

Note: This is provided as a sample set of motions for installing common area solar system in NSW under the Sustainability Infrastructure Amendment to the NSW Strata Schemes Management Act (2015). The information contained in this document is provided for general information only; it is not a substitute for legal advice.

<This first motion should be voted on as an ordinary resolution, requiring a simple majority of Owners in attendance on a show of hands and its purpose is to demonstrate that the Owners Corporation has complied with the prerequisite steps qualifying it to vote on a Sustainability Infrastructure motion under the February 2021 Sustainability Infrastructure amendment to the NSW Strata Schemes Management Act>

Motion 1

Explanatory Note:

<To be written>

We the Owners of Strata Plan/Community Association XXXX hereby resolve by ordinary resolution that the Owners Corporation has considered:

- 1) Cost of a solar photovoltaic system. The cost has been <estimated in the feasibility study provided by a qualified solar engineer / in a quotation from a Clean Energy Council accredited solar installer> to be \$XX,XXX
- 2) The ownership model of the solar sharing photovoltaic system. The Owners Corporation will engage a selected solar installer to install the solar sharing photovoltaic system and the Owners Corporation will own and maintain the solar system through its expected lifetime of 25 years/The Owners Corporation will take out a Power Purchase Agreement and a third party will own the solar system for a period of X years/The Owners Corporation will take out an energy lease and a third party will own the solar system for a period of X years
- 3) Availability of the common area solar system. This will be connected to the common area electricity meter.
- 4) That there are currently no additional regulations that have been added since the Sustainability Infrastructure amendment to the NSW strata schemes management act has been passed in February 2021. Therefore at this time, there are no additional regulations which need to be adhered to by the Owners Corporation in order to vote via a Sustainability Infrastructure motion on a solar photovoltaic sharing system.

<This second motion should be voted on as a Sustainability Infrastructure resolution (slightly different from an ordinary resolution. This motion will pass unless more than 50% of those who are entitled to vote (in person or via proxy) based upon unit entitlements, are against the motion. Those who don't attend the meeting or attend the meeting and abstain for voting on this motion are NOT counted as 'no votes'.

Motion 2

Explanatory Note:

<To be written>

That, pursuant to Motion 1, additions to common property are approved under S.108 of the Strata Schemes Management Act (2015) for the installation of a rooftop solar photovoltaic system, wall-mounted inverter(s) and electrical connection to the common area electricity meter and the Owners Corporation resolves by a sustainability infrastructure resolution pursuant to section 132B of the Strata Schemes Management Act (2015) to:

1. Approve expenditure up to \$XX,XXX <from the capital works fund/special levy> for a solar photovoltaic system
2. Request quotation(s) from Clean Energy Council accredited installer(s) and select the most appropriate quotation for install / Instruct solar installer X to install the solar photovoltaic system
3. erect a new structure on the common property roof being approximately XX solar photovoltaic panels, and add to or alter the common property walls for the purpose of installing the inverter(s)
4. agree that the installation will be owned and maintained by the Owners Corporation/a third party Power Purchase agreement provider/a third party energy leasing company, and
5. require the Owners Corporation to give effect to this resolution as soon as reasonably practicable.