICE DATE: 23 November 2020

CONTENTS

Meeting Notice
Statutory information
Motions for consideration
Previous general meeting minutes
Additional supporting documents
Pre Meeting Electronic Voting Paper

INFORMATION

Types of resolutions

Motions requiring special resolution or unanimous resolution will be clearly stated. All other resolutions are by a simple majority of votes cast.

A *special resolution* means that not more than one-quarter of votes cast have voted against. The value of the vote is based in the unit of entitlement.

A *unanimous resolution* means that no vote has been cast against. Owners do not need to be financial in order to vote for a unanimous resolution.

Tenants

Registered tenants are entitled to attend but not entitled to vote. Tenants may only address the meeting if there is a resolution giving them the authority to do so. The owners corporation can determine at any time during the AGM that the tenants are not to be present when discussing financial matters.

Definitions

Act means the Strata Schemes Management Act 2015 (NSW)

Managing agent means the duly appointed strata managing agent pursuant to Section 49 of the Act.

Motion means a motion submitted for consideration by the owners corporation. It can be made by an owner, or any person entitled to vote, via a written notice which sets out the required motion, names the person, and provides an explanation of not more than 300 words.

Registered Tenant means a tenant notified and listed on the Strata Roll of the owners corporation in accordance with Section 258 of the Act.

Regulations means the Strata Schemes Management Regulation 2016 (NSW)

STATUTORY INFORMATION

PERSONS ENTITLED TO VOTE AT GENERAL MEETINGS

(Clauses 8, 23 & 24 of Schedule 1 of the Act)

Each owner, and each person entitled to a priority vote, has voting rights that may be exercised at a general meeting of the owners corporation, but only if the owner or person is recorded in the strata roll and, in the case of a corporation, the company nominee is recorded in the strata roll.

Voting may be exercised in person or by proxy. If the owner is a corporation, voting may be exercised only by the company nominee in person, or by a proxy appointed by the corporation.

- ✓ If you are the company nominee and unsure whether you are recorded on the strata roll, then call the office to check or execute and return the enclosed company nominee form prior to the meeting.

Priority vote

A vote at a meeting by the owner of a lot does not count if a priority vote in respect of the lot is cast in relation to the same matter. A priority vote has no effect however, unless at least 2 days' written notice of intention to exercise the priority vote at the particular meeting has been given to the owner of the lot.

Essentially, this means that an owners vote does not count if a vote is cast on the same motion by:

- (a) The mortgagee shown on the strata roll for the lot
- (b) The covenant chargee shown on the strata roll for the lot
- (c) In the case of multiple mortgagees or covenant charges, the priority mortgagee or chargee shown on the strata roll.

Voting eligibility & financial status

A vote at a general meeting by an owner of a lot or a person with a priority vote in respect of a lot will not count (other than on a motion requiring a unanimous resolution) unless payment has been made before the meeting of all contributions levied on the owner, and any other amounts recoverable from the owner, in relation to the lot that are owing.

- (a) These contributions and amounts recoverable must be paid in full prior to the meeting. "Payment" means that cleared funds must be in the owners corporation's bank account before the meeting. Cash, bank cheques, personal cheques or copies of post office receipts (or the like) will **not** be accepted on the day of the meeting.

QUORUM

(Clause 17 of Schedule 1 of the Act)

A motion submitted at a general meeting of an owners corporation must not be considered, and an election of the strata committee must not be held, unless there is a quorum present to consider and vote on the motion or on the election.

There is a quorum for considering and voting on such a motion or at such an election only if:

- (a) at least one-quarter of the number of persons entitled to vote is present, either personally or by duly appointed proxy, or
- (b) at least one-quarter of the aggregate unit entitlement of the strata scheme is represented by the persons who are present and entitled to vote, either personally or by duly appointed proxy.
- (c) If there is more than one owner in the strata scheme and the quorum calculated is less than 2 persons, the quorum is 2 persons entitled to vote on the motion or at the election of the executive committee.

A person who has voted, or intends to vote, on a motion or an election at a meeting, by permitted mean other than a vote in person is taken to be present for the purpose of determining whether the quorum exists.

If no quorum

If a quorum is not present within the next half-hour after the relevant motion or business arises for consideration at the meeting, then the chairperson **must** either:

- (A) Adjourn the meeting for at least 7 days, or
- (B) Declare that those present constitutes a quorum.

