MINUTES OF THE EXECUTIVE COMMITTEE MEETING OF THE OWNERS-STRATA SCHEME 50785 HELD AT 1 McDONALD STREET CRONULLA AT 7.00 P.M. WEDNESDAY 19th May,2004.

Present: Mrs S.Schembri,Messrs G Bursill,D Solari,,C Beebe & G Rennie.
Ms J.Healey until 8.35pm
Chairperson: Mr G Bursill.
Apology Mr P.Mahony.

MINUTES

RESOLVED the Minutes of meetings held on 15/03/04,05/04/04 & 21/04/04 be **received.**

RESOLVED the Minutes of the above 3 meetings be **adopted**.

BUSINESS ARISING

RESOLVED that the written report of the Secretary be received.

a)Lot 89(Unit 6t1C)Tribunal Proceedings-The Secretary had circularised a Report today as to the result of these proceedings yesterday and the discussion he and GB had with Messres R.Holloway & T.Foreshew of Strata Title Management("STM") & the total dissatisfaction of the manner in which STM had handled these proceedings,the result of which was that the complaint was dismissed.STM were advised that at this Executive Meeting the Secretary would be recommending STM NOT be paid any costs in them attending to this matter.A letter was received by fax from STM late today to confirm no costs would be charged in respect of this matter.
RESOLVED that a copy of the Secretary's Report of 19/05/04 be supplied to Mr. & Mrs. Gale (Unit 54C) & to STM & confirming no costs be paid to STM in respect of the proceedings. **[Action DS]**

b)Foxtel Digital Connection-Secretary advised of letter sent 27/04/04 in view of no response to 2 prior phone calls on 01/03/04 & 31/03/04 & no reply yet received.

c)Noise reduction notice & hand out-A copy as prepared by CB was attached to the Agenda.
RESOLVED it be approved and,as well as about each 3 months it being placed on the official Notice Board in the loading dock when no other material was on it,it also be placed on the Notice Boards outside the elevators on B1 & B2. **[Action DS]**

d)RESOLVED the following EC Members be appointed to the following Function Divisions:

Building Services	G.Bursill(Chairperson)& P Mahony
House & Caretaker & Gardener	Mrs.S Schembri(Chairperson)& Ms.J Healey.
	G Rennie-A & B Blocks House only
Computers & Security	C Beebe(Chairperson)& P Mahony
	G Rennie Computers only
Restaurants	D Solari(Chairperson)& G Rennie
Financial	Mrs. R Hoddinott
Legal	D Solari
Ex officio to all the above	G Bursill

TREASURER'S REPORT

RESOLVED written Report for the month of April be received.

RESOLVED that order forms contain a consecutive order number and summary sheet,in the form the Treasurer submitted to the Meeting,& it be completed and retained in the file. **[Action RH}**

RESOLVED that,until STM clarify photocopy & postage charges for March & April as per e-mail from Secretary to it of 07/05/04,the cheque now due be withheld. **[Action RH]**

CORRESPONDENCE

As listed on the Agenda as follows:-

Item a) R3 Restaurant-complaint re loud music-No further action needed in view of correspondence and reference to this in Restaurant Division Report;
Item b) Unit 46C(Lot 74)-complaint re loud music-No further action needed at this time in view of correspondence and no subsequent repetition of this conduct;
Item c) Unit B13(Lot 13)-complaint re loud music-No further action needed at this time in view of correspondence and no subsequent repetition of this conduct;
Item d)Unit A4(Lot 9)-Permission to install air conditioner-Refer to Secretary's Report in Building Services Section in these Minutes;
Item e)Sutherland Council letter of 13/04/04 re tile band repair in drive way'
RESOLVED reply be sent to request details of guarantee if Council do repair work or otherwise it be replaced by us with ornamental concrete band; **[Action DS]**
Item f)Unit A4(Lot 9)-cladding garage walls and extension of eastern wall over common property
In the discussion on the extension of the eastern garage wall by approx 100mm over common property so that it was hard up against the ramp wall,the Secretary advised this involved the grant of exclusive use rights which had to be by a By-law passed at a General Meeting.GB otherwise advised the cladding would not interfere with lighting,ventilation or area covered by sprinklers.The current problem,in rubbish being cleared from the area between the ramp and the present eastern garage wall,as well as water from the cleaning of the ramp entering the garage,would be resolved by this work.
RESOLVED approval be granted to the proposal in accordance with the plans and specifications supplied,provided the Owners acknowledge that,for the exclusive use area required,a By-law,in the form the Secretary drafts,being passed at the next General Meeting of the Owners Corporation,failing which,if the work proceeds beforehand,it will have to be restored to its current condition. **[Action DS]**

