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NOTICE OF EXECUTIVE COMMITTEE MEETING

The Executive Committee of the Owners of Strata Scheme 50785 intends to hold an Executive Committee meeting on:

Thursday, 12 June 2008 at 7.00pm in The Offices of Strata Title Management Sydney, Suite 26, 118-126 Bath Road North, Kirrawee

MOTIONS

(A) Record Attendance
(B) Apologies

1. That the minutes of the previous Executive Committee Meeting be confirmed as a true and accurate account of that meeting.

2. Building
a) That the report from Premier Contract Cleaning Pty Ltd be tabled and discussed.
b) That progress on the roof works be discussed including the replacement of the roof membrane and the replacement of the rusted exhaust air vents.
c) That the painting quotes received to date be tabled and discussed.
d) That the quote for the replacement lowrise gas exhaust cowling be tabled and discussed.
e) That the awning extending beyond the B18 balcony be discussed and appropriate action determined.
f) That the replacement of the roller shutters of C76 be discussed and appropriate action determined.
g) That the OH&S report on Lift 3 by Thyssen Krup Elevators be tabled and discussed.
h) That the quote from Advanced Concrete Sealing Pty Ltd for rectification to the C76 balcony tiles be discussed and resolved.
i) That the quotes from Advanced Concrete Sealing Pty Ltd for cleaning calcium residue from various common property tiled stairs and courtyard areas be discussed and resovled.
j) That the Strata Managing Agent be authorized to update the WorkCover data for the three lifts in the complex as a multiple equipment registration.
k) That the request from C67 for an additional satellite dish for particular channels be discussed.
l) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 have formed the opinion that the operator of Zink Bar R2 Lot 12 has erected a satellite dish on common property in breach of Special By-law 33.4 Transmitting, receiving and security devices and the Strata Managing Agent is instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have the dish removed.

3. Finance
a) That the Financial Statements and Strata Management Report be tabled. (Strata Manager)

4. House
a) That the present state of the gardens be discussed and an appropriate action plan be developed for the

contractor to instigate.
b) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that the owner/occupiers of Unit C38 Lot 66 have contravened Special By-Law 32.1 by repeatedly parking their vehicle(s) on common property, and that a Notice under Section 45(1) of the Strata Schemes Management Act 1996 be served on the occupants.

5. Restaurants
a) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that despite requests, the operators of Hogsbreath R1 Lot 1 have contravened Special By-law 32.7 Behaviour of invitees by not preventing their staff from parking on and obstructing common property, and not preventing their staff smoking on secured common property, and that a Notice under Section 45(1) of the Strata Schemes Management Act, 1996 be served on the occupant of that Lot to comply with that By-law.
b) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that despite repeated requests the operators of The Drop In S4 Lot 2 have contravened Special By-Law 32.8 Depositing rubbish or other material on CP by leaving their rubbish and bins in the B2 area, and that a Notice under Section 45(1) of the Strata Schemes Management Act 1996 be served on the occupants of that Lot to comply with that By-law.
c) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that the vehicles associated with Stonefish Café S3 Lot 3 and its operator Mr Robert Schroder are continuing to park on and obstruct common property after receiving the maximum penalty of $550 plus costs from the Consumer Trader and Tenancy Tribunal for breach of the previously issued Notice to Comply. The Strata Managing Agent is accordingly instructed to lodged an application for Mediation at the Consumer, Trader and Tenancy Tribunal and further instructed that should Mediation fail an application be lodged for an order and penalties to be applied by the adjudicator.
d) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that despite requests, the operator of Stonefish Café S3 Lot 3 has contravened Special By-Law 42.6 Use of CP by continuing to conduct commercial operations beyond their Exclusive Use area in breach of the DA, and that a Notice under Section 45(1) of the Strata Schemes Management Act 1996 be served on the occupants of that Lot to comply with that By-law.
e) That the commercial operations of Common Property be discussed.
f) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that despite requests, the operator of Splash S2 Lot 4 has contravened Special By-law 32.7 Behaviour of invitees by not preventing staff from parking on and obstructing common property and that a Notice under Section 45(1) of the Strata Schemes Management Act, 1996 be served on the occupant of that Lot to comply with that By-law.
g) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that despite requests, the operator of Splash S2 Lot 4 has contravened Special By-Law 42.6 Use of CP by conducting commercial operations beyond their Exclusive Use area in breach of the DA, and that a Notice under Section 45(1) of the Strata Schemes Management Act 1996 be served on the occupants of that Lot to comply with that By-law.
h) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that the operators of Bella Costa S1 Lot 5 has contravened Special By-law 32.1 Vehicles by not preventing their staff parking on or obstructing common property, and that a Notice under Section 45(1) of the Strata Schemes Management Act, 1996 be served on the occupants of that Lot to comply with that By-law.
i) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that the operators of Bella Costa S1 Lot 5 have contravened Special By-law 43.1 No smoking by not preventing their staff smoking on secured common property or in their garage space, and that a Notice under Section 45(1) of the Strata Schemes Management Act, 1996 be served on the occupants of that Lot to comply with that By-law.
j) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that the operator/s of Bella Costa S1 Lot 5 have contravened Special By-law 32.7 Behaviour of invitees by not preventing their staff from parking on and obstructing common property, and not preventing their staff smoking on secured common property or in their garage space, and that a Notice under Section 45(1) of the Strata Schemes Management Act, 1996 be served on the occupant of that Lot to comply with that By-law.
k) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that the operators of Zink Restaurant R2 Lot 12 have contravened Special By-Law 32.8 Depositing rubbish or other material on CP by littering the common property garden bed with cigarette butts and by leaving rubbish and other commercial paraphernalia on the common property near their garage spaces on B2, and that a Notice under Section 45(1) of the Strata Schemes Management Act 1996 be served on the occupants of that Lot to comply with that By-law.
l) That the report from Rocar Electric on the illicit commercial use of common property electricity in B2 allocated parking spaces and garages in contravention of Special By-law 42.10 Electricity be tabled and dealt with.
m) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 have formed the opinion that the operator of Hogsbreath Café R1 Lot 1 has maintained a portable cool room parked within the allocated spaces for Lot 1 room and connected to Common Property power. The Strata Managing Agent is instructed to lodge an application for an Interim Order to have the Common Property power supply disconnected from the allocated spaces and garages for Lot 1. The Strata Managing agent is also instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have the cool room and fridges permanently removed from the allocated parking spaces and garages of Lot 1 to comply with the DA.
n) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 have formed the opinion that the operator of Stonefish Café S3 Lot 3 has commercial fridges in their garages connected to Common

