Print date:
Monday, 9 March 2009

In reference to:
Strata Plan 50785
1-3 McDonald Street
CRONULLA NSW 2230

Our Ref**: MP: SP50785: EC Meeting Agenda 19th March 2009**

NOTICE OF EXECUTIVE COMMITTEE MEETING

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

Thursday, 19 March 2009 at 7.00pm in the Offices of Strata Title Management Sydney, Suite 1, 191-193 Taren Point Road, Taren Point

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 the progress on C76 balcony tile rectification be reported.
c) That the upgrade of Foxtel be discussed in view of placing a motion on the Agenda for the Annual General Meeting.
d) That the proposed amalgamation of Units C62 & C68 (Lots 90 & 96) be discussed and that the Strata Managing Agent be instructed to place the proposed amalgamation and Special By-Law granting approval to the lot owners to amalgamate the two apartments on the Agenda of the Annual General Meeting for special resolution.
e) That the Executive Committee review the amended contract provided by TOR for the painting of the common property and nominate two Executive Committee Members to execute the contract on behalf of the Owners Corporation.
f) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that despite requests, the resident owner of Unit B18 (Lot 25) has not modified his non-approved type awning to prevent it overhanging common property, and therefore the Strata Managing Agent is instructed to lodge an application for mediation at the Consumer, Trader and Tenancy Tribunal.

3. Finance
a) That the Financial Statements for the previous financial year and proposed budget for the upcoming Annual General Meeting be tabled. (Strata Manager)
b) That the Strata Managing Agent be asked to explain why payment for carpet replacement was made to Mr Perri without the treasurer's approval.

4. House
a) That parking for the cleaner be discussed and ratified.
b) That progress on the garden works be discussed.
c) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that despite requests, the tenants of Unit C8 (Lot 36) are in breach of Special By-Law 31.1 Noise Which Affects Your Neighbours, in that they have had several noisy parties which have disturbed other residents. The Strata Managing Agent is instructed to issue a Notice To Comply in accordance with section 45 of the Strata Schemes Management Act 1996.
d) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that Mr David Noel Gittus & Ms Denise Gloria Flugler, resident owners of C1 (Lot 29) are in breach of Special By-Law 32.1 Vehicles and the Notice To Comply served on them on 22 April 2008. The Strata Managing Agent is instructed to lodge an application with the Consumer, Trader and Tenancy Tribunal for an order and penalties.

5. Security
a) That the Executive Committee review the current problem of trespassers and ways in which this problem can be remedied.
b) That the lowrise intercom system be discussed.

6. Restaurants
a) That the condition of the rooftop exhausts be discussed and the necessary maintenance or rectification work referred to the appropriate Lot owner for action.
b) That the current status of action being taken against commercial operators for refrigeration in garages be discussed.
c) That the Executive Committee resolve to appoint a legal practitioner to represent the Owners Corporation at Sutherland Local Court in obtaining costs from Mr Robert Schroder as per the orders made by the Consumer, Trader and Tenancy Tribunal on 7 May 2009.
d) That the Executive Committee resolve to appoint a legal practitioner to represent the Owners Corporation at Sutherland Local Court in obtaining costs from Mr Michael Fitzgerald as per the orders made by the Consumer, Trader and Tenancy Tribunal on 7 May 2009.
e) To consider and, if thought fit, resolve that the Owners of the Strata Scheme 50785 are satisfied that the operator of Splash S2 (Lot 4) is in breach of By-Law 37.2 Closing Doors, in that their staff constantly prop their rear kitchen door open. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with section 45 of the Strata Schemes Management Act 1996.
f) To consider and, if thought fit, resolve that the Owners of the Strata Scheme 50785 are satisfied Howie Holding Pty Ltd, the tenant occupying Zink R2 (Lot 12) is in breach of By-Law 32.2 Obstruction of Common Property, in that they have placed a lounge outside their exclusive use area and created a smokers area on common property. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with section 45 of the Strata Schemes Management Act 1996.
g) To consider and, if thought fit, resolve that the Owners of Strata Scheme 50785 are satisfied that after numerous requests, that owners of Lot 21, R3 are in breach of Special By-Law 2, in that they have failed to maintain the painted surface of the lift tower soffit. The Strata Managing Agent is instructed to lodge an application for Mediation with the Consumer, Trader and Tenancy Tribunal.

7. General Business
a) That the Executive Committee appoint Dunstan de Souza as an ex officio member and Honorary Legal Advizor.
b) That the Executive Committee review the new Strata Managing Agency Agreement to be tabled at the Annual General Meeting.
c) That the Executive Committee review Special By-Law 42.5 in light of recent advice during Mediation and from a lawyer.
d) That the Executive Committee review the all the By-Laws currently registered on the common property title.
e) That the date for the Annual General Meeting be determined.

Date: Monday, 9 March 2009

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STRATA TITLE MANAGEMENT SYDNEY