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MINUTES OF EXECUTIVE COMMITTEE MEETING OF THE OWNERS CORPORATION OF STRATA PLAN 50785

MINUTES of the Executive Committee Meeting of the Owners Corporation of **Strata Plan 50785** held on Wednesday 23rd February 2011 held in the offices of Strata Title Management, Mezzanine Level, 191-193 Taren Point Road, Taren Point.

PRESENT: Mr P Dransfield (1), Ms S Schembri (32), Mr C Lock (51), Mr C Beebe (54), Mr D Gourley (83), Mr R Earle (90) and Mr T Korbel (104).

PROXY Bruce Gale – Proxy to Sue Schembri (Proxy unanimously accepted by the Executive Committee)

APOLOGIES: Mr G Macris (46)

IN ATTENDANCE: Guy Arkins (Lot 12)
John Stevens of PREMIER CONTRACT CLEANING PTY LTD
Nina Ashfield-Howell of STRATA TITLE MANAGEMENT GROUP

CHAIRMAN: Ms Ashfield-Howell

There being a quorum present the chairman declared the meeting open.

MOTIONS

MOTION 1
Minutes

RESOLVED that the minutes of the previous Executive Committee meeting held 21 December 2010 be confirmed as a true and accurate account of the proceedings at that meeting.

MOTION 2
Matters Arising From Previous Minutes

RESOLVED to note the following updates as provided on matters arising from the previous committee meeting:

- **Execution of strata managing agency agreement:**
  NOTED that the agency agreement was executed on 22 December 2010 by Mr Korbel and Ms Schembri.

- **Painting of Exhaust systems to commercial lots:**
  NOTED that the strata manager had issued a letter to all commercial lot owners and operators to advise that the painting of the exhausts will take place from 11 April 2011 therefore all exhaust repairs or replacements should be carried out during the month of March 2011.

- **Application from Sutherland Shire Council for Aerial to Roof to support wireless relay for CCTV cameras:**
  NOTED that this application was approved in principle by the Executive Committee and Sutherland Shire Council undertook to arrange a formal licence agreement at their own cost which is to be reviewed by Dunstan and then decided formally by the Owners Corporation at the Annual General Meeting scheduled in April 2011.

- **Notices to Comply to Lots 4, 5 & 73:**
  NOTED that a Notice to Comply was issued to Lots 4, 5 & 73 on 12th January 2011 in accordance with the resolutions of the last Executive Committee meeting.

- **Informal Meeting with restaurant owners and operators:**
  NOTED that the informal meeting with the commercial lot owners and restaurant operators will be held on Monday 7th March 2011 at 6.30pm in the offices of Strata Title Management Group. It was agreed that the following items be the discussion points at the meeting:

  a) Review of By- Laws
  b) Access of Common Property
  c) Oil Spillage & Rubbish on Common Property
  d) Procedure for Change Use of Lot
  e) Signage
  f) Exclusive Use Area Responsibilities
  g) Delivery Procedures
  h) Parking on Common Property
  i) Cracked Tiling to Perryman Square

MOTION 3
Building Managers Report

RESOLVED to accept the Building Managers report as tabled and that a copy be affixed to the Minute Book with the following action noted/determined:

1) **Florascapes Report:**
   It was noted that gardening contractor (Dean Cox of Florascapes) provided a flourishing report on the state of the common garden areas however whilst it was agreed this was the case in some common areas, it was disputed in other areas where current photographs of the common gardens, as tabled at the meeting depicted a number of common garden areas as somewhat barren, with dry/dead or missing plants and irrigation pipes visible on top of the surface rather within the soil. The building manager was requested to contact the gardening contractor and raise the committee's concerns in relation to the condition of a number of garden areas to seek his immediate action to resolve.

2) **A Block Stars:**
   It was noted that safety signs and anti slip black strips were installed to the A Block stairs as an interim safety measure pending the report from Integrated Building Consultancy as to a suitable rectification method for the constant water seepage in this area.

3) **Illum-A-Lite Update:**
   It was noted that the building manager is waiting on the return of the LED engineers from a European LED Company in relation to new technologies to find a suitable and economical solution to reduce electrical consumption/costs for the driveway and surrounding lights.

