STM | STRATA TITLE MANAGEMENT
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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 **Wednesday, 4 November 2015** commencing at **6.30pm**

PRESENT: S Jarvis (Lot 34), D Oliver, M Bright (Lot 41), C Beebe (Lot 54), K O'Shea (Lot 56), S Carruthers (Lot 79), R Earle (Lot 90 & 96)

PROXIES: Nil

APOLOGIES: D De-La-Garde (Lot 55), David Gourley (Lot 83),

IN ATTENDANCE: Tony and Daniel Tartak (Lot 21 - For Introduction of Meeting Only)
Alan Bailey of Davis Langdon, Ted Korbel (Lot 104)
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 6.32pm.

MINUTES

DUE TO THE ATTENDANCE OF TONY AND DANIEL TARTAK, NEW OWNERS OF OPAH RESTAURANT, THE EXECUTIVE COMMITTEE AGREED TO RUN THE MOTIONS OUT OF NUMERICAL ORDER AND COMMENCE WITH MOTION 8.

MOTION 8
Lot 21 Awning

Tony and Daniel Tartak introduced themselves to the Executive Committee as the new owners of Opah Restaurant and gave the Executive Committee the opportunity to raise any concerns they may have concerning their awning application. General questions were raised and answered. It was noted that the by-law for the awning will be considered at the forthcoming Extraordinary General Meeting and both Tony and Daniel Tarkak were invited to the meeting to address any concerns or questions other owners may have.

Concerns were also raised about the New Years Eve banner already installed. A request was made that they remove the banner until 21 days prior to the event in line with Council regulations and this was agreed to by Tony Tartak.

MOTION 1
Minutes

RESOLVED that the minutes of the previous Executive Committee meetings held 22 July 2015 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 2015 to 27 October 2015 be accepted.

MOTION 3
Balcony Railings

A. <u>Update on Balcony Railing Project</u>

Alan Bailey attended the meeting on behalf of the Project Manager, Mark Davis of Davis Langdon to provide an update on the progress of the balustrading replacement project.

It was noted that 7 companies were initially invited to tender for the balustrading replacement works. The tender period has now closed. The most competitive tender was received from Feenix Australia Pty Ltd for the price of $1,077,884.00 plus GST (Total $1,185,672.40). Based on the tenders received, it was noted that Davis Langdon will prepare a formal written report to the Owners Corporation in the coming days providing their recommendation to accept the Feenix tender. It was further noted that in addition to the contract amount, a contingency allowance of 5% (Approximately $60,000) should be set a side to cover any possible variations to the works.

To continue to progress this matter, it was agreed to implement the following course of action:

1. Project Manager to complete final negotiations with Feenix in an attempt to secure further savings on the total contract price.
2. Project Manager to finalise and submit their recommendation to the Owners Corporation.
3. Project Manager to confirm when invoices are anticipated to be issued during the course of the works to assist with cash flow management.
4. Project Manager to serve Feenix with a 'Letter of Intent' on behalf of the Owners Corporation to put them on notice of the intention to accept their tender pending the final decision of the Owners Corporation at the forthcoming EGM and agree to cover any costs associated with the preparation of 'as built plans'.
5. Stephen Jarvis to assist with access requirements to all apartments and contractor coordination during the course of the works. Stephen Jarvis to select a second onsite owner to share the workload.
6. Existing Sinking Fund money to be used to fund the balustrading works in its entirety i.e. No special levy to be considered at EGM.
7. Although Feenix was said to be a very reputable firm, the Strata Managing Agent was requested to ask the Building Insurer whether they would extend their existing policy to incorporate coverage of any damage/theft of personal items within apartments during the course of the works.
8. Building Works Contract to be reviewed by Lawyer for final check, once received.

B. <u>Extraordinary General Meeting (EGM)</u>

RESOLVED that an Extraordinary General Meeting be held on **Wednesday, 2 December 2015** on site at 1-3 McDonald Street, Cronulla in the BBQ area commencing at 7.00pm for the purposes of selecting a tender for the balcony railing works and to consider the by-law and application from the owners of Opah Restaurant for the awning installation over Lot 21.

MOTION 4
Building Manager's Report

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

- **Water Issues - C76 & C77** – Investigations are continuing into resolving water ingress affecting Apartments C76 & C77.

- **C66 South Facing Window** – After extensive testing and numerous visits from various consultants, it was agreed that the south facing window to Apartment C66 needs to be replaced. Neil's Glass provided a quotation to replace the window for the amount of $7,456.27 including GST which includes a boom lift. The Executive Committee agreed to accept this quotation.

- **Diesel Sprinkler Pump B2** – It was noted that the diesel sprinkler pump on basement level 2 has a heavily rusted base and requires replacement. Amber Fire Services provided a quotation for the amount of $6,875.00 including GST. The Executive Committee agreed to accept this quotation. It was further noted that Amber Fire Services also found additional work needed for quick release type valves to be installed and also a drain bund for the control of excess drain flush water. Additional work estimated at $3,850.00 which was also accepted by the Committee.

