STM Sydney
ABN: 66 003 109 608
PO Box 3095
KIRRAWEE DC NSW 2232
Suite 26, 118 - 126 Bath Road North
KIRRAWEE NSW 2232
Phone: 02 9542 1199
Fax: 02 9521 3953
sydney@stratatitle.com.au
www.stratatitle.com.au

Our Ref**: MP: SP50785: EC MEETING MINUTES JUNE 2008**

MINUTES OF EXECUTIVE COMMITTEE MEETING

The Executive Committee of the Owners of Strata Plan 50785 held an Executive Committee meeting on:

Wednesday, 4 June 2008 at 7.00pm in The Offices of Strata Title Management Sydney, Suite 26, 118-126 Bath Road North, Kirrawee

PRESENT	*Mr Earle, Mr Korbel, Mr Gourley, Ms Schembri, Mr Rennie, Mr Beebe*
IN ATTENDANCE	*Michael Price & Alesha Harris* *STRATA TITLE MANAGEMENT SYDNEY*
	John Stevens *PREMIER CONTRACT CLEANING PTY LTD*
CHAIRMAN	*Michael Price*

MOTIONS

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

2. Building

a) RESOLVED that the report from Premier Contract Cleaning Pty Ltd be tabled with the following notations:

- It was noted that to receive Foxtel High Definition Digital, Foxtel have advised that the existing infrastructure must be upgraded. A Foxtel approved installation company, BSA, will provide a cost estimate of upgrading the current system using TDT technology and a second quote will be sought.
- The cleaning and sealing of the courtyard and pool areas was completed satisfactorily by Advanced Concrete Sealing Pty Ltd.

- Quotations from Advanced Concrete Sealing Pty Ltd for the cleaning and sealing of the stairs and the paved area around A & B Blocks were approved at a total cost of $9,196.00 (GST inclusive).
- Quotation from Advanced Concrete Sealing Pty Ltd for the cleaning and sealing of the terra cota tiles on the C76 balcony was approved for the sum of $4,097.50. Waterproofing and Tiling will be engaged to provide a quotation and carry out re-grouting before the cleaning and sealing takes place.
- John Stevens and Carey Beebe will investigate methods of improving ventilation in the passageway known as "The Tunnel".
- Quotations will being sought to have brushed stainless steel corner strips and aluminium kick plates to enhance and protect the Tunnel walls. There are also corner strips required for the Tower foyer.
- Cold water supply pumps pressure will be reduced to 250kPa from the present 275kPa in an attempt to reduce the load on the pumps and test the effect on the system. Premier Cleaning will also obtain quotations to replacing the two existing pumps with larger more efficient pumps, if that is deemed necessary.
- Quotation from McChun's Waterproofing and Tiling for the tiling in terracota of the two Tower fire exit corridors to the central coutryard was approved for the sum of $8,800.00 (GST inclusive).
- Further approval was given for McChun's to tile the office with slip proof ceramic tiles while attending to the tiling of the fire exits.
- The McDonald St cul-de-sac gas exhaust vents will be painted in an effort to improve their appearance.
- The Executive Committee is holding a meeting on Monday June 16 with the four companies which have provided cost estimates as per the Dulux scope of works for the exterior painting.
- The quotation provided by Aquatec for a two layer torch membrane of the roof for $41,250.00 (GST inclusive) was accepted, however this approval is conditional on Aquatec providing Home Owners Warranty Insurance in accordance with the Home Building Act 1989 at the expense of the Owners Corporation
- It was noted that to prevent possible damage to the new roof membrane, the major works will proceed in the following order: Exterior painting, roof membrane and lastly sheet metal work.

b) The progress on the roof works including the replacement of the roof membrane and the replacement of the rusted exhaust air vents was **DEALT WITH IN PREMIER CLEANING REPORT.**

c) The painting quotes received to date were **DEALT WITH IN PREMIER CLEANING REPORT.**

d) The quote for the replacement lowrise gas exhaust cowling was **DEALT WITH IN PREMIER CLEANING REPORT.**

e) RESOLVED that the Strata Managing Agent write to the owners of unit B18 requesting the size of the awning be reduced to within balcony boundary limits.

f) RESOLVED that the 13 roller shutters installed by the developer prior to registration of the Strata Plan are indeed part of common property and that the Owners Corporation will cover the cost of their repair for a total cost of approx. $15,000.00. The 3 shutters in C76 installed after registration of the Strata Plan and any other window shutters installed at Côte d'Azur are obviously not part of common property and will not be repaired or replaced by the Owners Corporation.

g) RESOLVED that the OH&S report on Lift 3 by Thyssen Krup Elevators be forwarded to Opah R3 Lot 21.

h) The quote from Advanced Concrete Sealing Pty Ltd for rectification to the C76 balcony tiles was **DEALT WITH IN PREMIER CLEANING REPORT.**

i) The quotes from Advanced Concrete Sealing Pty Ltd for cleaning calcium residue from various common property tiled stairs and courtyard areas were **DEALT WITH IN PREMIER CLEANING REPORT.**

j) RESOLVED that the Strata Managing Agent was authorized to update the WorkCover data for the three lifts in the complex as a multiple equipment registration and the original certificates to be displayed on site.

k) RESOLVED that the Strata Managing Agent write to the owner of C67 advising that at present permission cannot be given for a special satellite dish, however the upgrade currently being investigated to the current Foxtel system may allow such an installation in the future.

l) RESOLVED that the Strata Managing Agent write to both Zink and Opah advising that the unauthorized Satellite dish will be removed from the roof of the lowrise by the Owners Corporation on Friday, 27 June 2008.

3. Finance

a) The Financial Statements and Strata Management Report were **ACCEPTED**.

4. House

a) RESOLVED that the Executive Committee will review the garden upgrade proposal provided by Florascapes and consider alterations to the proposal, particularly in terms of suitable species and the

possibility of other suppliers. The committee approved the expenditure of approximately $10,000.00 on the garden upgrade.
b) RESOLVED 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) RESOLVED 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) RESOLVED 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) RESOLVED 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 lodge 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) RESOLVED 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. It was noted that on 12 June 2008 28 chairs were located outside their Exclusive Use area.
e) Commercial operations on Common Property were discussed.
f) RESOLVED 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) RESOLVED 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) RESOLVED 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) RESOLVED 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 Bylaw.
j) RESOLVED 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) RESOLVED 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) 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 was tabled and **ACCEPTED**.
m) RESOLVED 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) RESOLVED 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) RESOLVED 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) RESOLVED 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) RESOLVED 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) RESOLVED 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) RESOLVED 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) RESOLVED that the Strata Managing Agent obtaining the contact details of POPE regarding reporting breaches pertaining to live music and other liquor licensing issues.

5. General Business
a) RESOLVED that the Strata Managing Agent hand over all records older than 6 years to the Executive Committee for storage at Côte d'Azur.
b) RESOLVED that copies of outgoing correspondence served by post be provided for onsite filing on a weekly basis with an envelope being placed in the post each Friday.
c) RESOLVED that the next Executive Committee Meeting will be held on Wednesday, 17 September 2008 at 7:00pm.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9:50PM

DATED Wednesday, 18 June 2008
STRATA TITLE MANAGEMENT SYDNEY