Late matters not able to be listed in the Agenda.

Item g)Unit A3(Lot 8)-Agent's letter of 14/05/04 to install air conditioner & security screen doors
RESOLVED Reply be sent advising air conditioner installation approved as per our standard conditions & security screen doors approved provided frames are stromboli green and pattern on doors is as per other doors already installed here;and **{Action DS]**
Item h)STM letter of 13/05/04 as to Lift Survey at cost of $650.00 + GST.
Secretary advised this received on 17/05/04 when he rang Tony Foreshew of STM to discuss & advise we have maintenance agreements with reputable companies & requesting copy WorkCover material referred to in letter which Mr. Foreshew advised to ignore as it should not have been sent to us
RESOLVED letters be sent as follows:

i) To each of our 2 lift maintenance service companies for confirmation that their companies Comply with the WorkCover regulations;and
ii) To STM to advise of above and to repeat our prior instruction not to make arrangements for costly reports without prior reference to us. **[Action DS**

BUILDING SERVICES DIVISION

1.Report of Building Division Chairperson G Bursill

RESOLVED the written report of GB,the Chairperson.be received.

The report was then discussed as follows:
a)Fire Brigade call-outs to A & B Block-Aqua Fire are yet to provide a costing and system for quick identification of the location of the activation of the alarm whether a residential unit or a restaurant;
b)Swimming pool & spa paintwork-Discussion deferred until Secretary' Building Report discussed;
c)Pool & equipment-i)New vacuum cleaner purchased and prior cleaner repaired as back-up;
ii)Hand rails installed in external & internal spas for easy entry & exit;&
iii)Replacing cracked tiles and closing wall between spa & pool to be deferred to be done in conjunction with tiling of spa;
d)Generator maintenance agreement-Renewed by Chairperson for $2,100.00 for 4 visits per year
RESOLVED that the Chairperson's action to renew be confirmed;
e)Fire Inspection Report of Aqua Fire-The Chairperson reported on letters sent by STM to various owners as to work required and some response already including letter from Sandbar's(R2) Restaurateur as to why this was a problem after 8 years he had been there.EC members referred to substantial internal alterations made by him last year
RESOLVED GB advise STM of appropriate reply to be sent to R2. **[Action GB]**
Note:At this point Ms J Healey confirmed earlier advice & apologised for having to leave the Meeting.
f)Waterproofing
i)B14 Courtyard garden-GB advised of selection of contractor for the waterproofing on a day labour cost basis and SS advised of arrangements with Yellambie Landscapes to do work and for a quote for garden work required
RESOLVED work & its cost be left in the discretion of GB & SS **[Action GB & SS]**
.**ii)A2 garage & adjacent drive on B2**-Rapid Plumbing had indicated 2 weeks ago it was to start this work at least by early last week but had not done so
RESOLVED Rapid Plumbing expedite work-G Rennie to provide access to garage **[Action GB]**
g)A & B Block Courtyards-Quote of T Overall for $2,240.00 for application of water repellent to courtyard tiles was discussed with reservations as to its success
RESOLVED the matter be further investigated. **[Action GB]**
h)Balcony Rust Spots-The three quotes,all on a do & charge basis,were discussed the Chairperson disclosing the principal of Rocar Electrical P/L,who submitted the lowest quote,was his son.
RESOLVED the quote of Rocar P/L be accepted **[Action GB]**

