
**PLEASE TAKE NOTICE THAT THE SPECIAL GENERAL MEETING OF OWNERS OF
DEPOSITED PLAN 270218 – HUNTERFORD ESTATE, OATLANDS
WILL BE HELD IN THE HUNTERFORD ESTATE CLUB HOUSE
ON MONDAY 17TH JULY 2023 COMMENCING AT 7:00 PM**

AGENDA

Note Attendance | Accept proxies and apologies | Determine Quorum

Consider the following motions

MOTIONS

Minutes

1. That the minutes of the previous General Meeting held 27th April 2023 be confirmed and adopted.

Explanatory Note:

The minutes of the last General Meeting, either an Extraordinary or Annual General meeting have been distributed to all owners or are attached to this notice of meeting. This motion confirms the accuracy of the minutes and in the event that the minutes are in error owners can move the minutes be amended.

Swimming Pool Fence

2. That the owners of Deposited Plan 270218 RESOLVE to approve one of the three (3) options to bring the swimming pool fence back into compliance with legislation.

These options are: -

- A) To extend the current fence to 1800mm by installing new 600mm panels on top of the existing fence (which will also necessitate removing all vegetation adjacent to the fence to an absolute maximum height of 600mm in order to comply with the 1200mm non-Climbable barrier height).

This would cost **\$15,226.00** including GST for the new panels and posts and **\$2,860.00** including GST for the vegetation around the fence to be taken back to a maximum height of 600mm.

- B) To replace the current fence by installing completely new fence panels to 1800mm (which will also necessitate removing all vegetation adjacent to the fence to an absolute maximum height of 600mm in order to comply with the 1200mm non-Climbable barrier height).

This would cost **\$26,847.00** including GST for the new panels and posts and **\$2,860.00** including GST for the vegetation around the fence to be taken back to a maximum height of 600mm.

- C) To remove the vegetation along the existing fence surrounding the pool to bring the pool fence back into compliance with the 1200mm Non-Climbable barrier height above solid ground level.

Any new replanting's / remedial work will need to allow a Non-Climbable Exclusion Zone of 900mm width on the outside of the fence and 300mm width on the inside of the fence to comply with legislation.

This would cost **\$2,860.00** including GST for removal of vegetation plus a budget of **\$2,000.00** for remedial work under the direction of the gardening sub-committee.

Association Committee Note:

*It is the unanimous decision of your Association Committee that **Option C** be recommended to the Special General Meeting for implementation.*

Explanatory Note:

On The 14th October 2022 Hunterford Estate received a letter from the City of Parramatta advising that following an inspection on the 31st August 2022 that the community swimming pool is not complying with the Swimming Pool Act 1992 and the required standards. The critical issue is that the hedges and vegetation around the current 1200mm height pool fence do not meet the requirements of there being a barrier height with a minimum of 1200mm above solid ground or a climbable plant or object.

*The **Special General Meeting** has been convened to allow the Community Association to vote on one of 3 options to bring the pool fence back into compliance with legislation.*

Attachments

- 1) Minutes of Hunterford Estate AGM held on 27th April 2023
- 2) Letter from Parramatta City Council dated 14th October 2022
- 3) Quotation from Poolsafe fencing dated 6th June 2023
- 4) Quotation from Skyline Landscape Services dated 22nd May 2023 for removal of vegetation for option C
- 5) Quotation from Skyline Landscape Services dated 16th June 2023 for vegetation to be taken back as required for option A or B

****** *In order for Special Resolution to be passed not more than 25% of owners present or by proxy and eligible to vote (i.e. no arrears of levies) may vote against the motion, calculated in accordance with unit entitlement.*

****** *Should any owner have any questions concerning the accounts accompanying this notice of meeting, please telephone the office prior to the meeting to enable your query to be satisfactorily addressed and to ensure the meeting is not delayed. The budget and levy recommendations however are for discussion at the meeting.*

****** *Should you be unable to attend the meeting please sign and return the attached proxy form for the convenience of the owners attending. If no quorum is achieved at the meeting and the meeting has to be re-held, a fee of \$165.00 as per our management agreement will be charged to the building.*

****** *All levies should be paid to date for your vote to be valid at the meeting.*

STATUTORY INFORMATION
IMPORTANT INFORMATION ABOUT A QUORUM AT A GENERAL MEETING

Community Land Management Act 2021

Quorum:

- (1) Quorum required for motion or election A motion submitted at a meeting must not be considered, and an election must not be held at a meeting, unless there is a quorum present to consider and vote on the motion or on the election.
- (2) When quorum exists A quorum is present at a meeting only in the following circumstances--
 - (a) if not less than one-quarter of the members of the association entitled to vote on the motion or election are present either personally or by duly appointed proxy,
 - (b) if not less than one-quarter of the total unit entitlement of the scheme is represented by the persons who are present either personally or by duly appointed proxy and who are entitled to vote on the motion or election,
 - (c) if there are 2 persons who are present either personally or by duly appointed proxy and who are entitled to vote on the motion or election, in a case where there is more than 1 member of the association and the quorum otherwise calculated under this subclause would be fewer than 2 persons.
- (3) A person who has voted, or intends to vote, on a motion or at an election at a meeting by a permitted means other than a vote in person is taken to be present for the purposes of determining whether there is a quorum.
- (4) Procedure if no quorum If no quorum is present within the next half-hour after the relevant motion or business arises for consideration at the meeting, the chairperson must--
 - (a) adjourn the meeting for at least 7 days, or
 - (b) declare that the persons present either personally or by duly appointed proxy and who are entitled to vote on the motion or election constitute a quorum for considering that motion or business and any subsequent motion or business at the meeting.
- (5) Quorum for adjourned meeting If a quorum is not present within the next half-hour after the time fixed for the adjourned meeting, the persons who are present either personally or by duly appointed proxy and who are entitled to vote on the motion or election constitute a quorum for considering that motion or business and any subsequent motion or business at the meeting.

