Print date:
Sunday, 14 March 2010

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

Our Ref**: MP: SP50785: EC Meeting Minutes 4 March 2010**

MINUTES OF EXECUTIVE COMMITTEE MEETING

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

Thursday, 4 March 2010 at 7.00pm in the Offices of Strata Title Management Sydney, Suite 1, 191-193 Taren Point Road, Taren Point

PRESENT	Ms Schembri, Mr Korbel, Mr Beebe, Mr Earle, Mr Gourley
IN ATTENDANCE	Michael Price, Strata Title Management Sydney John Stevens, Premier Contract Cleaning Pty Ltd (Motions 1-2) Mr de Souza
CHAIRMAN	Michael Price

MOTIONS

(A) Record Attendance
(B) Apologies

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 Executive Committee reviewed the status of the painting of the building by TOR with the following notations:

- It was noted that the painting is occurring on the western wall at present.
- It was noted that Dulux have still failed to attend site and inspect the painting works.
- It was noted that there had been paint overspray over the new electric strikes and readers, which is completely unacceptable. TOR will be requested to replace the damaged strikes and readers.
- The Executive Committee require a deadline to be provided by TOR for the completion of works.
- It was agreed that an onsite meeting must be arranged with TOR, Dulux, John Stevens and Executive Committee representatives as soon as possible.

b) 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 further dye testing of the garden box and balcony tiles of C76 are required.
- The report provided McDonell Somers & Partners recommended the use of a inground injection technique to rectify the tiles walkway subsidence outside Zink Bar. The current estimate for these works is $4,32.00. It was noted that the contractor was still required to attend site for inspection and the committee approved the works with an allowance of a 10% variation in cost. Should the increase exceed 10% then the Executive Committee will need to approve the additional cost.
- It was noted that the cooling tower leak was repaired.
- The building Manager was requested to have McChun's Waterproofing and Tiling to excavate the tiles on the driveway . Council are to be approached to cover some of the cost associated with the works. The current cost estimate provided by Olympic Concrete Resurfacing for the works is $9,500 + GST.
- It was noted that the old Hogsbreath loading bay had been repaired.
- It was noted that the water penetration into C69 through the window is currently being tested.
- The air conditioning maintenance proposal prepared by SGS Air Conditioning was tabled. Further cost estimates will be obtained.
- It was resolved that Florascapes be retained on a 3 month trial and that the gardening will be reviewed again at the next Executive Committee Meeting.
- The quotation provided by Florascapes for $3,476.00 (GST Inclusive) was approved as was the additional cost of $1,100.00 for mulching.
- The quotations provided by Boka for replacement doors for Stonefish was approved for the sum of $10,000.00 + GST.
- The purchase of indoor and outdoor spa blankets was approved.
- The request made by the owners of C30 for approval to install a split system air conditioner was approved. The Strata Managing Agent was instructed to send a letter of approval to the owners.

c) RESOLVED that the Executive Committee discussed the progress in identifying the cause of the leaks in apartment C76.
d) RESOLVED that the Executive Committee was updated on the status of the Department of Fair Trading Inspections of the tiling of balcony C77. It was noted that the Department of Fair Trading was not attending site to carry out an inspection however Chris Palumbo of Strathclyde Building Services was engaged to inspect the tiles next Thursday, 11 March 2010 and provide a report and recommendations.
e) RESOLVED that the Executive Committee was updated on the status of the cooling tower leak repairs.
f) RESOLVED that the Executive Committee discussed the present air conditioning service arrangements with Endeavour Air Conditioning for the upper Tower floors.
g) RESOLVED that the committee discussed the findings of Ben McDonell of McDonell Somers & Partners regarding cracked tiles and subsidence outside Zink, Crack in the tower pool tunnel and the instability of the pool area slab.
h) RESOLVED that the Strata Managing Agent refrain from executing any maintenance agreements for the Foxtel TDT system.
i) RESOLVED that the strata managing agent write to the owners of C18 and request that they provide certification that the existing essential fire services do not require modification due to recent renovations.
j) RESOLVED that Environet were reviewing faults and will provide recommendation shortly.
k) RESOLVED that Boka be engaged to carry out the replacement of the Stonefish glass shop front.
l) RESOLVED that Boka be requested to provide a cost estimate for the regular maintenance of the commercial glass shop fronts, with the exception of Lot 21 (Opah) as the glass shop front belongs to the lot owner.

3. Finance
a) RESOLVED that the Financial Statements and proposed budget for the ensuing year were tabled. Some minor amendments are required prior to tabling budget at the Annual General Meeting.