Property power. The Strata Managing Agent is instructed to lodge an application for an Interim Order to have the Common Property power disconnected from the Lot 3 garages. The Strata Managing Agent is also instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have the fridges permanently removed from the garages of Lot 3 to comply with the DA.
o) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 have formed the opinion that the operator of Bella Costa S1 Lot 5 has a drinks fridge in their garage connected to Common Property power. The Strata Managing Agent is instructed to lodge an application for an Interim Order to have the Common Property power disconnected from the Lot 5 garages. The Strata Managing Agent is also instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have the fridges permanently removed from the garages of Lot 5 to comply with the DA.
p) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 have formed the opinion that the operator of Zink Bar R2 Lot 12 has a large prefabricated cool room erected without permission, and commercial fridges connected to Common Property power in their garages. The Strata Managing Agent is instructed to lodge an application for an Interim Order to have the Common Property power disconnected from the Lot 12 garages. The Strata Managing Agent is also instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have the cool room and fridges permanently removed from the garages of lot 12 to comply with the DA.
q) To consider and, if thought fit, resolve that is appropriate at this time for the Strata Managing Agent to be also instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have any commercial equipment in the garages associated with The Drop In S4 Lot 2 (not a Lot identified in the Rocar Electric report as using Common Property power for refrigeration equipment at that time) permanently removed from the garages of Lot 2 to comply with the DA and the Common Property power disconnected from those garages.
r) To consider and, if thought fit, resolve that is appropriate at this time for the Strata Managing Agent to be also instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have any commercial equipment in the garages associated with Splash S2 Lot 4 (not a Lot identified in the Rocar Electric report as using Common Property power for refrigeration equipment at that time) permanently removed from the garages of Lot 4 to comply with the DA and the Common Property power disconnected from those garages.
s) To consider and, if thought fit, resolve that is appropriate at this time for the Strata Managing Agent to be also instructed to lodge an application for mediation and adjudication at the Consumer, Trader and Tenancy Tribunal to have any commercial equipment in the garages associated with Opah R3 Lot 21 (not a Lot identified in the Rocar Electric report as using Common Property power for refrigeration equipment at that time) permanently removed from the garages of Lot 21 to comply with the DA and the Common Property power disconnected from those garages.
t) That the issue of live music in some of the restaurants continuing in breach of their DAs and Liquor Licences be discussed and suitable action resolved.

5. General Business
a) That to avoid document storage charges or the possibility of material being destroyed after a certain time, the Strata Managing Agent arrange for any archived documents relating to Strata Scheme 50785 not required for usual searches be handed over for onsite storage.
b) That copies of outgoing correspondence served by post be regularly provided for onsite filing.
c) That a date for the next EC meeting be fixed.

Date: Tuesday, 27 May 2008

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STRATA TITLE MANAGEMENT SYDNEY