Who has voting rights?

Division 1 - General rights to vote

22 Persons entitled to vote at general meetings

- (1) Persons who have right to vote Each member of the association, and each person entitled to a priority vote, has voting rights that may be exercised at a general meeting of the association, but only if the member or person is shown on the association roll and, in the case of a corporation, the company nominee is shown on the association roll.
- (2) Exercise of voting rights by subsidiary bodies Voting rights may be exercised at the meeting by a subsidiary body only by proxy.
- (3) Exercise of voting rights by joint first mortgagees or joint covenant chargees Voting rights may be exercised at the meeting by joint first mortgagees or joint covenant chargees only by proxy (who may be one of them) duly appointed by all of them jointly.
- (4) Exercise of voting rights by owner, first mortgagee or covenant chargee The voting rights of an owner or first mortgagee or covenant chargee of a relevant lot (other than a co-owner, mortgagee or covenant chargee) may be exercised--
 - (a) unless the owner, mortgagee or covenant chargee is a corporation--in person or by proxy, or
 - (b) if the owner, mortgagee or covenant chargee is a corporation--by the company nominee in person, or by proxy appointed by the corporation.
- (5) Exercise of voting rights by co-owners to be by proxy The voting rights of co-owners of a relevant lot may not be exercised by them individually but may be exercised--
 - (a) by a proxy (who may be one of them), or
 - (b) as provided by subclause (6).
- (6) Other circumstances in which co-owners may exercise voting rights If, on a vote at a general meeting, the rights of co-owners of a relevant lot are not exercised by a proxy as referred to in subclause (5), 1 of them may act as such a proxy--
 - (a) if the other co-owners are absent or those who are present give their consent, or
 - (b) if paragraph (a) does not apply--if he or she is the owner first named on the association roll as 1 of the co-owners.
- (7) Exercise of voting rights by owners of successive estates in lot If there are owners of successive estates in a relevant lot, only the owner of the first estate may vote at a general meeting.
- (8) Exercise of voting rights where owner holds lot as trustee If the owner of a relevant lot holds it as trustee, a person beneficially entitled may not vote at a general meeting.
- (9) Voting rights cannot be exercised if contributions not paid A vote at a general meeting (other than a vote on a motion requiring a [unanimous resolution](#)) by a member of the association or a person with a priority vote in respect of a member does not count if the member was an unfinancial member at the date notice of the meeting was given and did not pay the amounts owing before the meeting.
- (10) Effect of failure to give association interest notice This [clause](#) does not confer a right to vote on a person deprived of the right by failing to comply with the requirement to give an association interest notice.

23 Priority votes

- (1) **"priority vote"** is a vote cast on a motion by a person whose vote has priority under this [clause](#). A
- (2) A priority vote may be cast on the following motions--
 - (a) a motion that relates to insurance, budgeting or the fixing of a levy,
 - (b) a motion that will require expenditure by the association of an amount that exceeds the amount prescribed by the regulations for the purposes of this [clause](#),
 - (c) a motion that requires a [special resolution](#) or [unanimous resolution](#).
- (3) If a priority vote is cast in relation to a relevant lot, a vote on the same matter by the owner of the lot does not count.

(4) However, a priority vote has no effect 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.

(5) A priority vote may be cast in respect of a relevant lot by--

(a) the mortgagee of the lot under a mortgage shown on the association roll as having priority over any other mortgage, and over any covenant charge, shown on the association roll in relation to the lot, or

(b) the covenant chargee of the lot under a covenant charge shown on the association roll as having priority over any mortgage shown on the roll in relation to the lot, or

(c) the covenant chargee of the lot under a covenant charge shown on the association roll without any mortgage being shown on the roll in relation to the lot.

24 Rights of proxies and limits on votes by proxies

(1) Proxy may demand poll A duly appointed proxy may vote on a show of hands or demand a poll.

(2) Powers of proxies A person duly appointed as a proxy--

(a) if entitled to vote otherwise than as a proxy--may also vote in the person's own right, and

(b) if appointed as proxy for more than 1 person--may vote separately as a proxy in each case.

(3) Proxy cannot vote if person appointing proxy votes A proxy cannot exercise a vote in relation to a matter if the person who appointed the proxy is exercising personally a power to vote on that matter.

(4) Proxy limited by instrument of appointment If the instrument appointing a proxy limits the manner in which the proxy may vote at a meeting, a vote by the proxy that does not observe the limitation is invalid.

(5) No proxy vote pursuant to contract for sale by original owner An original owner or a person [connected](#) with the original owner cannot cast a vote by means of a proxy or power of attorney given by another owner of a relevant lot in the scheme if the proxy or power of attorney was given pursuant to a term of the sale contract for the lot or pursuant to another contract or arrangement that is ancillary or related to the sale contract.

(6) Subclause (5) does not apply to a proxy or power of attorney given by a person to another person [connected](#) with him or her.