If a quorum is not present within the next half-hour after the time fixed for the adjourned meeting, the persons present personally or by duly appointed proxy and entitled to vote constitute a quorum for considering that motion or business.

ADJOURNMENTS

(Clause 20 of Schedule 1 of the Act)

A general meeting of an owners corporation may be adjourned for any reason if a motion is passed at the meeting for the adjournment.

If a general meeting of the owners corporation is adjourned (including where the meeting is adjourned due to a lack of quorum):

- (a) the time and place at which the adjourned meeting is to be resumed must be fixed by the person who was presiding at the meeting or, in the case of a meeting that is adjourned due to lack of a quorum, by the person who would have presided at the meeting, and
- (a) notice of that time and place must be served by the secretary on the members of the owners corporation at least 1 day prior to the meeting.

MOTIONS FOR CONSIDERATION

CONFIRMATION OF RECORDS			
MOTION 1	CONFIRMATION OF MINUTES	<p>THAT the minutes of the last general meeting of the Owners Corporation held 20 November 2020 be confirmed as a true and accurate record of that meeting.</p>	<p>Clause 8 (1) of Schedule 1 of the Act</p>
MOTION 2	<p>DEVELOPMENT CONSENT</p> <p><i>Special resolution</i></p>	<p>(Proposed by Lot 1 & 3)</p> <p>THAT the Owners Corporation – Strata Plan 16094 <i>specially resolve</i>, pursuant to section 108 of the Strata Schemes Management Act 2015 and the provisions of the Strata Development Act 2015:</p> <ul style="list-style-type: none"> a) to ratify its consent to the development application dated 15 July 2014 with the Byron Shire Council lodged on its behalf by Dwayne Roberts for the demolition of the building the subject of strata plan 16094 and the construction thereon of a new residential flat building and associated works (Development Application); b) to acknowledge and ratify the authority of M. P. Management (Aust) Pty Ltd and its secretary Prakash Shastri to sign the consent dated 15 July 2014 to the making of the Development Application on behalf of the Owners Corporation; c) to acknowledge that the Owners Corporation did consent to the making of the Development Application; d) to do all such things as may be necessary to enforce the Development Application; e) to making the Development Application; and f) if required, the Body Corporate shall reimburse MP Management in respect of any project and consultant costs incurred in respect of the Development Application, including a project management fee of 10% (plus GST) of the total cost of all consultant fees and other third party project costs incurred in respect of the Development Application. Such reimbursement is to occur within 7 days of the presentation of all paid invoices, together with MP Management project management invoice. <p>Note to motion: Requirement to ratify consent to previous DA by special resolution of the owners corporation, documents relating to this notice are attached.</p>	

MINUTES OF GENERAL MEETING

The Owners – Strata Plan No. 16094
Main Beach Apartments
43 Lawson Street, Byron Bay

DATE, PLACE AND TIME

The notice of business was dealt with by the Owners Corporation
Strata Plan No. 16094, Main Beach Apartments
by pre-meeting electronic voting, on Friday 20th November 2020 at 9:00am.

**DECLARATION OF
VOTING RIGHTS:**

Lot 1 & 3	Metrocorp Projects (Aust) Pty Ltd
Lot 2, 5 & 6	P & S Johnstone
Lot 4	Wanstead Investment Coy. Pty Ltd

MINUTES

CONFIRMATION OF RECORDS		
MOTION 1	MINUTES	RESOLVED that the minutes of the last general meeting of the owners corporation of 15 th October 2019 be confirmed as a true record and account of the proceedings at that meeting.
MOTION 2	DEVELOPMENT CONSENT <i>Special resolution</i>	<p>(Proposed by Lot 1 & 3)</p> <p>THAT the Owners Corporation – Strata Plan 16094 SPECIALLY RESOLVED, pursuant to section 108 of the Strata Schemes Management Act 2015 and the provisions of the Strata Development Act 2015, consent is granted for the works outlined (and associated with) in the following documents attached to this notice:</p> <ol style="list-style-type: none">1. Site Plan 1 prepared by Northpoint Advisory and dated 26.8.2020 (except where varied by the swept paths plan referred to below);2. Site Plan 2 prepared by Northpoint Advisory and dated 26.8.2020 (except where varied by the swept paths plan referred to below);3. Plan titled 20201008 Swept Paths, prepared by Northpoint Advisory and dated 8.10.2020; and4. Any and all further plans and descriptions as submitted (ie Mod Report as Submitted) with the permission and acting with the authority of the owners corporation, by Northpoint Advisory in support of the application for approval of the works.
CLOSURE		There being no further business the chairperson declared the meeting closed at 9.30am.



