**Print date:**
Monday, 26 October 2009

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

Our Ref**: MP: SP50785: EC Meeting Minutes 19 October 2009**

# MINUTES OF EXECUTIVE COMMITTEE MEETING

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

Monday, 19 October 2009 commencing at 7.00pm at Kareena Private Hospital, Miranda.

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| **PRESENT** | Mr Beebe, Mr Korbel, Ms Schembri |
| **IN ATTENDANCE** | Michael Price<br>Strata Title Management Sydney |
| **CHAIRMAN** | Michael Price |

Ms Schembri appointed Mr Carey Beebe as her proxy for the remainder of the meeting. The Meeting was adjourned at 7:02 pm for 13 minutes and was transferred to the offices of Strata Title Management Sydney, Suite 1, 191-193 Taren Point Road, Taren Point. The meeting re-convened at 7:15PM

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| **PRESENT** | Mr Beebe, Mr Korbel |
| **PRESENT BY PROXY** | Ms Schembri proxy Mr Beebe |
| **VISITOR** | Mr De Souza |
| **IN ATTENDANCE** | Michael Price<br>Strata Title Management Sydney |
| | Mr Stevens and Mr Byast<br>Premier Contract Cleaning |
| **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 was tabled and discussed and that a copy be affixed to the Minutes book with the following notations:

- It was noted that all steel painting works would be completed in the coming weeks.
- TOR will be provided separate cost estimates for the painting of each individual exhaust system of the low-rise roof, which will then be forwarded to each respective lot owner for consideration.
- TOR will be providing a cost estimate for the painting of the lift tower, which will then be forwarded onto the owner of lot 21 for consideration.
- It was noted that the roof was painted the wrong colour and that TOR will be re-attending to roof painting.
- It was noted that C72 had drainage installed in the basement garage to re-direct moisture from the garage.
- C76 requires a small drainage grate to be installed to re-direct pooling water to0 the existing balcony drainage system. The cost estimate provided by McChun's Waterproofing and Tiling for the sum of $1,210.00 (GST Inclusive) was approved.
- It was noted that water penetration was possibly occurring due through the balcony wall lights. These lights have now been re-sealed.
- It is believed that water is still penetrating into apartment C76 from the balcony garden bed. It is proposed that a section of the garden be cleared of soil and plants and be flooded tested to ascertain whether the garden is the source of the leak.
- It was noted that the replacement of the roof membrane has been placed on hold for the time being, until other works have been completed. It was further noted that when the replacement of the membrane takes place these works will need to include the leveling of several areas on the roof which are not level allowing water to pool.
- The replacement of the cooling tower ventilation mesh with Stainless steel mesh for the sum of $800.00 (GST Exclusive) was approved. This work was to be carried out by Andrew the Handyman.
- It was noted that the popped pool tiles had been replaced and expansion joints installed to accommodate building movement. It was noted that further works to the pool area would be considered in the next financial year.
- The purchase of a Jet Steam Max 8 Bar, Steam Machine for the sum of $2,850.00 was approved.
- The proposal to engage Adrian to carry out the replacement of 300 lineal metres of expansion joints was approved. Works to be completed gradually.
- The purchase of mats for B1 and B2 lift entrances was approved.
- It was noted that an immediate upgrade of existing security systems was being undertaken. (Stage 1)
- The low-rise access system was being upgraded to the grey fob security system in keeping with the rest of Cote d' Azur. This upgrade was approved at a cost less then $30,000.00 plus GST. (Stage 2)
- The collection of security swipe cards will be transferred from the offices of STM Sydney and will be handled by the onsite manager/Executive Committee from 1st January 2010.
- It was noted that the upgrade of the camera system would be undertaken as Stage 3 of the security upgrade.
- The quotation provided by Colorfen for the replacement of the damaged fence at the McDonald Street garbage entrance along the footpath for the sum of $1,430.00 was approved. It was noted that this should be claimable on the building insurance.

**b)** Tradesman On Rope did not provide a report.

**c) RESOLVED** that the procedure for Move In and Move Outs had fallen by the way side since the key was no longer issued to people moving in or out of the building. It was noted that while this was the case, the fee was for the use of the lift rather then possession of the key and the Building Managers were instructed to amend the forms and then commence notifying strata management of the move in and outs to enable appropriate charges to be added to the lot as per the By-Law. The By-Law will be reviewed with a view of making an amendment to accommodate additional charges associated with move ins and outs during the weekend, as the building manager must attend site to install and remove lift protection covers.

**d) RESOLVED** that the Executive Committee reviewed the proposed renovations to be carried out in apartment C18. It was noted that an engineers letter certifying that the proposed works will not effect the structural integrity of the building was still required and that an a letter was also required from Environet Consultancy confirming whether additional fire sprinklers would be required in the apartment due to the renovations.