(7) Limits on exercise of proxy by facilities manager, on-site residential property manager or managing agent A vote by a proxy who is a facilities manager, a person who exercises the functions of an on-site residential property manager (within the meaning of the [Property and Stock Agents Act 2002](#)) or a managing agent is invalid if it would obtain or assist in obtaining a pecuniary interest for, or confer or assist in conferring any other material benefit on, the proxy.

(8) For the purposes of subclause (7),

"material benefits" include, but are not limited to, the following--

(a) an extension of the term or an additional term of appointment of the proxy as facilities manager, a person who exercises the functions of an on-site residential property manager or a managing agent,

(b) an increase in the remuneration of the proxy,

(c) a decision of the association not to proceed with, to withdraw, to delay, to compromise or to settle litigation or other legal proceedings relating to the proxy,

(d) any other decision of the association that affects litigation or other legal proceedings relating to the proxy.

Division 2 - Appointment of proxies

25 Appointment of proxies

(1) Duly appointed proxy A person is a

"duly appointed proxy" for the purposes of this Part if the person is appointed as a proxy by an instrument in the approved form.

(2) Form of proxy The form of proxy is to [make](#) provision for the giving of instructions on--

(a) whether the person appointing the proxy intends the proxy to be able to vote on all matters and, if not, the matters on which the proxy will be able to vote, and

(b) how the person appointing the proxy wants the proxy's vote to be exercised on a motion for the appointment or continuation in office of a managing agent.

(3) Proxy to be given to secretary of association The instrument is ineffective unless it contains the date on which it was made and it is given to the secretary of the association at or before the first meeting in relation to which the instrument is to operate.

(4) Period for which proxy effective An instrument appointing a proxy has effect for the period commencing with the day on which it takes effect and ending with the later of the first anniversary of that day and the conclusion of the second annual general meeting held after that day, unless it is sooner revoked or a shorter period is provided by the instrument.

(5) Proxy cannot vote if person appointing proxy votes A proxy cannot exercise a vote in relation to a matter if the person who appointed the proxy is exercising personally a power to vote on that matter.

(6) Effect of subsequent proxy An instrument made by a person appointing a proxy has no effect if the person [makes](#) a later instrument appointing a proxy and delivers it to the secretary of the association in accordance with subclause (3).

(7) Limit on number of proxies that may be held The total number of proxies that may be held by a person (other than proxies held by the person as co-owner of a development lot or neighbourhood lot) voting on a resolution at a meeting of an association are as follows--

(a) if the scheme has 20 development lots or neighbourhood lots or fewer--1,

(b) if the scheme has more than 20 development lots or neighbourhood lots--a number that is not more than 5% of the total number of development lots or neighbourhood lots.

(8) Despite subclause (7), a person who owns more than 1 development lot or neighbourhood lot in a scheme may appoint a single proxy in respect of all the lots.

(9) Adjourned meetings An instrument appointing a proxy for a meeting is not rendered invalid merely because the meeting is adjourned to a later date.

**MINUTES OF THE ANNUAL GENERAL MEETING OF PROPRIETORS OF
COMMUNITY ASSOCIATION DEPOSITED PLAN 270218
HUNTERFORD ESTATE, OATLANDS HELD
IN THE CLUBHOUSE AT HUNTERFORD ESTATE, OATLANDS
ON THURSDAY 27 APRIL 2023 COMMENCING 6.00PM**

PRESENT:	W & C Sutton	(9)	D & D Milutin	(14)
	R & J Smith	(17)	SP68690	(21)
	P & L West	(34)	L Fackrell	(35)
	S Zhang & Y Xing	(36)	S Dolai & P Panday	(40)
	W & B Griffin	(41)	P Yin	(43)
	D Huang & L Shen	(44)	D & J Grinham	(47)
	Z & S Bamji	(68)	C Lu & N Xing	(70)
	A & J Timilsina	(71)	M & E Christodoulou	(72)
	R & S Naidoo	(81)	N Naidoo & K Sutton	(87)
	K & S Neat	(88)	J Chen	(90)
	A Duke & J Roberts	(93)	D & S Fowke	(102)
	K & B Bunt	(105)	W & H Chen	(106)
	A & V Sethia	(109)	A Gosain & S Sharma	(121)
	S Kumar & T Shah	(131)	J Liddle	(134)
	E Ong & P Tan	(137)	X Zhang & X Chen	(146)
	BY PROXY:	S Zhang	(10)	- Proxy to W Sutton
S Yong & S Kim		(11)	- Proxy to W Sutton	(9)
C & M Papadopoulo		(12)	- Proxy to W Sutton	(9)
B & A Henry		(13)	- Proxy to D Milutin	(14)
M Jang & J Park		(18)	- Proxy to R Naidoo	(81)
W Yee		(29)	- Proxy to R Naidoo	(81)
Detosa Pty Ltd		(59)	- Proxy to C Yuen	
D Feng		(67)	- Proxy to S Bamji	(68)
H Collins		(79)	- Proxy to R Naidoo	(81)
A Aquilina		(80)	- Proxy to R Naidoo	(81)
B Samson		(82)	- Proxy to R Naidoo	(81)
M Sharpe		(83)	- Proxy to K Bunt	(105)
J Neilson		(89)	- Proxy to G Nielson	
M & W Mikiewicz		(91)	- Proxy to G Nielson	
C You & L Cheng		(95)	- Proxy to K Bunt	(105)
E Kang & M Hahm		(96)	- Proxy to B Bunt	(105)
K & B Kim		(98)	- Proxy to K Bunt	(105)
S Chong & S Tan		(99)	- Proxy to K Bunt	(105)
Y Seo & H Jeon		(104)	- Proxy to K Bunt	(105)
G Ellem		(108)	- Proxy to Chairman	
R & P Bowditch	(112)	- Proxy to G Nielson		
B Goh & W Lim	(120)	- Proxy to B Bunt	(105)	
T Chi & F Xia	(130)	- Proxy to B Bunt	(105)	

