

MINUTES OF EXECUTIVE COMMITTEE MEETING

The Owners – Strata Plan No. 69259

Mondrian

2-4 Powell Street, Waterloo

DATE, PLACE AND TIME

The meeting was held on Wednesday, 18 December 2013

In the office of Strata Plus Pty Limited,

Level 2, 80 Cooper Street, Surry Hills

The meeting commenced at 6.15 pm

PRESENT:

M Hartwich	Lot 1
B Aitken	Lot 32
L Rigon	Lot 112
M Brindley	Lot 117
J Hutchinson	Lot 123
C French	Lot 133

PRESENT BY ACTING MEMBER: B Aitken acting for K Hannan (Lot 75)

IN ATTENDANCE:

L Porter	Lots 71, 93 & 107
L Meads	ABM Services
M Collins	ABM Services
G Beresford	Strata Plus Pty Limited

APOLOGIES:

K Hannan	Lot 75
M Rodgers	Lot 17
I Hulme	Lot 21

CHAIRPERSON: John Hutchinson

MINUTES

ACTING MEMBERS		
MOTION 1	ACTING MEMBERS	RESOLVED that pursuant to Schedule 3 Part 3(1) of the <i>Strata Schemes Management Act 1996</i> , the Executive Committee consent to any acting members. RESOLVED that the Executive Committee consent to Bruce Aitken to act on behalf of Karen Hannan for this meeting only.
STATUTORY MATTERS		
MOTION 2	MINUTES	RESOLVED that the minutes of the last Executive Committee meeting held on 31 October 2013 be confirmed as a true and accurate account of that meeting. <i>John Hutchinson noted that he was of the understanding that in respect of item b) of Motion 11 of the 31/10/13 meeting he had voted for the need for a full time building manager for the building defect rectification period but that the issue of a full time building manager beyond that time was an open one for determination by owners.</i>

FINANCIAL MATTERS		
MOTION 3	FINANCIAL STATEMENTS	RESOLVED that the financial statements as presented by Strata Plus Pty Limited for the period ending 30 November 2013 be adopted.
MOTION 4	EXPENSE REIMBURSEMENT CHRISTMAS PARTY	RESOLVED that the Executive Committee approves the reimbursement of the Communications Sub-Committee for the cost of the residents' Christmas Party. <i>2014 Budget for this item to be considered at the next AGM.</i>
MOTION 5	EXPENSE REIMBURSEMENT BUILDING MANAGER'S OFFICE	RESOLVED that the Executive Committee approves the reimbursement of its members for the costs involved with upgrading the equipment and refurbishing the Building Managers' office (Total Cost \$827). RESOLVED that the Executive Committee acknowledges and thanks J Hutchinson, B Aitken, M Rodgers, M Brindley and C French who donated their weekend as well as materials (brushes, paint and equipment) to refurbish the Building Manager's office.
APPLICATIONS		
MOTION 6	PET APPLICATION LOT 54 (APT 310)	RESOLVED that the application received from the occupant of Lot 54 (Apt 310) to keep a small dog with their lot be considered and approval granted. <i>It was noted that this application was received prior to the amended pet by-law being considered at General Meeting therefore not subject to newer restrictions.</i>
MOTION 7	STORAGE APPLICATION LOT 88 (APT 344)	RESOLVED that the application received from the owner of Lot 88 (Apt 344) to install a storage unit with their car space be considered and approval granted.
MOTION 8	PET APPLICATION LOT 97 (APT 353)	RESOLVED that the application received from the occupant of Lot 97 (Apt 353) to keep a small dog with their lot be considered and approval granted.
MOTION 9	AIR-CONDITIONING APPLICATION LOT 133 (APT 428)	RESOLVED that the application received from the owner of Lot 133 (Apt 428) to install an air-conditioning unit be formally approved. NOTE: A motion was passed at the general meeting held 19 November 2013 to add an Exclusive Use By-Law to the Strata Scheme's By-Laws surrounding Lot 133's installation and maintenance of an air-conditioning unit on Common Property.
MOTION 10	BONDS HELD	RESOLVED that the Strata Managing Agent provides the Secretary with a report detailing bonds received and returned since 1 July 2013. <i>The Executive Committee are in the process of finalizing the applications procedures which will include the requirement for lodgment of bond at time of application to managing agent.</i>
BUILDING MANAGEMENT & MAINTENANCE		
MOTION 11	WELCOME TO BUILDING MANAGER	RESOLVED that the Executive Committee formally welcome the Building Manager, Michael Collins of Australasian Building Management Services (ABMS).
MOTION 12	BUILDING MANAGER'S REPORT	RESOLVED that the Executive Committee receives the Building Manager's report (drawn from MYBOS) and determine any actions to be taken. <ul style="list-style-type: none"> • <i>BM instructed to install retractable hose in car wash bay (ratification required next General Meeting)</i> • <i>BM to investigate funding options for minor hardware purchases.</i> • <i>Card in CCTV control computer has apparently failed, NTS</i>