- **Sydney Water Back Flow Prevention Device** – The backwater prevention device (RPZ valve and bypass works) will be completed by late November 2015.

- **Movement Cracks** – It was noted that the Building Manager received enquiries in recent times from owners of Apartments C76, C71 & C63 concerned that the renovations being undertaken on the 8th floor has contributed to the formation of cracks within their apartments. The Strata Managing Agent was requested to write to the owners concerned and confirm the Executive Committee's position that, after recent investigations, they do not believe that the issues are a structural concern.

- **Tiles to Common Area outside Zink Bar –** It was noted that common tiled walkway area is showing more movement/expansion following the attempted repairs back in 2010 using a ground injection technique. It was agreed that the Building Manager arrange a builder to assess the area and provide their opinion on the most appropriate repair method.

- **Upgrade of Fire Panel** – A quotation was reviewed for the upgrade of the fire panel for the cost of $42,768.00. It was agreed that this is not a priority at this point in time to consider as the current fire panel still complies. Matter deferred until further notice.

- **Intercom Replacement** – It was noted that the intercom system to the 'C' tower has failed and needs replacement due to replacement parts being obsolete. Quotations from Rogo Security and Epsilon Security were considered. It was agreed to approve an amount of up to $38,000.00 including GST for the system to be replaced with new hands free colour monitors including backing plates. It was also agreed that an additional panel be installed in the loading bay area. Carey Beebe undertook to negotiate with the Rogo Security to get it under or in line with the approved budget allowance.

- **Perimeter Fencing Brackets** – A quotation was reviewed for the replacement of rusting brackets to the perimeter fencing for the cost of $7,964.00 including GST. It was agreed that this is not a priority at this point in time to consider. Matter deferred until further notice.

MOTION 5
Building Works Protocol

It was noted that the Strata Managing Agent prepared a draft '*Renovation Application Process/Form*' for use at Cote d'Azur. This document was considered to be a good starting point in developing a formal '*Building Works Protocol*'. It was noted that John Forrest will review this documentation in combination with his original draft 'Building Works Protocol' and make his suggested amendments. Once complete, this form is to be referred back to the Executive Committee for final consideration before implementation.

MOTION 6
Quarterly Licence Fee under Special By-Law 42.5

It was noted that the Sharen Carruthers and Stephen Jarvis undertook to meeting with the commercial lot owners in the first week of February 2016 to discuss and review the terms of the quarterly licence fee under Special By-Law 42.5. Following this gathering, a report on the outcome will be provided to the Executive Committee.

MOTION 7
By-Law Review

It was noted that the revised version of the by-laws prepared by J.S. Mueller & Co. Lawyers are still under review. Kevin O'Shea and Carey Beebe undertook to get together to finalise the review to allow the by-laws to be included on the 2016 AGM agenda.

MOTION 9
Review of Lift Contracts

RESOLVED that the proposal dated 28 August 2015 from Elevator Consultancy Service be accepted to attempt to renegotiate the lift maintenance contracts for the cost of up to $1,900.00.

MOTION 10
MYBOS Building Management Software Proposal

RESOLVED to accept the MYBOS Building Management software proposal for the annual fee of $2,568.00 plus GST, pending a final presentation.

It was noted that this program is a building management application service specifically designed for strata properties which offers a number of tools to streamline traditional building management activities through a simple and modern online based system.

MOTION 11
By-Law Breaches

Concerns were raised in relation to the recent use of the commercial parking area. Sharen Carruthers and Stephen Jarvis undertook to continue to work with the commercial lot operators to achieve a resolution.

MOTION 12
Section 45 Notices - Notice to Comply (NTC) with a By-Law

RESOLVED 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 10** (**Apartment A5**) for breach of special by-law 32.1 in relation to parking vehicles on common property without the approval of the owners corporation previous requests.

It was noted that there have been no further breaches since the final warning notice was issued therefore the Strata Managing Agent was requested to put this on hold unless a further parking breach is confirmed.

MOTION 13
PRIDE Update

It was noted that the PRIDE Team were continuing to work on projects throughout the complex for the benefit of all owners and occupants. Recent projects included cleaning of the painted garden beds facing Gerrale Street, aerating the grass areas, painting over graffiti in low rise area, arranging Ausgrid to paint over graffiti on transformer box and repairing the BBQ's. Any owner wishing to join the PRIDE team was welcome to do so at anytime.

MOTION 14
Date of Next Executive Committee Meeting

RESOLVED that the next Executive Committee Meeting be held on **Wednesday, 10 February 2015** in the Office of Strata Title Management commencing at 6.30pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 9.02PM