4) **Broken Tiles Perryman Square:**
It was noted that there are broken tiles on the border of Perryman Square and the position of the green tiles which is the boundary of Sutherland Shire Council. Unfortunately the tiles are now obsolete therefore an exact match is not possible. The issue of how these tiles could have been broken is to be discussed at the commercial meeting on 7th March 2011 before a permanent tile replacement job is considered. In the interim, the building manager was requested to undertake a temporary fix at the present time for safety reasons.

5) **Items on A Block Roof:**
It was noted that there is rusted out equipment located on the roof above Opah and Zink Restaurants. Mr Guy Arkins informed the meeting that some time ago he advised of the rusty equipment on the roof above Zink Bar and Opah Restaurants which he stated does not belong to his restaurant therefore will not he held responsible, either financially or otherwise, with regards to the removal of the equipment or the rectification of any damage that it may have caused to the common property.
Accordingly, it was **RESOVED** that the strata manager writes to the owners of Lot 21 Opah Restaurant and requests that all rusted equipment which belongs to their lot must be removed from A Block roof within 7 days.

6) **Gerrale Street Gate Replacement:**
It was noted that Colorfen provided the final drawings of the structure and layout of the Gerrale Street gate replacement which was reviewed by the Executive Committee in association with their written quotation of $2410.40 plus GST. **RESOLVED** to accept the quotation submitted by Colorfen for the replacement of the Gerrale Street gate for the amended and reduced price of $2410.40 plus GST which will also be installed with an exit push button by Quorum Security Systems Pty Ltd that releases the door from the inside when pressed. It was noted that this gate would also unlatch in the event of the fire alarm activating as it is a fire exit.

7) **Tunnel Door Exit Perryman Square:**
It was noted that the electric strike installed about 1 year ago to the Perryman Square tunnel exit door is failing. The building manager consulted Assa Abloy who manufactures the Padde electric strike who recommended all the strikes to all doors be sprayed with a silicon spray called S26 which will address the issue. If this option is not effective, their new weather resistant strike called the ES9000 which be considered as a suitable replacement for the existing electric strikes.

The building manager was requested to try the S26 silicon spray in the first instance then they will consider the weather proof strike if unsuccessful.

OTHER ISSUES DISCUSSED AND RESOLVED IN THE PRESENCE OF THE BUILDING MANAGER (MR STEVENS):

- **Letterbox Tampering –** It was noted that the letterboxes had recently been tampered with therefore one of the CCTV cameras have angled to include vision of the letterbox area. Carey Beebe undertook to install a sign to the letterbox area to notify residents of the area now being under constant video surveillance and also to act as a deterrent for future illegal tampering. The building manager will install a key drop off box in an appropriate and secure area for the safe returning of keys.
- **CCTC Camera –** The quotation from Quorum Security Systems for the price of $2035.96 plus GST be accepted to install two additional cameras to cover the loading dock and office.
- **Replacement of Bill Byast (Caretaker) –** It was noted that Bill Byast from Premier Contract Cleaning Pty Ltd will be finishing up on Wednesday 2nd March 2011 at which time he will be replaced by Herman Edonton. A vote of thanks was extended to Mr Byast for his services over the years and the committee wish him well in his future endeavours.
- **Front Foyer Tiles –** The building manager is currently in the process of looking into an appropriate solution to repair the tiles and is also looking into the possibility of replacing carpet in the lifts with tiling.

MOTION 4
Outstanding Building Works

DEFERRED UNTIL 23RD MARCH 2011 as the scope of works report is not yet finalised and Mr Mo'ane was unable to make it to the meeting to provide the required updates.

That an update on the findings by Chris Mo'ane of Integrated Building Consultancy in relation to the following outstanding building defects be provided:

a) C76 & C77 Balcony retiling
b) Water Seepage to A Block Stairs
c) Garden Bed (north side of pool) membrane failure
d) C64 water ingress
e) C69 water ingress
f) C17 water ingress
g) Deterioration of the R3 Opah Lift Tower Structure *
h) Subsidence of tiles outside R2 Zink

* During the onsite meeting with Chris Mo'ane from Integrated Building Consultancy (IBC), John Stevens from Premier Cleaning Pty Ltd and a few members of the Executive Committee, it was alleged that Mr Mo'ane suggested that the glass roof sheeting to the R3 Opah Lift Tower Structure sheeting should be removed as a safety precaution and placed on site until such time as the repairs to the structure are complete. Accordingly, it was **RESOLVED** that the strata manager confirms this recommendation with Mr Mo'ane in writing and refers his response to the Executive Committee so that they can action his instructions.

