

Strata Schemes Management Act 1996 (NSW)

MINUTES OF AN EXECUTIVE COMMITTEE MEETING

The Owners – Strata Plan No. 69259
 Mondrian
 2-4 Powell Street, Waterloo

DATE, PLACE AND TIME

The meeting was held on Tuesday 15 April 2014
 Level 2, 80 Cooper Street, Surry Hills
 The meeting commenced at 6:15pm

PRESENT:

M Rogers	Lot 17
B Aitken	Lot 32
S Chan	Lot 74
K Hannan	Lot 75
J Hutchinson	Lot 123
M Brindley	Lot 133

PRESENT BY ACTING MEMBER:

D Krause acting for I Hulme	Lot 21
K Hannan acting for C French	Lot 133

IN ATTENDANCE:

L Meads	ABM Services
M Collins	ABM Services
D Krause	Lots 48,102 & 66
L Rigon	(Left at 8 :00pm)
G Beresford	Strata Plus Pty Ltd

CHAIRPERSON: John Hutchinson

MINUTES

STATUTORY MATTERS		
MOTION 1	MINUTES	<p>RESOLVED that the minutes of the previous executive committee meeting held 18 February 2014 be confirmed as a true record of the proceedings at that meeting.</p> <ul style="list-style-type: none"> Subject to clarification that the motion and resolution for Motion 1 were intended to reflect that all alternate members to stand until next EC election

MATTERS ARISING FROM PREVIOUS MEETING AND STATUS		
MOTION 2	LATE STRATA FEE PAYMENTS	RESOLVED that the Executive Committee confirm they are in receipt of debt collection internal procedures forwarded by Strata Plus
MOTION 3	INSURANCE BROKERS REPORT	RESOLVED that Strata Plus confirms renewal of Insurance with CHU per instructions from the Executive Committee following final review of cover requirements.
MOTION 4	APPLICATIONS	RESOLVED that the Strata Manager confirms owners were advised of approved applications and bonds were collected. <ul style="list-style-type: none"> • Bond was collected for flooring; the bond for installation of car space storage was not collected. All future bonds to be deposited at time of application rather than at time of works.
MOTION 5	BUILDING MANAGERS REPORT	RESOLVED that the Building Manager confirms rubbish bins were ordered as instructed and quotes were obtained for re-fixing of the parapet on Building 3. <ul style="list-style-type: none"> • Bin deposit invoice is to be obtained by building manager. • Parapet quotes are in Building Managers report. Matter to be referred to building management sub-committee for decision.
MOTION 6	BALCONY PEBBLES	RESOLVED K Hannan and J Hutchinson to confirm if brief to Suzie Broome of Makinson d'Apice was prepared and supplied to seek independent advice on status of balcony pebbles. <ul style="list-style-type: none"> • Advice from S Broome was sought. S Broome was contacted by A Haddadi and gave her legal opinion directly. Executive Committee has engaged IBC to carry out inspection of each configuration of balcony with pebbles and make recommendation.
MOTION 7	MOSQUITO MANAGEMENT	RESOLVED that the Building Manager provide an update following investigations of water pooling under pool deck. <ul style="list-style-type: none"> • Investigations were carried out by Building Manager. Work to address blocked drainage is progressing.
MOTION 8	BY-LAW BREACHES	RESOLVED that Strata Plus to confirm issuance of breach letters to Lot 69 for unapproved garden shed in garage and Lots 30, 36, 38, 57, 62, 63, 106 for washing on balconies. <ul style="list-style-type: none"> • First notices sent by Building Manager, second notices were sent by Strata Manager.
MOTION 9	NOTICE TO COMPLY	RESOLVED that Strata Plus to provide status of Notice's to Comply issued to Lot's 48, 54 and 55 for unapproved diamond design grilles, Lot 98 for unapproved dog including update from Building Manager if residency status has altered. <ul style="list-style-type: none"> • Notices to comply were not sent. Dog has left the building.
MOTION 10	BY-LAW NON-COMPLIANCE	RESOLVED that Strata Manager to advise if letter was issued to Lot 30 to remove non-compliant fly-screens. <ul style="list-style-type: none"> • Letter was issued