2.Secretary's Report

RESOLVED the written report of the Secretary be received.

a)External spa paint failure-In addition to the matters referred to in his report on this,the Secretary advised of a phone discussion late on 14/05/04 with Manuel Patti of Australand("MP")who was chasing up the painter as to a tiler attending here & was told the tiler was not prepared to do the work as it involved fixing tiles to fibreglass with a gel coating.MP rang late today to advise he had been in contact with Australand's tilers & they were awaiting a report from a manufacturer as to a type of bonding that could be used in these circumstances and is to advise us further on this.Comments were made at the conference on 28/04/04 as to the maximum temperature of the water being set at 36 degrees causing an excessive demand for chlorine affecting the paint.CB is to provide evidence this is

necessary instead of about 32 degrees as otherwise.suggested.Also comments were made as to the period of time the heating was operating and as a result it was agreed the time clock be altered for the period to be from 6am to 9pm.

RESOLVED that tiling of the spa was the best option and the agreement for the cost to be shared equally between Australand,the painter of the spa and us be confirmed. **[Action GB]**

b)Australand work due to heavy rain in May,2003.

The work that was to be done today is now being done tomorrow and it is hoped the problems in 53C & 71C,still to be rectified,should be resolved in the next 2 weeks.

c)Gas hot water costs(Tower units only)-Still awaiting meter readings for accounts to issue since last accounts in early February before consumption factor decrease can be calculated and then compensation discussed with AGL.

d)Chemical Water Treatment Services-Contract required renewal on 03/05/04 at $140.80(GST included)per month and attended to by Secretary in view of urgency

RESOLVED action of Secretary to renew contract be confirmed;

e)Unit A4 air conditioner-As indicated in the report,there would have been a 6 week delay for approval by this meeting and therefore the arrangements were attended to by GB & DS on the clear understanding of the Owners of A4 that it would have to be removed if approval not granted

RESOLVED that the verbal approval to this installation be confirmed'

HOUSE & GARDEN

RESOLVED the written report of the Chairperson be received.

a)Garden-i)the various items of work & quote for $4,100.00 of Yellambie landscapes were discussed
RESOLVED the quote be accepted. **[Action SS]**
ii)The Chairperson presented a list of plants she suggested to the Gardener and is awaiting his report on these.She requested comments from EC Members.GR indicated his wife was interested in gardening and he was told her assistance in gardening matters would be appreciated by the Chairperson. **[Action SS]**

b)House i)70C unpainted door-DS explained a painter was about to paint this without prior EC approval & was stopped after it had been sanded down.Painting will be done when other doors are painted;
ii)A Block A3 entrance-Leeching on tiled stairs still an unresolved problem;
iii)Outside spa waterline,bbq & amenities area all cleaned;
iv)Grease & dirt on tiled area outside exit from hall between Bella Costa & Oceanna refered to-DS advised this is common property & therefore our cleaner's responsibility as is the glass recycling area on B2-Chairperson to advise cleaner accordingly; **[Action SS]**
v)Re B14-confirmation of her discussions with Yellambie Landscapes re courtyard work;
vi)Garbage collection loading dock-Council prepared to collect from driveway entrance area.DS advised Monday problems in bins being left near refuse room due to insufficient instruction to weekend cleaner & cleaning contractor should be notified; [Action SS]
vii)Green lounge in Tower foyer-needs recovering and one quote for &1,380.00 to hand.
RESOLVED acceptance of a quote up to $1,500.00 & selection of an attractive and durable material be left to the discretion of SS & CB. **[Action SS & CB]**

SECURITY DIVISION

RESOLVED report of the Chairperson be received.

a)Communication panel for A & B Blocks.