MOTION 5
Financial Statements

RESOLVED that the Financial Statements dated 31 January 2011 be adopted. The treasurer provided the meeting with an update in relation to the exterior painting costs whereby it was noted that a total of $237,737.00 had already been paid to the painting contractor, Tradesmen on Rope Pty Ltd out of an original total contract price of $342, 375.00 therefore it was decided that the following procedure be implemented in respect to all future progress payments to the contractor for the exterior painting works:

Procedure for Payment of Painting Contractor
The painting contractor (Tradesmen on Rope P/L) is to be paid weekly progress payments upon successful completion of works agreed to by the Executive Committee at the conclusion of each week. It was further noted that the director of Tradesmen on Rope P/L is currently overseas and will recommence the painting works once he returns from abroad.

Quality of Painting Works
RESOLVED that the strata manager write to all owners and residents advising that all apartments will be inspected by the building manager and at least two members of the Executive Committee on completion of the painting works to allow the opportunity to report and have rectified, any defective painting works or areas of concern prior to final payment being issued to the contractor.

MOTION 6
Commercial

RESOLVED that the following "Notice to Comply with a By-Law" be executed by the strata manager:

- **RESOLVED** that a notice to comply be issued to the lessee of Lot 12 (Zink Bar) for Special By-Law 32.1, Vehicles, in relation to ongoing parking and obstruction of common property without the approval of the owners corporation.
- **DEFERRED FOR POSSIBLE RESOLUTION AT INFORMAL COMMERCIAL LOT MEETING 7TH MARCH 2011**

That a notice to comply be issued to the lessee of R2 Lot 12 (Zink Bar) for Special By-Law 32.8 Depositing rubbish or other material on common property, in relation to the condition of the garbage area behind Lift 3 and the cleanliness of the exclusive use area and common property which is the responsibility of that Lot.

- **DEFERRED FOR POSSIBLE RESOLUTION AT INFORMAL COMMERCIAL LOT MEETING 7TH MARCH 2011**
  That a notice to comply be issued to the lessee of s2 Lot 4 (Splash Bar) for Special By-Law 32.8 Depositing rubbish or other material on common property, in relation to the condition of the common property tunnel walkway.
- **RESOLVED** that a notice to comply be issued to the lessee of S2 Lot 4 (Splash Bar) for Special By-Law 37.2 Closing Doors.
- **RESOLVED** that a notice to comply be issued to the lessee of S1 Lot 5 (Bella Costa) for Special By-Law 37.2 Closing Doors.

It was further alleged that Zink Bar employees are hanging out bar runners over the common area railings. Mr Arkins undertook to investigate this matter further with his employees and resolve the matter if this is in fact occurring.

MOTION 7
Executive Committee Representative to the Strata Manager

RESOLVED that Carey Beebe be elected as the main representative of the Executive Committee to provide instructions to the strata manager and Ted Korbel elected the substitute representative. The strata manager was requested to email Mr Beebe in relation to matters requiring a decision from the Executive Committee and copy all Executive Committee members into such correspondence to keep all members abreast of the issues raised and to allow their input in the decision making process.

MOTION 8
Next Executive Committee Meeting & Annual General Meeting

RESOLVED that the next Executive Committee Meeting be held on Wednesday 23rd March 2011 to allow Mr Mo'ane of Integrated Building Consultancy (IBC) time to complete his report and provide an update on his findings.

RESOLVED that the Annual General Meeting be held on Wednesday 20th April 2011 at 7.00pm to be held in the BBQ Area located onsite at 1-3 McDonald Street, Cronulla.

THERE BEING NO FURTHER THE BUSINESS, THE MEETING CLOSED AT 9.15PM

Dated 2nd March 2011