MP MANAGEMENT (AUST) PTY LTD

15 July 2014

BYRON SHIRE COUNCIL
Po Box 219
Mullumbimby NSW 2482
DX 200007

(02) 6626 7000 (P)
(02) 6684 3018 (F)
council@byron.nsw.gov.au
ABN: 14 472 131 473

Re: Development Application – 43 Lawson Street, Byron Bay, NSW

Dear Sir/Madam,

We act as Property Managers on behalf of the unit owners at 43 Lawson Street, Byron Bay.

The owners have authorised us to submit the attached development application for a new apartment development on the property.

Please contact the undersigned should you have any queries.

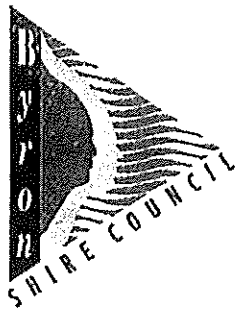
Your faithfully,
MP Management (Aust) Pty Ltd

Mr Prakash Shastri
Company Secretary

PROJECT DEVELOPMENT • INVESTMENT • MANAGEMENT
M.P. MANAGEMENT (AUST) PTY LTD ACN 069 812 424 • EMAIL: admin@mpaust.com.au

ADELAIDE OFFICE
TELEPHONE: +61 8 8373 2023 • FACSIMILE: +61 8 8373 2206
CORRESPONDENCE
LEVEL 1 • 162 GREENHILL ROAD
PARKSIDE • SOUTH AUSTRALIA • 5063

BRISBANE OFFICE
TELEPHONE: +61 7 3852 3305 • FACSIMILE: +61 7 3852 6251
CORRESPONDENCE
PO BOX 2225 • ASCOT
BRISBANE • QUEENSLAND • 4007



BYRON SHIRE COUNCIL PO Box 219 Mullumbimby NSW 2482 DX 20007 MULLUMBIMBY Ph : (02) 6626 7000 Fax: (02) 6684 3018 E-mail: council@byron.nsw.gov.au Web: www.byron.nsw.gov.au	***Office Use Only*** DA No: 10 1 Parcel No(s): Other Apps: CC / W&S / RA / SW / OSMS / OTH (No....) Zoning: Notations: FPL DIP ASS HER BPL HCV PR123 (Precinct:) Date Received...../...../.....
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(June 2012) #755842

Development Application Form

Issued under Section 78A of the Environmental Planning and Assessment Act 1979

Use this form to apply for consent to carry out development. A Development Application Help Guide is available to help you to complete the application. Please place a cross in the relevant boxes ☒ and fill out all appropriate blank Steps. Please ensure you have submitted all relevant information to minimise delays. Once your application has been assessed you will be advised in writing of Council's determination