Premier Strata Management

Address: 6/175 Briens Road, Northmead NSW
Postal Address: PO Box 3030,
Parramatta NSW 2124

Phone 61 2 9630 7500
Fax 61 2 9630 1915

www.premierstrata.com.au
mail@premierstrata.com.au

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BY PROXY P & M Kanwar (136) - Proxy to S Kanwar
CONT: Lewjam Pty Ltd (147) - Proxy to C Yuen

IN ATTENDANCE: Y Turner Representative of The Owner of SP68690 (21)
C Yuen Proxy holder for Lots 59 and 147

CHAIRPERSON: Tom Black (Premier Strata Management)

QUORUM: It was noted that a quorum was present.

MINUTES: It was RESOLVED that the minutes of the previous General Meeting held on 30 November 2021 be confirmed and adopted.

KEY FINANCIAL INFORMATION: It was RESOLVED that the Annual Statement of Accounts for the period ending 31st October 2022 be received and adopted.

AUDITOR: It was RESOLVED to arrange an independent audit of the financial statements for the financial year ending 31st October 2022.

BUDGET: a) It was RESOLVED that the proposed Annual Budget for the year ending 31st October 2023 be adopted and carried forward.

b) It was RESOLVED that contributions be determined in with Section 83 and Schedule 1, Clause 7 of the Community Land Management Act 2021 for the twelve months payable on a quarterly basis commencing 1st June 2023 as follows:

Administrative Fund	\$200,000.00 + GST
Sinking Fund	<u>\$ 75,000.00 + GST</u>
Total Funds	\$275,000.00 + GST

INSURANCE: It was RESOLVED that the building insurance policies renewed at an amount of \$1,990,170.00 from 11 August 2023.

Workers compensation is not required as per the Act on renewal for the following year.

That the Association obtain three (3) quotations for all items of insurance and to delegate the function of accepting and executing the most suitable quotation to the Association Committee

EXECUTIVE COMMITTEE: a) It was RESOLVED that in accordance with Section 33 and Schedule 2 of the Community Land Management Act 2021:

- i. 10 Nominations were received for the election of the Association Committee.
- ii. That the Community Association determined the number of members of the Association Committee to be 9. With the following owners were elected to the Executive Committee:

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EXECUTIVE	W Sutton	(9)	P West	(34)
COMMITTEE	D Huang	(44)	R Naidoo	(81)
CONT:	K Neat	(88)	K Bunt	(105)
	W Chen	(106)	R Bowditch	(112)
	G Nielson			

b) It was RESOLVED that a \$20,000.00 limitation be placed on the decision-making powers of the Executive Committee.

**APPOINTMENT
OF COMMUNITY
MANAGER:**

a) It was RESOLVED that pursuant to Section 53(1) of the Community Land Management Act 2021 (NSW), Premier Strata Management Pty Limited be appointed as Community managing agent of the Community Association in Deposited Plan 270218.

b) That the Community Association delegate to Premier Strata Management all of the functions of the Community Association (other than those listed in Section 53(2) of the Act); and its Chairperson, Treasurer, Secretary, and Association Committee necessary to enable the Agent to carry out all services noted in the written agreement signed by owners at the meeting.

c) That the common seal of the Community Association be affixed to the Agency Agreement tabled at this meeting which incorporates the instruments of the appointment of and the delegation to Premier Strata Management Pty Limited.

W Sutton of Lot 9 and K Bunt of Lot 105 were authorised to sign the Management Agreement on behalf of the Community Association with the agreement commencing on the 1st May 2023 for a term of one years.

**WORK HEALTH &
SAFETY:**

That the Community Association acknowledge the *Work Health and Safety Act 2011* and *Regulations* and RESOLVE to:

- (a) Not to consult, confer, allow inspections and provide assistance (and/or documents) on any matter so far as is reasonably practicable, on work health and safety matters under the Work Health and Safety Act 2011 and Regulations with its agents, employees or contractors or any health and safety representative for its agents, employees or contractors,
- (b) Not to engage a contractor to carry out a Safety Report as the preliminary process in compliance with the Work Health and Safety Act 2011.
- (c) Not to engage a contractor to inspect the property for evidence of termite activity.

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**LEVY
RECOVERY:**

It was RESOLVED that the Community Association DP 270218, for the purpose of collecting levy contributions, interest and recovery costs thereon and pursuant to the ACT (including Section 20 of the Act), authorise the Strata Managing Agent and/or the Executive Committee to do any of the following:

- i. Levy Recovery Step 1: Issue a reminder levy notice 40 days after the levy due date;
- ii. Levy Recovery Step 2: Issue 1st levy recovery letter 60 days after the levy due date;
- iii. Levy Recovery Step 3: Issue 2nd levy recovery letter 120 days after the levy due date;
- iv. Enforce any judgement obtained in the collection of levy contributions including commencing and maintaining bankruptcy or winding up proceedings;
- v. Filing an appeal or defending an appeal against any judgement concerning the collection of levy contributions; and,
- vi. Liaise, instruct and prepare all matters with the Community Association debt collection agents, lawyers and/or experts in relation to any levy recovery proceedings.
- vii. Enter into a payment plan with any lot owner for the payment of overdue contributions provided that the plan is limited to a period of 12 months or less.

