MINUTES OF THE EXECUTIVE COMMITTEE MEETING OF THE OWNERS-STRATA SCHEME 50785 HELD AT 1 McDONALD STREET CRONULLA AT 7.00 P.M. WEDNESDAY 22nd FEBRUARY,2006.

Present: Mrs.S.Schembri (SS), Mrs R.Hoddinott (RH), Messrs G.Bursill (GB), D.Solari (DS), B.Perkins (BP), C.Beebe (CB) & G.Rennie (GR).

1.Apologies. Mr. P.Mahony (PM).

Chairperson: Mr G Bursill.

Meeting opened 7.05pm.

Minutes.

2.Resolved the Minutes of the Meeting held on 23/11/05 be **received.**

3.Resolved the Minutes of the Meeting held on 23/11/05 be **adopted.**

4.Business Arising other than referred to in separate items hereunder.-Nil

5.Correspondence.

a) Noted;

b) **Resolved** that approval be given for C5, Lot 33, to increase the height of the external southern courtyard fence to the height as requested; **[Action DS]**

c) Noted;

d) **Resolved** that approval be given for C4, Lot 32 & C5, Lot 35 to increase the height of their remaining lower courtyard fences to height of other higher fences & there be no contribution by the OC as it would be precedent for other courtyard owners;**[Action DS]**

e) Noted;

f) **Resolved** the application by the owners of Unit 7C, Lot 35, for an air conditioner be approved on the OC conditions already accepted by such owners; **[Action DS]**

g) & h) Hog's Breath & Opah's signs-Refer to items 10 c) & b) of Restaurant Divn. Report;

Late Matters:

i) Letter of 17/02/06 of Unit 33C, Lot 61 for consent to split system air conditioner **Resolved** it be approved on owners accepting normal conditions; **[Action DS & GB]**

j) Letter of 17/02/06 of Unit 42C, Lot 70 for consent to split system air conditioner **Resolved** it be approved on owner accepting normal conditions; & **[Action DS & GB]**

k) Letter of 16/02/06 of Solicitor for owners 77C, lot 105, re item 11 d) of Agenda & repeating prior comments re invalidity of By-law re denial of access, re other complaints of alleged problems owners say OC should attend to, disagreement that Notice to Comply effective to 25/11/06 & that Strata Act Mediation to be sought by owners **Resolved** reply be sent as per draft presented by DS advising letters be better addressed, By-law validly passed & Solicitor not person to determine validity, referring Solicitor to Sec. 203 Strata etc Act as to 12 month effective period of Notices to Comply & noting owners' proposed referral to Mediation under Strata etc Act in which event DS & GB are hereby authorised to represent the OC in any such Mediation. **[Action DS]**

6.Treasurer's Report.

a), b) & c) Noted.

Resolved that STM be advised that the EC recommends the levies for the year 01/03/06 to 28/02/07 be the same as the current year for the Admin Fund but increased by 10% for the Sinking Fund, an overall increase in levies payable by owners of 2.5%, & the budget details be set out as per STM's monthly Income & Expenditure Statements **[Action DS]**

7.Building Services Division.

Report of Building Services Division Chairperson (GB).

a) Noted;

b) **Resolved** air conditioner on balcony of Unit C7, Lot 35, be approved in the location approved of by GB & conditions in letter of DS to them of 19/01/06;**[Action DS & GB]**

c) Noted;
d) **Resolved** GB's action in requesting STM to sign new contract with Energex for 26 months from 08/06 to 09/08 for electricity supply on terms he negotiated, be approved;
e) Noted & insurance claim to be followed up by BP; **[Action BP]**
f), g), h), i) & j) Noted.

Report of Secretary (DS).

a), b) & c) Noted;
d) Quotes of Endeavour Air Conditioning P/L now to hand as already circularised
Resolved quotes of Endeavour Air Conditioning P/L of 13/02/06 for $5,500.00 to replace each air conditioning plant in Units 72C & 73C, $ 400.00 for a new condensate pump for Unit 72C & $600.00 each for new condensate pumps for Units 64C, 66C, 69C, 70C, 74C & 75C, all exclusive of GST, be accepted; **[Action GB]**
e) **Resolved** that DS pursue Porcelite Pool Rejuvination P/L, as far as economically **re**asonable, to honour its guarantee on the repainting of the external spa at a cost to OC of $1,200. &, if unsuccessful, GB be authorised to have the surface repainted at the best price obtainable; **[Action DS & GB]**
f) **Resolved:**
i) DS be authorised to obtain a report from a tile expert on what is required to be done for the balcony & tiling of Unit 77C, Lot 105 to be waterproof to prevent possible damage being caused to any common property or residential unit below the balcony;
ii) a letter be sent to the Solicitors for the owners of that Unit requesting access to be made available to any such expert for an inspection of the tiles & balcony; &
iii) on receipt of the report, a letter then be sent to such Solicitors with a copy of such report requesting the owners of unit 77C to confirm within 21 days that they will proceed within 3 months thereafter & carry out and complete the work recommended in such report failing which, DS is authorised to apply, on behalf of this OC, to the Consumer, Trader etc.Tribunal for such orders for this as he considers are appropriate & for access for an inspection if the request in i) above is refused;**[Action DS & GB]**
g) Noted.

