Minutes of meeting of The Owners Corporation Executive of Strata Plan 50785 held at 7.00 p.m. on Tuesday October 1, 2002 in the Cote D'Azur gymnasium.

Present: J.Faulkner,S Carruthers,D. Solari, K.O'Shea, S.Schembri, P.Pinn,G Bursill

In Attendance: R.Holloway

Apologies: C Beebe

Meeting was chaired by John Faulkner and opened at 7.00 p.m.

In the Secretary's absence, the minutes were taken by Phil Pinn.

Minutes of Previous Meeting

Minutes of the meeting held on 3rd September, 2002 were adopted with the following amendments:

Item 4 should read " A report from Denis Solari was received re Business arising and accepted".

Item 6 b) iii to now read "Quote from Wayne Henderson ACCEPTED for preparation and painting of tower ventilation grills on each floor for the sum of $1,298.50."

Item 6 e) to now read " Report for September E C of 29/8/02 from D Solari accepted and discussion re garage wall cladding matter deferred till next meeting."

Business Arising

No general business arising so relevant matters left to Sub-Committee reports.

Treasurer's Report

The Treasurer's report was accepted noting that due to timing of meeting some expense may not have been included.

At the request of the Treasurer it was agreed future meetings would be held on the 2nd Tuesday each month in lieu of the 1st Tuesday to allow time for accurate reports to be available

Correspondence

Letter complaining excessive noise in unit C73 was tabled and discussed. RESOLVED that Denis Solari take the matter up with the owner to ensure no recurrences. Action DS

Letter received from Keith Tillet re interference with spa maintenance with discussion deferred for Sub-committee report.

Quotation from Otis Elevator Company Pty Ltd re fire switches received. Resolved to file for future reference. Action CB

Letter received from Elliot Tuthill re outstanding Stonefish matters to be investigated & reported on by Denis Solari for the next EC meeting. Action DS.

Sub-Committee Reports

Building Services

Report accepted with following decisions:

Kevin O'Shea and Geoff Bursill to discuss consultants report on ventilation noise with Owner before need for mediation procedures invoked. Action KO & GB.

New lens required for outdoor spa only. Resolved to instal blue colour. Action GB.

Recommendation accepted specifically as follows:

No unauthorized person is to alter or tamper with any of the pool or spa equipment unless specifically requested to do so by at least 2 members of the Executive Committee or directly by the contractor to provide him with assistance.

After reviewing further correspondence on garage walls cladding it was resolved that Kevin O'Shea investigate the cladding in garages of A2, A7 and A11 and report to next E.C. meeting. Action KO

Resolved that on the next programmed service of the air-conditioning units on floors 8,9 & 10 viz. 18th December, that all unit owners be requested to provide access at or about 8 a.m., additional to access for servicing so that Enertec's serviceman, Geoff Bursill, Denis Solari and our builder can check each unit and determine the work to be done and the responsibility for the cost of same, so that proper servicing can be carried out and the cost of repair and subsequent replacement work will be reduced. Action DS & GB

House

Sharon Carruthers reported that all was well with housekeeping and that the gardeners had been instructed to reduce the cutting of hedges to allow for growth on top of the walls to prevent damage from skate board & other uses.

Commercial

The Owners of Strata plan 50785 have formed the opinion that the occupier of Lot 12, being Restaurant R2 known as Sandbar, is in breach of the following 4 By-Laws or Special By-Laws, and that Notices to Comply be issued for each:

By-Law 3 Obstruction of common property
By-Law 9 Depositing material on the common property
Special By-Law 12.3 (a) Glass recycling
Special By-Law 15.1 Use of common property for commercial purposes
Action SSMC

Resolved to confirm approval of the signage change in Shop 2 Oceanna

Resolved to instruct our builder to secure the loose rails on the stairs and at the top of the stairs outside Flair restaurant when pool rail is being installed.
Action GB

Resolved to approve the application by Oceanna restaurant owners to install motor for air-conditioning unit provided that they sign an indemnity to be prepared by Denis Solari to cover the situation whilst awaiting the consideration of a By-Law at the next annual general meeting.
Action DS & SSMC

Resolved to advise the owners of Café Monz to adhere to its own outdoor dining area and not to interfere with the steel pins delineating this area after it replaces them. Action SSMC

Security

Nothing to report.

<u>Legal</u>

Resolved to accept the payment of $1,200 with respect to handrails from Australand as fair contribution

Resolved to approve the letters tabled to be sent to Australand with respect to consultants fees re-imbursement with copy to Fair Trading Department.
Action DS

Resolved to circularize Restaurant Owners and occupiers re regular maintenance of treated non-slip areas and their responsibilities re same.
Action DS

Resolved to approve payment of $8,201.49 to Advanced Concepts for non-slip treatments. Action PP

Resolved to defer discussions on insurance claims position till next E C meeting.

Resolved that:
The Owners of Strata plan 50785 have formed the opinion that the occupier of Lot 57 being Unit C29 is in breach of By-Law No.2 (Parking vehicles on common property) and that a notice to comply with this By-Law be issued.

The Owners of Strata plan 50785 have formed the opinion that the occupier of Lot 89 being Unit C61 is in breach of By-Law No.2 (Parking vehicles on common property) and that a notice to comply with this By-Law be issued.

The Owners of Strata plan 50785 have formed the opinion that the occupier of Lot 94 be3ing Unit C66 is in breach of By-Law No.2 (Parking vehicles on common property) and that a notice to comply with this By-Law be issued.

Action SSMC

General Business

Architects Code

At the suggestion of Richard Holloway it was resolved that Denis Solari review some sample codes used by other strata plan owners with a view to introducing one for Cote D'Azur in order to simplify compliance by all unity owners.
Action DS.

Newsletter

Resolved that the chairman draft a newsletter to be circulated to owners with the next quarterly levy notice and to other residents via mail boxes.
Action JF & SSMC.

Next Meeting

The next Executive Committee meeting to be held in the gymnasium at 7 p.m. on Tuesday November 12, 2002.

Closure

There being no further business the meeting was declared closed at 9.20 p.m.