In addition to the above report DS had distributed to each EC Member copies of Memos he had sent to

the Chairperson as to complaints he received in respect of the system not working properly since early January due to unwarranted delays in repairs and the cost of repairs over the last 14 months.DS also stated he did not agree with the Chairperson's recommendation that all faults be recorded by the Caretaker with the Caretaker listing the exact problems being experienced for a proper diagnosis of the system's failures.Problems at times went to an Agent & then to STM and a garbled result ensued.Also it was not a requirement that the Caretaker have a qualification in electronics without which he would not know the correct questions to ask of the complaining party.DS advised an expert should be engaged to advise on the efficacy of the system,whether it was worth repairing & if not how much it would cost to replace it.The inconvenience of the 18 residents in A & B block was unacceptable.After further discussion & a suggestion from the Chairperson
RESOLVED Approved Communications,as the firm involved with the system since installation,be required to urgently provide a report on the current system,whether it was worthwhile retaining due to continuous repairs being required or,if not,the cost of a suitable replacement system and this report be made available to GB,CB,PM & DS for consideration & any necessary action. **[Action CB]**
b)Gerrale St gate not unlocking-Repaired by Shire Locksmiths within 48 hours;
c)McDonald St gate camera housing dislodged-thanks to PM for repairing it
d)McDonald St entrance gate post-Repair to pavers around it not to a satisfactory standard
RESOLVED GB,when appropriate tradesman is here,arrange for this to be attended to**;[Action GB]**
e)Complaint as to delays in return of keys by contractors to whom sets issued & delay therefore in Aqua Fire receiving its set;
f)Complaint as to failure to record key issues in book provided for that purpose;
g)New plant room keys cut & issued & NSWFB so issued plus master key for A & B Block entry;
h)Caretaker's difficulty in changing all time clocks.DS advised,on a complaint from Caretaker,it appeared list needed revision & CB requested to do this & a revised list now available;
i)Complaint as to removalist's use of lifts & key for same & revised system being looked at by CB;
j)Caretaker & Safety Guidelines presented.DS stated these presented September,2003 & were referred to a sub-committee for consideration & report back which did not eventuate.A sub-committee then revised the Caretaker/Cleaner specification which should have covered these matters.The Chairperson felt they could act as a reminder if displayed in the office
RESOLVED they be approved & displayed on office wall-DS recorded as against this. **[Action CB]**
k)Sydney Venue Protection Agency had been contacted as had Northies who should be approached re use of Security Guards at weekends if need arises.
RESOLVED A letter,in or to the effect of the draft prepared by the Security Division Chairperson,be sent to Northies. **[Action DS]**
l) The Chairperson of the Security Division indicated methods of contacting him & his lack of contact during his various business & personal activities.

RESTAURANT DIVISION REPORT

RESOLVED the written report of DS be received.

a)Glass & cardboard recycling area-Copy of Memo of 02/05/04 as sent to all Restaurateurs was distributed to all EC Members as to continuing depositing of extraneous items(bread trays,milk containers,foam boxes etc.) as well as untidy depositing of recycling materials
RESOLVED that the Restaurant Division be empowered to revert the cardboard recycling area to common property parking and to have the wire barriers around the glass recycling area removed for it to revert to common property if there is a serious repetition of the conduct referred to in the Memo.
b)Awning over Oceanna's outdoor eating areas & new signs for it & Stonefish.-Oceanna(Shop 2) has installed awning & both restaurants have had the previously approved new,in their discretion,signs fitted in the approved positions.