Step 1 Description of land you propose to develop - See Step 1 of the Help Guide												
Unit No. []	House No. 43	Street Name Lawson	Street Type e.g. St, Rd Street									
Suburb or Town Byron Bay			Postcode 2480									
Lot No. []	DP No. SP16094	Sec No. []	Owner/s []									
Step 2 Details of the applicant/s - See Step 2 of the Help Guide												
Given name Dwayne		Surname / Company Name Roberts										
Given name []		Surname / Company Name D P Roberts Planning Solutions										
Unit No. []	House No. 14	Street Name / PO Box Crane	Street Type e.g. St, Rd Street									
Suburb or Town Ballina		State NSW	Postcode 2478									
Contact name Dwayne		Daytime telephone []	Fax []									
Mobile 0479 072 050		E-mail dprobertsplanning@live.com.au										
Step 3 Describe the development you wish to carry out												
e.g. Dwelling (one storey or two storey), subdivision (number of lots), demolition, boundary adjustment etc See Step 3 of the Help Guide												
Demolition of existing residential flat building and construction of a new residential flat building and associated works.....												
<table border="0"> <tr> <td>Will this work involve?</td> <td><input type="checkbox"/> Subdivision of land</td> <td><input type="checkbox"/> Change of Use – No building works</td> </tr> <tr> <td><input checked="" type="checkbox"/> New construction</td> <td><input checked="" type="checkbox"/> Demolition of existing building</td> <td><input type="checkbox"/> Change of Use – Building works</td> </tr> <tr> <td><input type="checkbox"/> Alterations and/or additions</td> <td><input type="checkbox"/> Relocation of existing building</td> <td><input type="checkbox"/> Other</td> </tr> </table>				Will this work involve?	<input type="checkbox"/> Subdivision of land	<input type="checkbox"/> Change of Use – No building works	<input checked="" type="checkbox"/> New construction	<input checked="" type="checkbox"/> Demolition of existing building	<input type="checkbox"/> Change of Use – Building works	<input type="checkbox"/> Alterations and/or additions	<input type="checkbox"/> Relocation of existing building	<input type="checkbox"/> Other
Will this work involve?	<input type="checkbox"/> Subdivision of land	<input type="checkbox"/> Change of Use – No building works										
<input checked="" type="checkbox"/> New construction	<input checked="" type="checkbox"/> Demolition of existing building	<input type="checkbox"/> Change of Use – Building works										
<input type="checkbox"/> Alterations and/or additions	<input type="checkbox"/> Relocation of existing building	<input type="checkbox"/> Other										
Estimated cost of development , including GST \$ []		Floor area of proposed development (m ²) m ² []										

Step 4 Staged Development Consent

You can apply for development consent for part of your proposal now, and for the remaining part(s) at a later stage. See Step 4 of the Help Guide

Are you applying for development consent in stages?

No ☒ Yes ☐ Please describe stages

Step 5 Other approvals from Council

Your proposed development may require other approvals from Council under the Local Government Act 1993, and/ or the Roads Act, 1993 in addition to this Development Application. Step 5 of the Help Guide explains the requirements, and lists these other approvals.

Applications for the other approvals can be made either as part of this development application or as a separate application. Making a separate application for approval for these activities may delay commencement of your development. You may need to provide additional information with this application if you want to apply for other approvals now. Refer to Step 5 of the Help Guide for a detailed explanation. Further fees apply where any of the approvals below are sought.

Do you want to apply for any other approvals with this application?

No ☒ go to Step 6,
Yes ☐ nominate the required approval/s below and complete the required form – Note additional fees are required

Please tick the appropriate box to nominate the approval sought:

- Roads Act 1993
☐ Roads Act, 1993 (e.g. driveway crossover, roadworks, traffic management plan) (Register 51)
- Local Government Act 1993
☐ Plumbing, water supply, trade waste or sewer drainage (Register 60)
Please complete Attachment A – 'Request for Plumbing, Water Supply, Trade waste or Sewer Drainage'
- ☐ Stormwater - where connected to Council's drainage system or road. (Register 55)
- ☐ Other Local Government Act Approvals - Please Specify.....
- ☐ Onsite Sewage Management System - where your property is not connected to a residential sewage system (Register 70)
Please complete separate Activity(s) Application Form and where the proposal is to install a new system or upgrade an existing system the accompanying Onsite Sewage Management System Design Requirements Details Form is also required to be submitted.

Step 6 Plans of the land and development

You need to provide a number of plans to Council that show what you intend to do. Step 6 of the Help Guide sets out which plans to provide and the details to include. Five sets of plans are to be lodged, they are to be folded to A4 size (not rolled).

Some applications may require additional sets of plans for referrals to State Authorities, eg for Integrated Development – see Steps 8 and 9 of the Help Guide.

Step 7 Environmental effects of your development

To assess your proposal, Council needs to understand the impacts it will have. Depending upon the nature and scale of your proposal, you need to provide one or more of the statements listed below to explain the environmental effects of your proposal. See Step 7 of the Help Guide. If your proposal involves change of use of a building (other than a dwelling house), you need to provide details of existing and proposed fire safety provisions. See Step 7 of the Help Guide.

Is your proposal Designated Development?

Yes ☐ Attach an Environmental Impact Statement (E.I.S.). Please provide 25 copies.
No ☒ Attach a Statement of Environmental Effects (S.E.E.). Please provide 5 copies.

Will your proposal be located on land declared as Critical Habitat, or will it impact on threatened species, populations or ecological communities, or their habitats?