8.House and Garden.

a), b), c) & d). Noted;
e) **Resolved** notices in the form of those produced to the Meeting be placed, as to one inside the glass wall at the communication panel in the Tower foyer & the other near the notice boards outside the lifts on B1 & B2; **[Action SS]**
f) Refer to item 11 c) of General Business (of which notice given);
g) Arising out of a discussion re illegal parking in designated Visitor's parking area
Resolved letters be sent to the occupants of Units C3 & C31 that if they continue to park in this area after already being given verbal warnings, Notices to Comply will be initiated & prosecution thereafter will follow if further breaches occur; **[Action DS]**
h), i), j) & k) Noted.

9.Security Division.

a) & b) Noted;
c) Noted but increase in height of fencing to prevent unauthorised entry to be further investigated & reported on. **[Action CB & GB]**

10.Restaurant Division.

a) **Resolved** that approval be given to Shop1, Lot 5, Bella Costa, for the proposed awning as detailed in its letter of 01/12/05 on the conditions as outlined by DS in his letter of 14/12/05 as accepted by Bella Costa ; **[Action DS]**
b) **Resolved** in relation to Opah Restaurant, R3, Lot 21, approvals be given as follows:
i) for an awning over the balcony area of that restaurant on the conditions as outlined in

the letter of DS dated 13/10/05 as accepted by the Restaurateur & Lot owner, the awning to be off white colour, "Porcelain", in Polyfab FRCOMSHADE flame retardant knitted shadecloth material; & **[Action DS]**

ii) for one sandwich board sign to be displayed during trading hours on the ground floor opposite the elevator & as close as possible to the balcony wall, the retention of the existing Menu display on the ground floor on the wall adjacent to the lift doors, the 2 directional signs on the glass railing at the entrance to the stairs & also the tower illuminated sign. As to the 2 additional signs, of the design shown in Opah's letter of 06/02/06, to be fixed at the top of the tower to be seen from Gerrale St. as to one & from the northeast as to the other, there was insufficient information as to the material of the sign & the wording & this was referred to GB, DS & SS to resolve with Opah urgently as removal of the current 3 signs on the 1st floor balcony rail & parapet & making good any damage caused by these signs is urgent; **[Action GB,DS & SS]**

c) **Resolved** that approval be given to Hog's Breath, R1, Lot 1, to replace the existing banner sign over the restaurant entrance door with a similar more permanent sign as per its letter of 01/02/06; **[Action DS]**

d) **Resolved** that the hire of Alsco mats for the passageways between Bella Costa & Oceanna as well as between Stonefish & Café Monz be approved and the number of mats & the continuation of such hire be left to the discretion of the Chairpersons of the House & Restaurant Divisions; **[Action DS & SS]**

e) **Resolved** that letters be sent to the Lot owners of Stonefish, Shop 3, Lot 4, Sandbar, R2, Lot 12 & Opah, R3, Lot 21, with copies to the relevant Restaurateurs requesting payment by each Lot owner of $1,000.00 for the rental of their respective areas on the roof for the kitchen exhausts & on B2 for the grease traps for the quarter commencing 23/11/05 under SpBl 42, such rentals not being waived due to breaches over that period by the Restaurateurs & STM be notified to arrange collection of same; **[Action DS]**

Further resolved that Restaurateurs of Café Monz, Stonefish, Bella Costa, Sandbar & Opah be given written notice to thoroughly clean up trails left on common property & exclusive use areas by leaking liquid etc within 14 days failing which the OC will have this done & the cost charged to the relevant Lot owners; **[Action DS]**

Late Matter-

f) Oceanna Restaurant, Shop 2, Lot 4- Letter of 11/10/05 misunderstood as relating to approval to a sign previously rejected. Now explained by Restaurateur that location now requested is for passers by to see it when the awning cover is in a closed position

Resolved approval be given to Oceanna Restaurant, Shop2, Lot 4, to affix the letters "OCEANNA" to the face of the beam immediately below the existing awning roof similar to that of Stonefish**;** **[Action DS]**

g) Bella Costa Restaurant, Shop 1, Lot 5-DS advised of imminent installation of awning similar to Stonefish & Oceanna & same problem as in f) above could arise

Resolved any such sign requested by Bella Costa be approved now in advance subject to it meeting with the approval of the Restaurant Division Chairperson. **[Action DS]**

11.General Business(of which notice has been given).

a) & b) Noted

c) **Resolved** that a resident wishing to use the bbq area for a group of 10 or more will be required to complete & sign a form to be approved of at the next EC Meeting & comply with the procedure & the conditions endorsed on such form; **[Action SS]**

d) **Resolved** Unit 77C's access to pool & amenities areas be restored; **[Action CB &DS]**

e) **Resolved** the Annual General Meeting be held at 7.30 pm on Wednesday 29/03/06 in the bbq area, weather permitting, or otherwise in the Tower foyer; **[Action DS]**

Late Matters:

g) DS reported that arising out of a recent problem with a restaurant door, proposed SpBl 45 should be amended for restaurant external doors to be treated same as balcony doors; **Resolved** the draft amendment as circularised to give effect to this be included in the proposed SpBl for consideration at the next Annual General Meeting; **[Action DS]**

h) DS reported on expenses he had incurred over the past 2 years in respect of phone calls, many of them to mobiles, use of his fax, computer, email, internet etc exceeding $1,000. **Resolved** DS be paid $500.as the OC contribution towards these expenses.**[Action DS]**

12.Other General Business.

Next Meeting: Wednesday, 29th March, 2006 following Annual general Meeting & thereafter Wednesday 17/05/06, subject to alteration by the new EC.

Meeting Closed: 11.30 pm.

Chairperson.

Prepared & Distributed: 24th February, 2006.