		<p><i>quote tabled, second quote to be obtained by security sub-committee.</i></p> <ul style="list-style-type: none"> • <i>BM to arrange for pressure cleaning of walls on rear lane</i>
MOTION 13	AUTHORITY TO INSTRUCT THE BUILDING MANAGER	RESOLVED that all requests made by the Executive Committee for action by the Building Manager be made via the Mondrian Forum and that all requests be lodged by the relevant Sub-Committee Lead (or delegate in the case of their absence) or Office Bearer.
SUB-COMMITTEE REPORTS		
MOTION 14	SUB-COMMITTEE REPORTS	<p>RESOLVED that the Executive Committee receives updates on the status and progress of the following Sub-Committees and determines any actions to be taken.</p> <ul style="list-style-type: none"> • Treasurer – B Aitken • Building Management – B Aitken • Communications – M Rodgers • Defects & Fire Compliance – J Hutchinson • Energy Action Plan & Security Phase 3 – J Hutchinson / M Rodgers • Garden & Landscaping – C French • By-Laws & Compliance – C French • Pool & Breezeway Gates – M Brindley <p>Communications sub-committee member not available to present at meeting, all others were. Owners can view sub-committee reports on Mondrian website.</p>
MOTION 15	BUILDING MANAGEMENT SUB-COMMITTEE CHANGEOVER	<p>That the Building Management Sub-Committee table:</p> <p>(a) An update on the changeover from the previous service providers (BM & Cleaning) to the new. <i>Excellent cleaning so far and good feedback on Michael.</i></p> <p>(b) An update on the Standard Operating Procedures (SOP) manual. <i>Update received.</i></p> <p>(c) A schedule of work and duties not completed by the previous Building Manager <i>List of outstanding items and issues from K&S' tenure presented.</i></p> <p>(d) Resolve on action to be taken in light of the schedule of work not completed by previous building management and the appropriate use of owner's funds. <i>Managing agent to write to K&S enclosing report seeking their offer for a suitable deduction from the final invoice, the executive committee will consider options based on response.</i></p>
MOTION 16	BUILDING MANAGEMENT SUB-COMMITTEE	<p>The Building Management Sub-Committee requests approval to source original building architectural and engineering documentation from the architect, Frank Stanisic in dwg/CAD (and/or .pdf format) as these will be required by BiltBeta.</p> <p><i>RESOLVED that the managing agent to send letter to Frank Stanisic Architects requesting copy of all available architectural drawings and details, reasonable costs for archive retrieval approved.</i></p>
MOTION 17	COMMUNICATIONS SUB-COMMITTEE	<p>That the Communications Sub-Committee requests Executive Committee approval for the following:</p> <p>(a) The new Mondrian logo. <i>Approved.</i></p> <p>(b) Fonts to enhance and support the Mondrian logo and style;</p>