c)Stonefish-adjacent common property garden area.
DS referred to prior approval at last EC Meeting for this to be tiled as per copy letter to Stonefish dated 17/03/04 attached to Agenda Report.Stonefish now wish to install timber decking in both areas to a height of about 300mm above the existing concrete hob now surrounding the garden area.In the larger garden area,there is to be a sunken section in the centre with a water feature on it consisting of a large heavy base column with a large ball on top with water being pumped to flow over the ball.In the sunken area lighting will be installed and on both areas of timber decking pot plants will be placed.A mirror is to be attached with adhesives to the rear wall of the larger timber area.An earth wire for the low-rise,in the centre of the larger area,has been moved to one side by an electrician and to the satisfaction of the Chairperson.All timber work etc will be bolted to the existing walls and easily removable.Part of the work was done and inspected by GB & DS.Stonefish were advised that if approval was not granted by this Meeting,the garden had to be restored.If approved.it had to be removed if the restaurant was sold unless the purchaser agreed to this same condition.
RESOLVED this be approved on an undertaking by the current Restaurateur to maintain the installation in proper condition and that,on any sale of the restaurant business,the installation is to be removed and the garden areas restored unless the purchaser of the business signs a similar undertaking and the bollard light as removed be handed to the caretaker for storage and future use. **[Action DS]**
d)Outdoor eating area requirements-All restaurants have again been circularised with the hours & conditions Council has laid down for both outdoor & indoor eating areas & told to observe these.
e)R3(Lot 21-Sale di Mare)elevator phone account-Problems experienced on 30/04/04 were reported,alldue to the non payment of the account in January due,according to Sale di Mare,to them not receiving it from STM.Problem will not occur again as STM will pay the account for this in addition to the lift maintenance contract account they now pay and debit these payments to the levy account of this lot.
f)Problems re common property areas unofficially used by Sandbar(R2) & Sale di Mare(R3).
Reported that each of the restaurants frequently leave items in these areas over & above garbage & recycling bins.Each have been advised,if they persist with this conduct,it will be referred back to the Executive Committee to consider withdrawal of this use even though a very real hardship will result.
g)Unofficial use of common property area by R3(Lot 21-Sale di Mare).-Further to e) above,a Memo had to be sent to R3 on 10/05/04 listing a number of transgressions and certain conditions that must be observed.DS has monitored this since that date and so far these conditions have been complied with.This will continue to be kept under scrutiny & any breach reported to the EC.
h)Loud music complaints re Sale di mare(R3) & Hog's Breath(R1)-Sale di Mare complaint related to a disk jockey playing music loudly on the balcony until a complaint at 11.15pm when the volume was decreased.DS,on delivering a Memo to the Restaurateur,also spoke to her and advised,in addition to the written complaint as per Correspondence item 6a),there was a verbal complaint and the music could be clearly heard at the eastern end of A Block.No repetition of this has occurred.Hog's Breath complaint related to staff,after closure on Sunday nights,sitting outside Café Monz & having music in Hog's Breath loud enough for them to hear it &,as a result,loud enough to disturb A Block residents.The manageress,in the absence of the Restaurateur,was spoken to as well as the Restaurateur on his return from holidays.Again.to my knowledge,there has been no repetition of this conduct.

GENERAL BUSINESS(of which notice given)

RESOLVED the report of the Secretary be received.

a)Mediation proceedings re clothes line on balcony of Unit 1C(Lot 29)-The report of DS confirmed the proceedings,originally to be heard on 10/05/04,had,to suit the convenience of the Owners of C!,now been fixed for hearing at 1pm on Friday 28/05/04.The letter of 28/04/04 from the Office of

Fair Trading,as per copy attached to the Agenda,required authorisation for GB & DS to represent this Owners Corporation and enter into any settlement agreement if any such agreement was reached. **RESOLVED** that the Chairperson and Honorary Secretary are hereby authorised to sign the "AGREEMENT TO MEDIATE' on behalf of the Owners Corporation and to represent this Corporation and this Executive Committee in all matters and proceedings in respect of the dispute with the Owners of Unit 1C(lot 29)and with full discretion in the presentation of evidence and agreement to any settlement in order to enforce the resolution of the Executive Committee of the 15th March.2004 in respect of the removal of the alleged unapproved clothes line. **{Action GB & DS]**
b)CHU "Common Ground" article re home warranty insurance-A copy of this article was attached to the Agenda for this meeting and DS referred to the exclusion of large developments from home warranty insurance.All EC Members agreed in principle this was the very area such insurance was necessary,particularly in view of our success in having considerable work done here,due to the intervention of the warranty insurers.

OTHER GENERAL BUSINESS

NIL

Next Meeting:Wednesday,21st July,2004.
Meeting closed 10.45 pm.

Chairperson.

Prepared:21/05/04.