Yes ☐ Attach a Species Impact Statement. Please provide 25 copies
No ☒ Ensure that your S.E.E. includes an Eight Part Test (See Step 7 of the Help Guide).

Will your proposal involve change of use of a building (other than a dwelling house)?

Yes ☐ Attach a list of current and proposed Category 1 fire safety provisions (See Step 7 of the Help Guide).
No ☒

Step 8 BASIX Certificate

The Building Sustainability Index (BASIX) is a web-based planning tool designed to assess the potential performance of residential buildings against a range of sustainability indices. A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves/awnings and wall/ceiling insulation.

You need a BASIX Certificate in Byron Shire local government area when BASIX applies to the type of development for which you require approval. Commencement dates and details of types of development are at www.basix.nsw.gov.au. The applicant is required to submit the BASIX Certificate with the Development Application. The plans and specifications must also identify the BASIX commitments that will be checked by a professional building certifier during construction. Where submitted plans or specifications are inconsistent with the relevant BASIX Certificate, Council requires applicants to submit consistent applications before progressing the assessment process, either by amending plans / specifications or by submitting a new BASIX Certificate with commitments that match the rest of the application.

Applicants can generate the BASIX Certificate only on the NSW Department of Planning BASIX website: www.basix.nsw.gov.au For more information, phone the BASIX Help Line on 1300 650 908.

BASIX Certificate Required ☒

BASIX Certificate Not Required ☐

Step 9 Concurrence from State Agencies

Council may need to obtain the concurrence of a state agency to carry out the development. See Step 9 of the Help Guide.

Is the concurrence or agreement of a State Agency required?

No ☒

Yes ☐

Please list any agencies whose concurrence is needed: *If your application requires concurrence you need to include a cheque made payable to each agency for the applicable fees.*

Step 10 Approvals from State agencies – Integrated Development

If you need development consent and also one or more approvals from State agencies as set out in Attachment C of the Help Guide, your development is known as Integrated Development. The agency will be involved in the assessment of your proposal. See Step 10 of the Help Guide.

Is your application for Integrated Development?

No ☒

Yes ☐

Further information is required, please complete Attachment C of the Help Guide and submit it with your application. *If your application is for integrated development you need to include a cheque made payable to each agency for the applicable fees.*

Please ensure that you have provided:

- sufficient information for the approval body(s) to assess your application. Council can advise you of the additional information required, or who to contact in the relevant State Agency.
- additional copies of your application for each agency.

Step 11 Supporting Information

Please indicate any additional information you are submitting as supporting information with your development application.

☐ Models ☐ Photographs ☐ Slides ☐ Other

Step 12 Construction Certificate

If your proposal involves construction or structural work, you may need a Construction Certificate. You can apply for a Construction Certificate now, or at a later date, either from Council's Local Approvals & Certification Unit or from a Private Certifier. See Step 12 of the Help Guide.

Is a Construction Certificate application to be lodged with Council at the same time as this application?


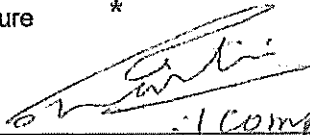
No ☒

Yes ☐

Please complete separate Construction Approval Application form and submit along with appropriate fees and plans / supporting documentation.

Step 13 Privacy Policy

The information you provide in this application will enable your application to be assessed by Council and any relevant state agency. If the information is not provided, Council can refuse the application. Your application will be notified or advertised to the public for comment if the development is Designated Development, Integrated Development or other Advertised Development. Council will also keep the application in a Register that can be viewed by the public at any time. Please contact the Council if the information in your application is incorrect or if it changes. Information collected will be used in accordance with Council's Privacy and Personal Information Management Plan.