4. House
a) RESOLVED that the committee reviewed the current gardening contract and gardening quotations to be tabled at the meeting.
b) RESOLVED that Common Property steam cleaner can be used individual lots for a lease fee and with Bill Byast or Johns Stevens operating the equipment. John Stevens and to provide a recommendation for lease charge on steam cleaner and cost for either Bill or John to operate.
c) RESOLVED that the noise produced by the fountain has been tested and does not breach the noise By-Laws. The Executive Committee agreed to reduce the operating hours of the fountain to 0600 – 2300 hours as a good will gesture towards the owners of apartment C5.
d) RESOLVED that the Executive Committee was updated on the status of the Adjudication application lodged on behalf of the Owners Corporation requesting order for the removal or modification of the awning installed on the balcony of B18.

e) RESOLVED that the owners of Strata Scheme 50785 are satisfied that the resident of C8 (Lot 36) is in breach

of Special By-Law 32.1 Vehicles, as they park their vehicle GB60AQ 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.

f) **RESOLVED** that the owners of Strata Scheme 50785 are satisfied that the resident of C12 (Lot 40) is in breach of Special By-Law 31.1 Noise, as their recent behaviour has affected the peaceful enjoyment of 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.

g) **RESOLVED** that the owners of Strata Scheme 50785 are satisfied that the resident of C12 (Lot 40) is in breach of Special By-Law 32.7 behaviour of invitees, as their recent behaviour has effected the peaceful enjoyment of others in the building. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with Section 45 of the Strata Schemes Management Act 1996.

h) **RESOLVED** that the owners of Strata Scheme 50785 are satisfied that the resident of C12 (Lot 40) is in breach of Special By-Law 32.8 Depositing rubbish on common property, as they discarded material from their balcony and dirtied the fountain. The Strata Managing Agent is instructed to issue a Notice to Comply in accordance with Section 45 of the Strata Schemes Management Act 1996.

i) **RESOLVED** that further evidence for breach of Notice to Comply will be collected regarding the vehicles associated with the residents of C12 (Lot 40) frequently parking on common property.

5. Restaurants

a) **RESOLVED** that the Executive Committee was updated on the status of the Mediation application lodged with the CTTT regarding the lift tower/pergola repairs.

b) **RESOLVED** that the Executive Committee required far greater detail and drawings of the proposed modifications before proper consideration could be given to the Hogsbreath proposal.

c) **RESOLVED** that that the owners of Strata Scheme 50785 are satisfied that the occupants of Shop 1 (Lot 5) , Bella Costa – Italian Restaurant and Mr Paul Walter and Ms Lynn Walters is in breach of Special By-Law 32.1 Vehicles, as they or their staff park vehicles 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.

d) **RESOLVED** that the common seal be affixed to the application completed by the planning consultant engaged on behalf of the restaurant proprietors.

e) **RESOLVED** that the Strata Managing Agent write to all restaurant operators once again to remind them that live music is not permitted and is in breach of the DA for their lot.

f) **RESOLVED** that the Strata Managing Agent write to all restaurant proprietors and commercial lot owners requesting the kitchen exhaust system service reports must be provided to the Owners Corporation every quarter.

g) **RESOLVED** that the Strata Managing Agent write to all restaurant proprietors and commercial lot owners requesting they attend to the painting of the kitchen exhaust ducting located on the roof of the lowrise.

h) **RESOLVED** that the installation of door closers on the rear kitchen doors of the commercial lots would not achieve the desired result. Motion defeated.

i) A quotation is being sourced from Boka for the regular maintenance of glass doors and window frontages.

j) **RESOLVED** that the proprietor Opah and the commercial owner of lot 21 must cover the cost associated with the drawing up of a license to use the additional common area. Essential parts of the license will be that the owner of lot 21 be responsible for maintaining the area, no live music is permitted in the lot, the painting of the lift tower and pergola must be completed at the lot owners expense and a bond must be paid.

k) **RESOLVED** that the use of the area under the Opah stairs for storage of garbage bins was unacceptable as evidenced by damaged caused by Pioneer Waste. No alternative location was established at the meeting.

l) **RESOLVED** that the Strata Managing Agent provide a $1,400.00 reimbursement to the Owners of Bella Costa. It was noted that all restaurant operators will be served with a $1,100.00 license fee each quarter.

6. Security

a) **RESOLVED** that the cost of grey fobs to lowrise residents is to remain unchanged. Many owners have already purchased grey fobs at the standard rate and no exceptions should be granted.

b) **RESOLVED** that an update on the upgrade of the security access system was provided with a special notation made that Stage 1 of the upgrade had been completed.

c) **RESOLVED** that the proposed modification to the car park exit door to the A Block East Foyer was denied as the proposed modification would compromise security for lowrise residents. It was noted that in the event of a fire the electric locks release to allow safe exit from the car park.

d) **RESOLVED** that the DOTL (Door Open Too Long) alarm was operating perfectly.

e) **RESOLVED** that Carey Beebe and Ted Korbel be authorised to accept cost estimates up to $30,000.00 for the installation of additional cameras, replacement cameras, cabling and other security equipment as part of stage 2 of the security upgrade.

7. General Business

a) **RESOLVED** that the new agreement will be reviewed by Dunstan de Souza and executed by the committee once amendments recommended by Dunstan have been implemented. The agreement will be for a 12 month period. As a 2-year period was approved at the last Annual General Meeting there is no need to table agreement at the Annual General Meeting this year.

b) **RESOLVED** that Dunstan will circulate the amended By-Laws to the Executive Committee via email in advance of the Annual General Meeting Agenda having to be sent out to all owners.

c) **RESOLVED** that the Annual General Meeting will be held at 7:00PM on Wednesday, 14 April 2010 in the BBQ area.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10:14PM