STM | STRATA TITLE MANAGEMENT
your strata care company

STM Sydney South
ABN: 43 119 655 762

PO Box 2727
Taren Point NSW 2229
t. (02) 9540 4199
f. (02) 9540 3943
e. sydney@stratatitle.com.au
www.stratatitle.com.au

MINUTES OF EXECUTIVE COMMITTEE MEETING OF THE OWNERS CORPORATION

MINUTES OF BUSINESS dealt with at the
Executive Committee Meeting of the
Owners Corporation of **Strata Plan 50785**
Held in the Offices of Strata Title Management located on Mezzanine Level of 191-193 Taren Point Road, Taren Point
on **Tuesday, 28 October 2014** commencing at **6.30pm**

PRESENT: S Jarvis (Lot 34), C Beebe (Lot 54), D De-Le-Garde (Lot 55), K O'Shea (Lot 56), R Earle (Lot 90)

PROXY: J Farlow (Lot 91) – Proxy to C Beebe
E Korbel (Lot 104) – Proxy to C Beebe

APOLOGIES: J Forrest , E Korbel, J Farlow

IN ATTENDANCE: K Mystriotis (Lot 2), M Macris (Lot 21 – For Motion 1 only), R White (Lot 84), N Bayliss (Lot 86)
John Stevens of Premier Contract Cleaning Pty Ltd
Nina Ashfield-Howell of Strata Title Management

CHAIRPERSON: Nina Ashfield-Howell

There being a quorum present the chairman declared the meeting opened at 6.33pm.

MINUTES

MOTION 1
Lot 21 Opah Restaurant Awning Proposal

Matthew Macris of OPAH Restaurant was provided with the opportunity to present his external awning proposal to the meeting which was respectfully reviewed by the Executive Committee. The application as presented was seeking approval for a 6 month trial to be provided to allow the current awning concept, which is partly constructed, to be finalised and then any concerns/issues with the awning structure to be resolved post completion.

The process and requirements to obtain formal approval from the Owners Corporation was discussed and explained to Matthew Macris. It was noted this required process was also explained in writing to Gary Macris in August 2013.

To permit the Owners Corporation to formally consider the awning application, the Executive Committee agreed that the following must be undertaken:

1. The owner of Lot 21 must be financial in order to request a motion be included on the agenda of the next General Meeting of the Owners Corporation.
2. Application to be submitted by the owner of Lot 21 to the Owners Corporation and is to include a proposed Exclusive Use By-Law that details appropriate terms and conditions concerning approval for the awning structure.

3. Mr Macris to make appropriate enquiries with Sutherland Shire Council to determine if the proposed awning structure will require a Development Application (DA) to be submitted. If DA approval is required, the Executive Committee agreed that the Owners Corporation may not be able to legally enter into such an agreement.

Liability concerns were also raised over the use of common property areas by OPAH Restaurant trading beyond their previously approved exclusive use areas. Mr Macris was made aware of the motion defeated at the last Annual General Meeting whereby the Owners Corporation voted against considering receiving future applications from individual commercial Lot owners requesting expansion of their existing exclusive use areas.

Mr Macris respectfully noted all the required process and procedures however expressed his concerns about the effects on his business during the forthcoming summer period due to the lack of weather protection for his patrons seated outside. Mr Macris was requested to consider what type of non fixed/temporary weather protection devices he would find suitable and submit an application to the Executive Committee for temporary approval.

MOTION 2
Minutes

RESOLVED that the minutes of the previous Executive Committee meetings held 29 July 2014 be confirmed as a true and accurate account of the proceedings of that meeting.

MOTION 3
Financial Statements

RESOLVED that the Financial Statements for the period 1 March 2014 to 21 October 2014 be accepted.

MOTION 4
Balcony Railings

It was noted that Mark Davis of Davis Langdon met onsite with the Balustrading contractors and Collard Maxwell Architects on 23 October 2014 to discuss some of the issues the contractors are facing when tendering for the project in line with the specification. Once Mark Davis has finalised his report, a meeting with the Balcony Works Sub-Committee will be arranged and then the results of this meeting will be referred back to the Executive Committee. Kevin O'Shea undertook to forward the report from Mark Davis to all Executive Committee members once received.

It is anticipated that the Extraordinary General Meeting to consider the balustrading options will be convened in February 2015.