CLOSE:

There being no further business to discuss the meeting closed at 6.45 pm.

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Ms Jian Qin Hu
C- Premier Strata
6/175 Briens Road
NORTHMEAD NSW 2152

14th October 2022

Dear Madam,

**SUBJECT: Notice of Intention to give a Direction
Section 23(5) of the Swimming Pools Act 1992**

**PREMISES: Lot 78 DP 270218 - 1 Governors Way,
OATLANDS NSW 2117**

It is Council's intention to issue the Direction attached to this letter.

Please read this letter and the attached proposed Direction carefully.

You may make representations to Council as to:

1. Why the Direction should not be given,
2. the terms of the Direction, or
3. the period of time for compliance with the Direction.

For the purposes of making representations, you may be represented by an Australian legal practitioner or agent. Any representation is to be made in writing, within **fourteen (14) days** from the date of this Notice, to:

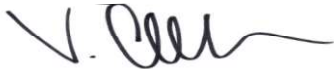
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2124

Note:

- If you comply with the terms of the proposed Direction before it is given, the Direction will not be issued.
- If you do not comply with the proposed Direction and do not make any representations, the Direction shall be issued at the expiration of the 14 day period.
- If you make a representation, after hearing and considering the representation Council may decide to issue the Direction without any changes, issue the Direction with modified changes or not issue the Direction.

Should you require additional information please contact Regulatory Services on 9806 5684.

Yours sincerely,



Vanessa Caridi
Compliance Officer (Swimming Pool Fencing)
Regulatory Services

(Attached proposed Direction 3 pages)

**PROPOSED DIRECTION
SECTION 23(1)
SWIMMING POOLS ACT 1992 (NSW)**

Date: **The date on which the Direction will be issued**

To whom: **Ms Jian Qin Hu - as the owner of the premises**

Premises: **Lot 78 DP 270218 - 1 Governors Way,
OATLANDS NSW 2117**

Circumstances

An inspection of the premises carried out by an authorised Council officer on 31st August 2022 has revealed that the swimming pool on the premises is not complying with the Swimming Pool Act 1992 ("***The Act***") and the required standards.

City of Parramatta Council is therefore giving you a Direction to comply with the terms below.

Terms of the proposed Direction

1. The entire swimming pool barrier shall comply with the minimum height of 1200mm from any change of level within 500mm of swimming pool barrier from the outside of the swimming pool area in accordance with the Australian Standard 1926.1 – 2012.
2. The entire swimming pool barrier shall comply with the minimum height of 1200mm to the finished ground level when measured from the outside of the swimming pool area in accordance with the Australian Standard 1926.1 – 2012.
3. All objects that may facilitate climbing within the 900mm non climbable zone of the outside of the swimming pool barrier are to be permanently removed in accordance with the Australian Standard 1926.1 – 2012.
4. You are required to permanently remove any objects that may be used by a child to facilitate climbing from within 300mm of the inside of the swimming pool barrier in accordance with the Australian Standard 1926.1 – 2012.

5. A warning notice/resuscitation chart complying with the Swimming Pools Regulation 2018 Part 3, must be installed in a prominent position within the immediate vicinity of the pool.
6. Work associated with this Direction must only be carried out between the hours of 7:00am and 5:00pm on Mondays to Fridays, inclusive and 08:00am and 3:00pm on Saturdays and no work must be carried out on Sundays or public holidays.

Reasons for the proposed Direction:

1. The internal barrier was less than 1200mm in height when measured from the change of level identified within 500mm of swimming pool barrier contrary to the Standard. The entire internal barrier must have an effective perpendicular height of at least 1200mm at any point along its length, on the outside of the barrier, which is the standard AS 1926.1 – 2012.
2. The internal barrier was less than 1200mm in height in some locations which is contrary to the Standard. The entire internal barrier must have an effective perpendicular height of at least 1200mm at any point along its length, on the outside of the barrier which is the standard AS 1926.1 – 2012.
3. There were climbable objects within the 900mm of the non-climbable zone of the outside of the swimming pool barrier which does not comply with the standard AS 1926.1 – 2012.
4. There were climbable objects within 300mm of the inside of the swimming pool barrier which does not comply with the standard AS 1926.1 – 2012.
5. The warning notice/resuscitation chart complying with the Swimming Pools Regulation 2018 Part 3, was not present at the time of the inspection.
6. All of the above listed non-compliances with the required standards may place a child at risk of drowning by reducing the swimming pool fence's capability of preventing access.

Proposed Period for Compliance

The proposed time frame for compliance with the Direction will be within **twenty eight (28) days** from the date of the issue of the Direction.

Non-Compliance

It is an offence to not comply with the proposed Direction with the specified time frame. The following penalties or a combination thereof may be applied:

Failing compliance with the requirements of a Direction within the Period for Compliance may result in a Penalty Infringement Notice being issued. Currently the amount for an infringement is \$550. In addition, proceedings may be taken against you in the Land and Environment Court of New South Wales, as provided by the Act and Regulation.

Right of Appeal

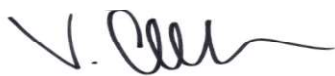
Pursuant to Section 26 of the Act an individual or corporation affected by the Direction may appeal to the Land and Environment Court of NSW against the Direction within **twenty eight (28) days** after the service of the Direction.

