

FAGM FREQUENTLY ASKED QUESTIONS

Can I vote at my Precinct meeting?

Yes! Providing you are an owner in Bingara Gorge and are financial (meaning your levies are paid), you have a vote on behalf of your lot at your Precinct Meeting.

Can I be on a committee?

Yes! In short, if you are an owner and are financial (meaning your levies are paid) you can nominate to the committee at your Precinct Meeting. Part 3, Division 1, section 33 of the Community Land Management Act 2021 details further who can be nominated onto the committee.

How do I nominate to the committee?

If you are planning to attend your Precinct Meeting you can nominate at the meeting, alternatively, you can write to the communities team prior to the meeting to confirm your nomination.

What if I can't make the meeting?

You can appoint someone as your proxy. You can appoint the proxy to vote as you specify on the form, or, as they see fit.

I don't understand why we are having FAGMs, and what the purpose is?

Due to the recent changes to the Community Land Management Act, the initial period for Bingara Gorge has now been ended. Once the initial period of a community scheme has ended, the first AGM then needs to be held, with certain motions required by the Act.

Can I attend the Community Association Meeting?

Yes! Any owner can attend the Community Association Meeting, however, only one Precinct representative per Precinct can vote at the meeting, plus the developer against the lots they currently own of undeveloped land. At your Precinct Meeting a representative will be nominated, who will be the one with the voting rights at the Community Meeting.

Does this mean the proxies we signed in our home purchase contracts are no longer valid?

Correct! All previous proxies and power of attorney forms which formed part of a sales contract are void. New legislation now precludes individuals or companies from 'proxy farming' by placing limits on the number that can be held.

Useful Links

<https://www.fairtrading.nsw.gov.au/housing-and-property/strata-and-community-living/community-and-neighbourhood-schemes>

<https://www.fairtrading.nsw.gov.au/housing-and-property/strata-and-community-living/community-and-neighbourhood-schemes/owner-responsibilities>

<https://www.fairtrading.nsw.gov.au/housing-and-property/strata-and-community-living/community-and-neighbourhood-schemes/transitioning-to-the-new-laws>

<https://legislation.nsw.gov.au/view/html/inforce/current/act-2021-007>

<https://www.fairtrading.nsw.gov.au/housing-and-property/strata-and-community-living/community-and-neighbourhood-schemes/responsibilities-of-an-association/meetings-and-voting>