STM | STRATA TITLE MANAGEMENT
your strata care company

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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, 29 July 2014** commencing at **6.30pm**

PRESENT: S Jarvis (Lot 34), J Forrest (Lot 39), D De-Le-Garde (Lot 55), K O'Shea (Lot 56), R Earle (Lot 90), J Farlow (Lot 91)

PROXY: C Beebe (Lot 54) – Proxy to D Gourley
E Korbel (Lot 104) – Proxy to D Gourley

APOLOGIES: C Beebe, E Korbel, J Stevens of Premier Contract Cleaning P/L

IN ATTENDANCE: Nina Ashfield-Howell of STRATA TITLE MANAGEMENT

CHAIRPERSON: Nina Ashfield-Howell

There being a quorum present the chairman declared the meeting opened at 6.30pm.

MINUTES

MOTION 1
Minutes

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

MOTION 2
Financial Statements

RESOLVED that the Financial Statements for the period 1 March 2014 to 16 July 2014 be accepted. It was noted that the $800,000.00 Term Deposit Investment Account was due to expire 11 August 2014. It was agreed that this investment be reinvested for a further 3 month term at the highest rate available.

MOTION 3
Balcony Railings

Kevin O'Shea provided the following update on the progress of the balcony railing replacement project:

1. Kevin O'Shea/ Alan Bailey (COC – Project Sub-committee) and Mark Davis (Davis Langdon – Project Manager) visited site on 3 June 2014 to carry out an inspection of the general layout of the building complex, balconies and access provisions for undertaking a full balustrade replacement program.
2. Davis Langdon has since made enquiries with Sutherland Shire Council and a Private Certifier regarding the planning approvals process applying to this project. They advised a DA is not required for the replacement of the existing balustrades.

3. Further advice has been sought from a balustrade installer regarding various systems, fixing details, procurement lead-times and warranty/durability matters.
4. Davis Langdon is proceeding with seeking fee proposals from an appropriately experienced architect and PCA to enable presentation material and tender specifications to be prepared.
5. Davis Langdon has commenced enquiries for preparing a preliminary panel of tendering firms.
6. Davis Langdon has updated the Project Delivery Program for communication to the Project Sub-committee.
7. Extraordinary General Meeting to be held with Owners Corporation in 4th quarter of 2014 to accept balustrade replacement material and tender.
8. Work on the project is anticipated and hoped to commence February 2015.

MOTION 4
Building Manager's Report

No report to review.

MOTION 5
Building Works Protocol

MOTION DEFERRED UNTIL NEXT COMMITTEE MEETING - *That the Executive Committee establishes an agreed protocol with respect to facilitating and coordinating building works at the complex.*

John Forrest agreed to simplify his proposal for review and consideration at the next meeting.

MOTION 6
Air Conditioning System

RESOLVED that any future original built in air conditioning systems that fail be replaced by the owners corporation with the best available system at the time.

MOTION 7
Lot 17 (Apt A9) Flooring

RESOLVED that the owners of Lot 17 be provided a "Without Prejudice" payment of $1,600.00 to cover the replacement of water damaged flooring within their apartment which occurred as a result of water testing carried out by Buildsense.

MOTION 8

Lift Tower Repairs Adjacent to Lot 21
It was noted that George Walker has now finalised the repairs to the atrium structure over the lift adjacent to Lot 21. It was further noted however that there were a number of variations to the works which significantly increased the originally quoted price. The building manager is currently negotiating the final price with the builder and will report back to the Executive Committee on the result.

Lift Maintenance
The Executive Committee requested that Adrian Mueller provide a legal opinion on the possibility of decommissioning the lift adjacent to Lot 21.

Mediation Application by Lot 21
The Executive Committee reviewed the Application for Mediation by the owner of Lot 21 and the advice received from Adrian Mueller of JS Mueller Solicitors relating to the application and agreed not to participate in mediation.

The strata managing agent was instructed to request that Adrian Mueller write to Fair Trading Mediation Services and provide them with a detailed response of the reasons why the Executive Committee does not wish to participate in mediation.

MOTION 9
Quarterly Licence Fee under Special By-Law 42.5

A. It was noted that a meeting was held on 14 July 2014 between the elected representatives of the Commercial and elected representatives of the Residential concerning the licence fee under Special by-Law 42.5 and any other matters relating to the commercial lots.

The strata managing agent was requested to provide a list of all alleged by-law breaches on record for the last 12 months concerning the commercial lots for review by the commercial lot representatives.

The strata managing agent was also requested to provide the Executive Committee with a copy of the most current registered version of Special By-Law 42.5.

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

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

It was further agreed that the licence fee for the period 1 September 2014 – 30 November 2014 be delayed until further notice.

MOTION 10
Restaurants

RESOLVED that the strata managing agent escalate the complaints lodged concerning the smoke coming from the exhaust that services Splash Restaurant to Sutherland Shire Council for their review and intervention.

MOTION 11
By-Law Review

RESOLVED that the concerns raised to date relating to the first draft version of the revised by-laws be referred to Adrian Mueller for review and amendment.

In addition, a further by-law is to be prepared for inclusion in the draft new set of by-laws relating to matters claimed on the building insurance policy to confirm that if a claim is rejected by the insurer for whatever reason, the owner of the lot is to cover the costs if it relates to lot property or personal matters.

MOTION 12
By-Law Breaches

No by-law breaches to report other than smoke from Splash which is now being referred to Sutherland Shire Council as detailed in Motion 10.

MOTION 13
PRIDE Update

It was noted that the PRIDE Team were continuing to work on projects throughout the complex. A vote of thanks was extended to Peter Dobson for his involvement and contribution to the PRIDE team.

It was also noted that Neville Bayliss obtained a Graffiti Removal kit from Sutherland Shire Council on behalf of the owners corporation. The Strata Managing Agent was requested to write to a formal acceptance letter to Sutherland Shire Council to confirm receipt of the kit.

MOTION 14
Next Executive Committee Meeting

RESOLVED that the next Executive Committee Meeting be held on **Tuesday, 28 October 2014** in the office of Strata Title Management located Mezzanine Level, 191-193 Taren Point Road, Taren Point commencing at 6.30pm.

GENERAL BUSINESS:

1. **Letterbox Locks**
   Building Manager to look into solutions to resolve letterboxes being broken into through the use of an unauthorised master key.

2. **Reimbursement Claim from the Owner of Lot 45 (C17)**
   Owner is to submit written application for reimbursement in writing and detail reasons for claim and amount being requested, including official receipts for consideration by the Executive Committee at the next meeting.

3. **Proposed Renovations to Lot 55 (Apt C27)**
   Owner to engage lawyer to prepare an exclusive use by-law on his behalf for proposed renovations for consideration by the owners corporation at the next general meeting.

4. **Free Plants from Sutherland Shire Council**
   Kevin O'Shea undertook to liaise with the gardener to determine if any of the plant species on offer for free from Sutherland Shire Council are appropriate for any garden areas within Cote d'Azur and if so, a notice will be placed on the notice board to encourage owners to collect their plants and donate to the owners corporation.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.25PM