Should you require any assistance understanding this Notice or require further information please contact the undersigned, on the number provided, during office hours. Please note that Council cannot provide legal advice to you and Council recommends that you seek and obtain advice from an independent lawyer.

Information for your assistance

Copies of the Swimming Pools Act 1992 and Regulations can be viewed online at the NSW Legislation website (www.legislation.nsw.gov.au).

Yours sincerely,



Vanessa Caridi
Compliance Officer (Swimming Pool Fencing)
Regulatory Services



Photo 1



Photo 2

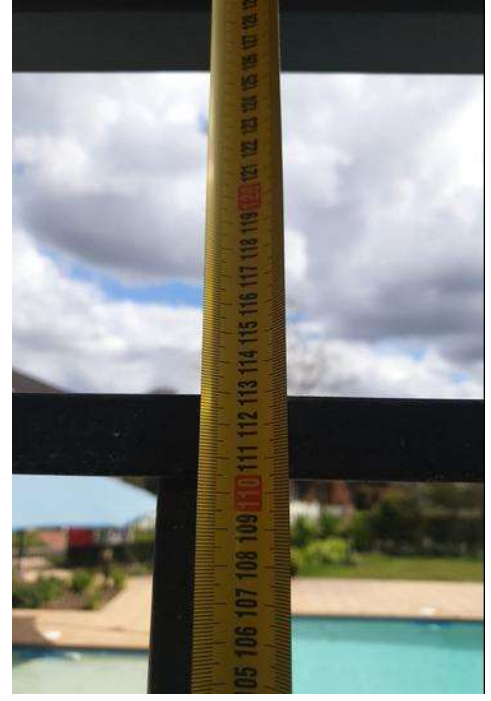


Photo 3

Photo 1 to 3 - Shows a change of level within 500mm of the pool barrier, barrier height is measured from any permanent object or surface in this zone. The BBQ reduces the height of the pool barrier below 1200mm, this is contrary to the standard (AS 1926.1 – 2012).



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8

Photos 4 to 8 - The internal barrier was less than 1200mm in height in some locations. The entire barrier must have an effective perpendicular height of at least 1200mm at any point along its length on outside of the barrier. Please modify the barrier so that it is a minimum height of 1200mm in accordance with the Australian Standard (AS 1926.1 – 2012).

The pool fence appears to be obstructed by the accumulation of leaves, soil and other garden debris. It may be possible to obtain the required height by clearing away this material from the bottom of the fence. Care should be taken to ensure the cleared area extends away from the pool fence and also does not create a gap of more than 100mm under the fence. The finish surface should be firm permanent soil or hard surface that cannot be removed by a small child.



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



Photo 14

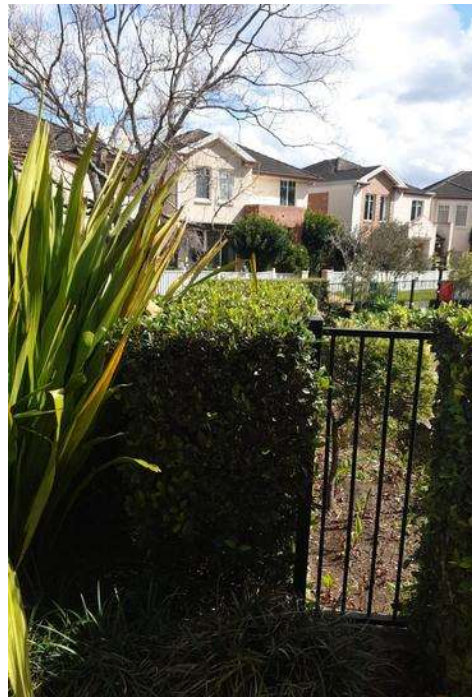


Photo 15

Photos 9 to 15 - There were climbable items specifically the gate lock and hedges are located within 900mm on the outside of the swimming pool internal barrier fence. There shall be no handholds or footholds, objects or plants that will facilitate climbing with a surface depth greater than 10mm within a 900mm non-climbable zone. This is contrary to the standard (AS 1926.1 – 2012).

Dense Scalable vegetation is evident within NCZ 1, 2 and the 500mm Exclusion Zone of the pool barrier. Objects, structures, intrusions, projections & the like which reduce effective fence height or compromise NCZ's must be kept clear of pool barriers as can facilitate & assist scaling of the barrier



Photo 16



Photo 17



Photo 18



Photo 19



Photo 20

Photos 16 to 20 - Shows climbable object (hedge) within 300mm of the inside of the swimming pool barrier, this is contrary to the standard (AS 1926.1 – 2012). Remove any objects from within the 300mm clear area or shield the pool fence/barrier so that it will not allow access into the inside of the fence/barrier.

NCZ 4 is required on all barriers with vertical openings 10–100 mm in width and is a 900 mm high by 300 mm deep rectangular space on the inside of the barrier and shall align with NCZ 1.