		<p>Futura Light; Futura Extended and Futura Bold as the approved fonts.</p> <p><i>Deferred due to technical issues.</i></p> <p>(c) Adopt concept two of the Mondrian website design as proposed by the Communication Sub-Committee.</p> <p><i>Approved.</i></p>
BY-LAWS		
MOTION 18	EXISTING LIST OF BY-LAW BREACHES	<p>RESOLVED that the Executive Committee reviews the existing list of by-law breaches and determines actions to be taken.</p> <p><i>By-Law and compliance sub-committee to liaise with building manager to bring both up to speed and to establish breach notification and handling procedures. Breaches will be tracked on MYBOS in future.</i></p>
MOTION 19	NOTICE TO COMPLY	<p>That the Owners Corporation of Strata Plan 69259 authorise and instruct the Strata Managing Agent to issue the following notices to comply with by-laws:</p> <ul style="list-style-type: none"> • Lot 48 (Apt 304) For Unapproved Diamond Design Grill <i>RESOLVED</i> • Lot 54 (Apt 310) For Unapproved Diamond Design Grill <i>RESOLVED</i> • Lot 55 (Apt 311) For Unapproved Diamond Design Grill <i>RESOLVED</i> • Lot 54 (Apt 310) For Unapproved Dog (too large and noise complaints) <i>DEFEATED</i> • Lot 98 (Apt 354) For Unapproved Dog (too large and complaints about behaviour) <i>RESOLVED</i> • Lot 25 (Apt 208) For Mirror Ball Attached to Common Property <i>RESOLVED</i> • Lot 40 (Apt 223) For Tyres In Car Park <i>WITHDRAWN</i> <p>RESOLVED that the Owners Corporation of Strata Plan 69259 authorise and instruct the Strata Managing Agent to sign and affix the common seal to the notices to comply documents.</p>
MOTION 20	ACOUSTIC TESTING	<p>RESOLVED that quotations be obtained to undertake acoustic testing on timber flooring systems, carpet and bare slab in the complex to advise an appropriate by-law standard.</p>
MOTION 21	BY-LAW REGISTRATION	<p>RESOLVED that the Strata Managing Agent provides an update on the registration and lodgement of approved by-law changes with LPI (Land & Property Information).</p> <p><i>Paperwork tabled and approved at meeting, managing agent to lodge.</i></p>
OTHER MATTERS		
MOTION 22	CONFIDENTIALITY	<p>That the Executive Committee discuss the duties in relation to the sharing of email correspondence and other information with third parties in the light of both the Code of Conduct subscribed to by members of the Executive Committee as well as community values.</p> <p><i>The Executive Committee RESOLVED that informal discussion as part of the decision making process on any relevant matter is not for the public domain and must not be made available to third parties. To stand for or accept election to the committee owners must be prepared to adhere to the executive committee code of conduct which includes confidentiality.</i></p>

		<p>Resolve on whether in light of the foregoing a breach has occurred in the provision of Executive Committee email correspondence to K&S Building Management Services Pty Ltd.</p> <p><i>The members acknowledged that a breach had occurred.</i></p>
MOTION 23	INSURANCE COVER	<p>RESOLVED that the Executive Committee provide answers to the following questions put forward by a member of the Executive Committee:</p> <p>(a) Has action been taken by the Strata Managing Agent in advising the insurance company holding the policy of a possible claim or a writ been issued and served. If the answer is yes', then on whose authority?</p> <p><i>Yes. The strata manager did so to comply with legal obligations under policy.</i></p> <p>(b) What is the attitude of the Executive Committee in supporting or not supporting an insurance claim if the alleged defamation is within the wording of an eligible claim?</p> <p><i>It is not a matter for the Executive Committee now, but for the insurer.</i></p> <p>(c) What the attitude of the Executive Committee if the alleged claim is not covered by the policy as to payment of legal fees and any awarded damages which could be substantial.</p> <p><i>That is a matter now for the insurer. All owners corporations should support their executive committee members.</i></p> <p>Relevant to this question is the Strata Management act and whether a payment of this nature is or is not prohibited.</p> <p><i>Can't understand this question.</i></p> <p>(d) What is the attitude of the Executive Committee calling for an EGM if the point 3 came into play and the issue of a voluntary payment arose and supported at Executive Committee level which depending on the ultimate amount could translate into several thousand dollars as a call per unit.</p> <p><i>Wait for the insurer's decision.</i></p> <p><i>Note; the items were placed on the agenda verbatim from source. Minutes responses are from legal advice sought.</i></p>
MOTION 24	MINUTES ECM 18.12.13 – DELAY	<p>That the Executive Committee grants the Secretary a delay in issuing Executive Committee Meeting minutes to 15 January 2014 due to the Strata Plus Christmas/New Year office closure period.</p>
NEXT MEETING		
MOTION 25	NEXT MEETING	<p>RESOLVED that the time, date and place for the next Executive Committee meeting be provisionally set at 6:15PM on Tuesday 18 February in the meeting room at Strata Plus offices.</p>
CLOSURE		<p>There being no further business, the meeting closed at 9:10 pm.</p>