**3. Finance**
**a) RESOLVED** that the Financial Statements were tabled and that a copy be affixed to the Minutes Book. The Strata Managing Agent was instructed to transfer $300,000.00 from the At-Call investment Account to a 6 month term deposit to achieve a better interest rate.

**b) RESOLVED** that the Executive Committee endorses the decision to proceed with the upgrade of the intercom and security system, previously determined by the Treasurer and Mr Beebe.

**4. House**
**a) RESOLVED** that the owners of Strata Scheme 50785 are satisfied that Ms Marcelle Mary Therese Pearson, resident owner of C45 (Lot 73) is in breach of Special By-Law 32.1 Vehicles. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with section 45 of the Strata schemes Management Act 1996.
**b) RESOLVED** that the owners of Strata Scheme 50785 are satisfied that Ms Margita Mauric, resident owner of C67 (Lot 95) is in breach of Special By-Law 32.1 Vehicles. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with section 45 of the Strata schemes Management Act 1996.
**c) RESOLVED** that that the owners of Strata Scheme 50785 are satisfied that Ms Margita Mauric, resident owner of C67 (Lot 95) is in breach of Special By-Law 32.1 Vehicles. 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) RESOLVED** that the owners of Strata Scheme 50785 are satisfied that Ms Gersbach & Mr Liddy, residents of C12 (Lot 40) are in breach of Special By-Law 32.1 Vehicles. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with section 45 of the Strata schemes Management Act 1996.
**e) RESOLVED** that the owners of Strata Scheme 50785 are satisfied that Mr Michael Antunes & Ms Claudia Antunes, residents of C9 (Lot 37) are in breach of Special By-Law 32.1 Vehicles. 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) RESOLVED** that the owners of Strata Scheme 50785 are satisfied that tenant of A3, (Lot 8) Apprenticeships Australia Pty Ltd are in breach of Special By-Law 32.1 Vehicles. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with section 45 of the Strata schemes Management Act 1996.

**5. Restaurants**
**a) RESOLVED** that the Executive Committee discussed the recent communication received from Mr Robert Schroder the proprietor of Stonefish Café. The Strata Managing Agent was instructed to write to each commercial lot owner and occupant giving them 21 days to convert all refrigeration currently on common property power to their own lot power supply, after which time the owners corporation will disconnect all Common Property power to the commercial garages.
**b) RESOLVED** that the Executive Committee discussed the letter received from Walter Madden Jenkins on behalf of Bella Costa and determines what action is to be taken in relation to mediation agreement made on 10 February 2009.
**c) RESOLVED** that the Owners of Strata Scheme 50785 are satisfied that after, that the tenants of Lot 5, Shop 1, Bella Costa – Italian Restaurant and Mr Paul Walters and Ms Lynn Walters are in breach of Special By-Law 37.2, in they have failed to prevent staff from leaving the rear kitchen door open to the 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.
**d) RESOLVED** that the Owners of Strata Scheme 50785 are satisfied that after, that the tenants of Lot 4, Shop 2, Splash at Cronulla ABN 21 823 730 877 and Mr Gary Macris are in breach of Special By-Law 37.2, in they have failed to prevent staff from leaving the rear kitchen door open to the 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.
**e)** It was noted that submissions closed on 6 October 2009 regarding the lift tower painting. It is anticipated that the adjudicator will make a decision on the matter within the next couple of weeks.

**6. Security**
**a)** That the committee resolves to proceed with security key system upgrade. Dealt with in point 2 a).
**b)** That the committee discuss whether to integrate the lowrise entry gates and all lowrise doors including the car park to the grey security fob system. Dealt with in Point 2 a).
**c)** That the upgrade of the video security to complete present capacity of 16 cameras be discussed. Dealt with in point 2 a).
**d)** That the expansion of video security system with extra cameras to cover more common areas including lift cars

be discussed. Dealt with in point 2 a).
**e)** That the lowrise intercom system be discussed and particular notation that system now operation after service by Quorum. Dealt with in point 2 a).

**7. General Business**
**a)** That Strata Title Management issue letters within 48 hours of receiving instructions to do so from the Executive Committee.
**b) RESOLVED** that levy notices must be posted to all owners on the 14th day of the month prior to the due date for the next quarterly levy.
**c)** Deferred for further review by Dunstan De Souza.
**d) RESOLVED** that the date for the next Executive Committee Meeting be confirmed as Wednesday, 16 December 2009 at 7:00pm in the offices of Strata Title Management Sydney.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9:54PM**