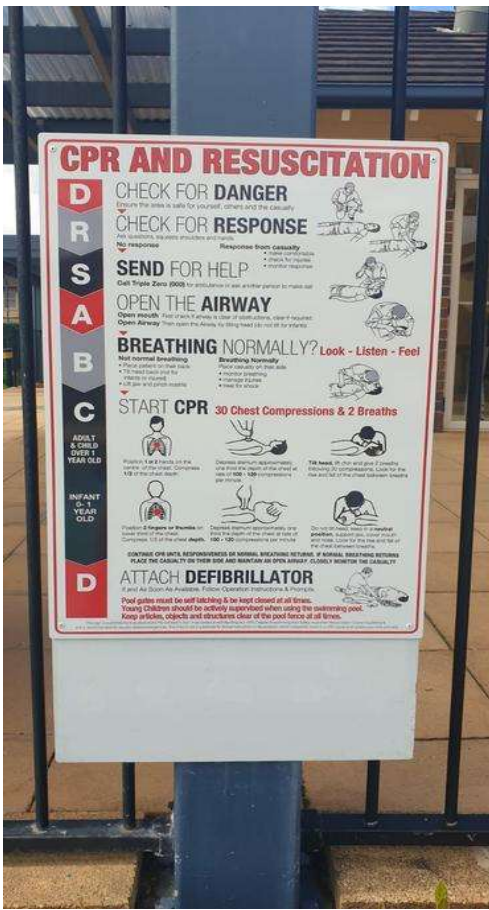


Photo 21



Photo 22



Photo 23

Photo 21 to 23 – Shows that there is not enough signage within the swimming pool area, signage must be “legible” from a distance of 3 metres. (CPR Chart is located on the inside of the fence that is visible although is not enough) this is contrary to the Swimming Pools Regulation 2018).

Due to the size of the swimming pool area, please install extra CPR signage within the pool area

Non Climbable Zones (NCZ) Definitions

NCZ 1- *A 900mm Non-Climbable zone is required on the outside face of the pool barrier. This NCZ may be located anywhere within the perpendicular height of a barrier or, where present, anywhere between horizontal components or handholds and footholds on a barrier. (Always measure from finished ground level & ensure correct height is maintained as far as necessary across stepped sections.)*

Clear zones are to be always maintained & kept clear of objects or intrusions

NCZ 2 *(the 900mm clearance radius zone which is measured from the top outside edge of the pool barrier in a downward arc towards ground level)*

Clear zones are to be always maintained & kept clear of objects or intrusions

NCZ 3 *(the 900mm clearance radius zone which is measured from the top outside edge of the pool barrier in an upward arc vertical to the barrier)*

Clear zones are to be always maintained & kept clear of objects or intrusions

NCZ 4 *the 300mm Clear Zone (inside the enclosure – extends out from the face & extends down 900mm from the lowest upper railing - aligns with NCZ1)*

Does not exist where the pool barrier is solid material such as masonry or glass.

However NCZ4 is required on all barriers with vertical openings 10 - 100mm in width including where there is an opening with no top railing.

Clear zones are to be always maintained & kept clear of objects or intrusions.

External 500mm Exclusion Zone of the pool barrier (the 500mm Exclusion zone located in the external lower quadrant of the pool barrier) Clear zones are to be always maintained & kept clear of objects or intrusions

No Indentations or Projections deeper than 10mm within the face of the barrier.

Herbaceous plants that do not grow any woody stems are acceptable within the barriers' clear zones such as grasses and low groundcovers and some perennials.

Any substantial branch of more than 10mm cannot be located within the Clear Zones.

POOLSAFE FENCING

PTY LTD

Job No: **102457**

Unit 1, 61 Prince William Drive, Seven Hills, NSW 2147
 Telephone: (02) 9624 3944 Fax: (02) 9838 7145
 www.poolsafefencing.com.au Email: sales@poolsafefencing.com.au
 ABN: 21 868 252 274 CAN: 002 377 424 BLN: R94595

Date: 08-Jun-23

Rep: Rosalyn

Phone: 0411 602 209

Map Ref: 0

Name: Michelle Payor		Site: greg@archinspect.com.au	
Address: Hunters Ford Estate, Pennant Hills Rd Oatlands		0 0	
Home:	Mobile: 0434 004 283	Site H:	Site Mob: 0414 415 513
Work: 0	Fax: 0	Site W:	Site Fax:

Style	Flat Top	Height	Colour	Bracket	Level
		<input checked="" type="checkbox"/> 0.600 <input type="checkbox"/> 1.000 <input type="checkbox"/> 1.200 <input type="checkbox"/> 1.500 <input checked="" type="checkbox"/> 1.800	<input checked="" type="checkbox"/> Satin Black <input type="checkbox"/> Hrtg Green <input type="checkbox"/> Bond R/Gm <input type="checkbox"/> Mist Green <input type="checkbox"/> Charcoal <input type="checkbox"/> Primrose <input type="checkbox"/> White		
		Finish	Vertical		
		<input checked="" type="checkbox"/> PreGal <input checked="" type="checkbox"/> Alumin	<input type="checkbox"/> 8.0 Solid <input checked="" type="checkbox"/> 16.0 Tube <input checked="" type="checkbox"/> 19.0Sqr		

Important Notes

- * Pool Gates include high lift Magna Latch and self closing hinges
- * Single Gates have a 'D' Latch. Double gates have 'D' Latch and drop bolt
- * Extra core holes in pavers, concrete, or rock are \$35 per hole
- * Customer to establish position of boundary fencing
- * Customer to advise pipe or wire locations otherwise any damage during installation will be customer's responsibility and cost
- * Complete terms and conditions are on the back of this Quote Form

No.	Item	1. 16Rnd	2. 19 Sqr
90	Fence (m)	6633	13585
156	Outside Bkts	624	624
1	Lock Box	80	80
1	Lock fittings	100	100
1	Gate, Pool	602	602
39	Posts (65 Sq)		3369
39	Posts (50 Sq)	2028	
Delivery		130	160
	SUPPLY	0 10197	0 18520
	INSTALL	3445	4486
	CORES		
	REMOVAL	200	1400
	SUB TOTAL	0 13842	0 24406
	GST	0 1384	0 2441
	TOTAL	0 15226	0 26847
	Deposit / Prograss		
	Balance		

Cheque
Cash
Card

16 June 2023

Kim Neat
 Executive Estate
 Hunterford Estate
 Pennant Hills Road
OATLANDS NSW

Dear Kim,

RE: HUNTERFORD ESTATE- Reduction of Hedges Around the Pool Fenceline
 Landscape Quotation: Ref 19994

Thank you for allowing Skyline Landscape Services the opportunity of supplying you with the following quotation for the landscape works to be carried out on your property located at Hunterford Estate.