Step 14 Signatures of all owner/s	
<p>All owners of the land to be developed must sign the application.</p> <p>If you are not the owner of the land, you must have all the owner/s sign the application. If the land is Crown land, an authorised officer of the Department of Land and Water Conservation must sign the application. You can only sign on behalf of the owner/s if you have power of attorney or a letter of authority.</p> <p>As the owner/s of the above property, I/we consent to this application and consent to the Council, its servants or agents entering upon the property without first having given notice, for the purpose of carrying out all or any inspections which the Council may deem appropriate in connection with the processing of this application.</p>	
Signature *	Signature *
Name	Name
Date	Date
Step 15 Applicants	
<ul style="list-style-type: none"> - Anyone can apply for approval but if the applicant is not the owner of the land, then the owner(s) written consent to lodge the application is required. - <u>All correspondence will be sent to the applicant.</u> It is important to notify Council of any change of address and/or telephone number if this occurs during the processing of the application. - By signing this application, you are acknowledging that you have read the notes and instructions on this form, and have included all the requested information as it applies to this application. - The information provided in this application is required to enable the application to be assessed by Council and any relevant state agencies. The public is entitled to inspect the application and any associated documents. 	
Signature * 	Signature * 
Name Dwayne Roberts	Name PRakash L. S. HASTRI
Date	Date 15/7/14
Step 16 Lodgement Checklist	
<p>Before submitting your application, please ensure that you have attached all the information Council requires to assess your proposal. Please use the relevant accompanying checklist for the particular type of development you propose. There are separate checklists for Dwelling Houses, Dual Occupancy development, Group Housing Development, Commercial Development; Industrial Development; Change of use; Subdivision; and General/ Miscellaneous Development. You will need to complete more than one checklist if your development falls into two or more of those categories.</p>	
Step 17 Political Donations and Gifts	
<p>Please be aware of the statutory obligations to disclose Political Donations and Gifts that may apply to you or associated people if you are lodging a development or s96 application. A failure to meet your obligations is an offence. Links to information and resources on this topic are available from Council's website at http://www.byron.nsw.gov.au/political-donations or from Council. All Political Donations and Gifts Disclosure Statements will be public documents.</p>	
Step 18 Payment options	

Council accepts payments by cash, cheque, money order, eftpos or credit card (Visa and Master only) at Council's administration offices. All cheques are to be made payable to Byron Shire Council. Should you wish to mail your application package to Council and wish to use the credit card facility, please download An Authority to Charge Credit Card form which can be found at www.byron.nsw.gov.au/forms or alternatively enclose a cheque or money order.

Office use only

Advertising Level Required:

☐ Level 0

☐ Level 1

☐ Level 2

☐ Level 3

☐ Level 4

Received by:

Customer Service Officer Name:

Signature Date:

Notes/comments/ additional information required prior to lodgement

.....
.....

STRATA
PLUS..

Return undelivered mail only to:
GPO Box 9898
In your capital city



037 P 7
590602538

Wanstead Investment Coy. Pty Ltd.



Strata Schemes Management Act 2015 (NSW)

MINUTES OF GENERAL MEETING

The Owners – Strata Plan No. 16094
Main Beach Apartments
43 Lawson Street, Byron Bay

DATE, PLACE AND TIME

The notice of business was dealt with by the Owners Corporation
Strata Plan No. 16094, Main Beach Apartments
by pre-meeting electronic voting, on Friday 20th November 2020 at 9:00am.

**DECLARATION OF
VOTING RIGHTS:**

Lot 1 & 3	Metrocorp Projects (Aust) Pty Ltd
Lot 2, 5 & 6	P & S Johnstone
Lot 4	Wanstead Investment Coy. Pty Ltd

MINUTES

CONFIRMATION OF RECORDS		
MOTION 1	MINUTES	RESOLVED that the minutes of the last general meeting of the owners corporation of 15 th October 2019 be confirmed as a true record and account of the proceedings at that meeting.
MOTION 2	DEVELOPMENT CONSENT <i>Special resolution</i>	<i>(Proposed by Lot 1 & 3)</i> THAT the Owners Corporation – Strata Plan 16094 SPECIALLY RESOLVED , pursuant to section 108 of the Strata Schemes Management Act 2015 and the provisions of the Strata Development Act 2015, consent is granted for the works outlined (and associated with) in the following documents attached to this notice: <ol style="list-style-type: none">1. Site Plan 1 prepared by Northpoint Advisory and dated 26.8.2020 (except where varied by the swept paths plan referred to below);2. Site Plan 2 prepared by Northpoint Advisory and dated 26.8.2020 (except where varied by the swept paths plan referred to below);3. Plan titled 20201008 Swept Paths, prepared by Northpoint Advisory and dated 8.10.2020; and4. Any and all further plans and descriptions as submitted (ie Mod Report as Submitted) with the permission and acting with the authority of the owners corporation, by Northpoint Advisory in support of the application for approval of the works.
CLOSURE		There being no further business the chairperson declared the meeting closed at 9.30am.