MOTION 5
Building Manager's Report

RESOLVED that the Building Manager's report be accepted with the following further action items determined/noted:

- **C76 Kitchen Area** – Ongoing water ingress issue been occurring into the kitchen area of Apartment C76. A new membrane was applied along the outside of the kitchen window and under the window however this failed to resolve the problem. Contractor is currently investigating further.
- **Fire Certification of Fire Doors** – After the last Annual Fire Safety inspections the majority of front entrance doors in 'C' tower failed due to rusty hinges of both the main doors and leaf doors. The quotation for rectification by Newsound Fire Services came in at $330.00 per door set. It was agreed that Carey Beebe and John Stevens review the doors and get back to the Executive Committee with further options to consider.
- **Diesel Sprinkler System** – Quotations were received to replace the diesel pump on B2 level and replace 3 gate valves, 50m pressure relief valve and 3 isolating valve tamper switches. Total cost came in at $13,079.00 including GST. Kevin O'Shea undertook to check the pricing for the pump and report back to the Building Manager. It was agreed that the Executive Committee make a decision on this electronically once costing has been further investigated.

- **A8 & A11 Balconies** – Quotations were received from Glenn Parris the day of the meeting for the repair work required to A8 & A11. These apartments were originally on the Buildsense contract but were not carried out by Buildsense. Building Manager is to review these quotations with John Forrest and provide recommendations to the Executive Committee in due course. In the meantime, Darren De-La-Garde agreed to review the tiling works required to A11 and provide his input on costing.
- **Builders Store Room** – Building Manager to arrange a revised quotation for cyclonic fencing for the proposed builder store room area.
- **Hot Water Heaters** – It was noted that the terminals for the flues servicing the water heaters has corroded. It was agreed to proceed with this rectification which is priced between $1,020.00 - $2,090.00 subject to stainless steel external components being used if required.

MOTION 6
Building Works Protocol

It was agreed that a draft building works protocol be prepared by John Forrest and John Stevens and referred to the Executive Committee for a decision electronically.

MOTION 7
FORENSIC ENGINEERING INVESTIGATION PROPOSAL

The fee proposal submitted by Forensic Engineering Investigations dated 9 October 2014 was reviewed and the hourly rates were noted for possible structural and forensic engineering assistance at Cote d'Azur if required in the future.

MOTION 8
Lift Tower Repairs Adjacent to Lot 21

It was noted that the repairs to the Lift Tower adjacent to Lot 21 are complete and have been signed off by the Jones Nicholson Engineers.

MOTION 9
Quarterly Licence Fee under Special By-Law 42.5

A. It was noted that John Forrest is currently in the process of negotiating with commercial lot owners concerning the licence fee under Special by-Law 42.5 and various other matters relating to the commercial lots with an expected outcome by Mid November 2014.

B. **MOTION DEFERRED UNTIL NEXT COMMITTEE MEETING -** *That the current licence fees for the period 1 March 2014 to 31 May 2014 be waived.*

C. **MOTION DEFERRED UNTIL NEXT COMMITTEE MEETING** - *That the current licence fees for the period 1 June 2014 to 31 August 2014 be waived.*

D. **MOTION DEFERRED UNTIL NEXT COMMITTEE MEETING** - *That the current licence fees for the period 1 September 2014 to 30 November 2014 be waived.*

MOTION 10
Restaurants

The Strata Managing Agent was requested to follow up the complaint lodged with Sutherland Shire Council concerning the smoke and fumes emanating from Splash's exhaust system.

MOTION 11
By-Law Review

It was noted that the final version of the revised by-law have not yet been received. Carey Beebe undertook to follow up Solicitor Adrian Mueller so that these by-laws can be resolved at the 2015 Annual General Meeting.

MOTION 12
Commercial Car Parking

Concerns were raised over the current misuse of the commercial car parking area on B2 level. Complaints have been received from both Commercial and Residential occupants about the parking therefore this needs to be resolved.

It was agreed that Kevin O'Shea raise the concerns with the Commercial Operators about the use of their commercial car parking area and seek their input on how they would like to use the area and what rules/guidelines they would agree to implement before a final decision is made by the Executive Committee.

MOTION 13
By-Law Breaches

There was no new alleged by-law breaches to that the Executive Committee were aware of at the time of the meeting.

MOTION 14
Section 45 Notices - Notice to Comply (NTC) with a By-Law

A. **MOTION DEFERRED** - *That, in accordance with Section 45 of the Strata Schemes Management Act 1996, a Notice to Comply with a By-Law be served upon the occupants of* ***Lot 32*** *(****Apartment C4****) for breach of special by-law 32.1 in relation to parking vehicles on common property without the approval of the owners corporation despite repeated requests.*

MOTION 15
PRIDE Update

It was noted that the PRIDE Team were continuing to work on projects throughout the complex. Neville Bayliss advised that working bees will be arranged within the next few weeks.

MOTION 16
Next Executive Committee Meeting

RESOLVED that the next Executive Committee Meeting be held on **Tuesday, 20 January 2015** in the office of Strata Title Management located Mezzanine Level, 191-193 Taren Point Road, Taren Point commencing at 6.30pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 9.22PM