ITEM DESCRIPTION

AMOUNT EXCL GST

To attend site and complete the following works:



\$ 2,600.00



-Reduce the hedges located around the pool fenceline. All generated green waste is then to be taken from site.



skyline landscape services pty ltd
p 02 9674 1400 f 02 9674 1433
35 Liberty Road Huntingwood NSW 2148
www.skylinelandscape.com.au
abn 82 073 170 279

SUB TOTAL	\$ 2,600.00
GST	\$ 260.00
TOTAL	\$ 2,860.00

I hope all meets your satisfaction. If you have any questions, please do not hesitate to contact me on 9674 1400, 0424 393 352 or by emailing brett.h@skylinelandscape.com.au at any time.

Regards,

Brett Harker

Skyline Landscape Services Pty Ltd

t 02 9674 1400

f 02 9674 1433

e brett.h@skylinelandscape.com.au

22 May 2023

Kim Neat
Executive Estate
Hunterford Estate
Pennant Hills Road
OATLANDS NSW

Dear Kim,

RE: HUNTERFORD ESTATE- Removal of Hedges from Around the Pool Fenceline
Landscape Quotation: Ref 19953

Thank you for allowing Skyline Landscape Services the opportunity of supplying you with the following quotation for the landscape works to be carried out on your property located at Hunterford Estate.

ITEM DESCRIPTION

AMOUNT EXCL GST

To attend site and complete the following works:



\$ 2,600.00



-Removal of the hedge from around the pool fenceline. Plants are to be cut to ground & their stumps poisoned with Round-Up. The generated green waste is then to be taken from site.



skyline landscape services pty ltd
p 02 9674 1400 f 02 9674 1433
35 Liberty Road Huntingwood NSW 2148
www.skylinelandscape.com.au
abn 82 073 170 279

SUB TOTAL	\$ 2,600.00
GST	\$ 260.00
TOTAL	\$ 2,860.00

I hope all meets your satisfaction. If you have any questions, please do not hesitate to contact me on 9674 1400, 0424 393 352 or by emailing brett.h@skylinelandscape.com.au at any time.

Regards,

Brett Harker

Skyline Landscape Services Pty Ltd

† 02 9674 1400

f 02 9674 1433

e brett.h@skylinelandscape.com.au

Community Land Management Act, 2021

PROXY APPOINTMENT FORM Per Clause 25(2) of Schedule 1

(TB)

Date.....

I/We

The owners of Lot

In Deposited Plan No.....**270218**.....

Appoint..... The Chairman or

Of

as my/our proxy for the purposes of meetings of the Community Association (including adjournments of meeting)

Period or number of meeting for which appointment of proxy has effect (Please Tick whichever applies)

1 Meeting months 12 months 2 consecutive Annual General Meetings

Note: The appointment cannot have effect for more than 12 months or 2 consecutive annual general meetings, whichever is the greater. If no selection is made by the person giving the proxy, the proxy is effective only for one meeting.

1 This form authorises the proxy to vote on my/our behalf on all matters.
OR

2. This form authorises the proxy to vote on my/our behalf on the following matters only:
.....
.....
.....

Specify the matters and any limitations on the manner in which you want the proxy to vote.

Please delete paragraph 1 or 2, whichever does not apply

3. If a vote is taken on whether
.....
.....
(the strata managing agent) should be appointed or remain in office or whether another managing agent is to be appointed, I/we want the proxy to vote as follows:

Note: If this matter is not to be considered, then this section 3 is to be deleted from the proxy form paragraph if proxy is not authorised to vote on this matter.

Signature of owner/s

COMPANY NOMINEE FORM

The Secretary, Deposited Plan No.....
..... Pty Ltd hereby authorise
..... or in his/her absence

Conferred by or under that Act on it as Owners of lot/s..... in
Deposited Plan No.

Notes:

1. A proxy is not authorised to vote on a matter:
 - (a) If the person appointed the proxy is present at the relevant meeting and personally votes on the matter, or
 - (b) So as to confer a pecuniary or other material benefit on the proxy, if the proxy is a strata managing agent, caretaker or on-site residential property manager.
2. This form is ineffective unless it is given to the secretary of the owner's corporation at or before the first meeting in relation to which it is to operate and it contains the date on which it was made.
3. This form will be revoked by a later proxy appointment form delivered to the secretary of the Community Association in the manner described in the preceding paragraph.

Premier Strata Management

Address: 6/175 Briens Road, Northmead NSW
Postal Address: PO Box 3030, Parramatta NSW 2124

Phone 61 2 9630 7500
Fax 61 2 9630 1915

www.premierstrata.com.au
mail@premierstrata.com.au

Liability limited by a scheme approved under Professional Standards Legislation.