MOTION 11	AIR CONDITIONING SCREENING	RESOLVED that the Building Manager confirms provision of list of apartments with uncovered air-conditioning units. <ul style="list-style-type: none"> • Listing of two non-compliant lots has been provided
FINANCIALS		
MOTION 12	FINANCIAL STATEMENTS	RESOLVED that the Executive Committee accepts and adopts financial statements as presented by Strata Plus Pty Limited for the period 1 Feb 2014 – 31 Mar 2014, and accepts Consultants Fees, per requirement at 18 February 2014 ECM to report separately. <ul style="list-style-type: none"> • Deficit in the admin fund is anticipated due to carry over of unpaid invoices from the previous financial year which were not included in the budget. This was advised to owners at the November EGM
APPLICATIONS		
MOTION 13	APPLICATIONS	No applications were received during this period.
BUILDING MANAGEMENT AND MAINTENANCE		
MOTION 14	BUILDING MANAGERS REPORT	RESOLVED that the Executive Committee receives the Building Manager's report and determine any actions to be taken. <ul style="list-style-type: none"> • Executive Committee to receive future reports on the first week of each month, other than Executive Committee Meeting months when they would be delayed until the week before the meeting. • Visitor parking policing to be included in future reports. • An assessment by the building manager of any quotes he provides is required • Car park maximum height signage accuracy and visibility to be investigated by the Building Manager after recent impact.
SUB-COMMITTEE REPORTS		
MOTION 15	SUB-COMMITTEE REPORTS	RESOLVED that the Executive Committee receives updates on status and progress of the following sub-committees and determines any actions to be taken. <ul style="list-style-type: none"> ➤ Building Management – Bruce Aitken ➤ Communications – Mark Rodgers ➤ Defects & Fire Compliance – John Hutchinson ➤ Energy Action Plan & Security Phase 3 – John Hutchinson / Mark Rodgers ➤ Garden / Landscaping – Chris French ➤ Pool / Breezeway Gates – Michael Brindley • Draft sub-committee report presented and adopted after receiving synopsis of content from the various sub-committee representatives present or represented. Final report will be posted on the website.

MOTION 16	ENERGY ACTION PLAN	RESOLVED the Energy Saving Subcommittee's choice of contractor to install CO monitoring in the car park be supported. <ul style="list-style-type: none"> Decision deferred pending clarification of quotes which are currently not easily compared. Building Manager is to provide assessment and further information on quotes. Energy sub-committee to be delegated authority to approve programmer and sensor system. (VSD's will most likely not be required and will be investigated after installation of CO Monitoring.
MOTION 17	WEBSITE	RESOLVED that the Executive Committee approves the supplier quote to provide additions to the current website. <ul style="list-style-type: none"> Members voted to accept quote to develop news/alert capability and a password protected area of the website.
MOTION 18	SECURITY	RESOLVED that the Executive Committee approves the preferred supplier to replace the CCTV DVR/NVR and replace 5 x CCTV cameras. <ul style="list-style-type: none"> NTS quote accepted.
MOTION 19	POOL COMPLIANCE	RESOLVED that the Pool Sub-Committee provides an update on the Council compliance status and tables the next steps of pool rectification and integration with the BiltBeta program of works. <ul style="list-style-type: none"> Information provided in sub-committee report.

COMPLIANCE

Mondrian has a set of By laws that have been approved by Mondrian Owners and are designed to ensure that Mondrian retains its distinct architectural character and living values. The Executive Committee and the Strata Manager are charged with upholding these values. They do their utmost to resolve breaches and compliance issues through discussion. If however a solution cannot be found by these means, then it is necessary to follow the processes that legislation provides.

MOTION 20	BY-LAW BREACHES	RESOLVED that the Executive Committee reviews the current list of by-law breaches and determines actions to be taken. <ul style="list-style-type: none"> There are no current by-law breaches for action apart from those being resolved upon under Motion 21-23.
MOTION 21	NOTICES TO COMPLY	Pending outcome of update from Strata Plus (see Outstanding Items), that the Executive Committee request Strata Plus issue Notices to Comply as follows: <ol style="list-style-type: none"> RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing agent to issue a notice to comply with by-law no. 28 to owner or occupier of lot 69, in relation to their ongoing breach of the car park storage by-law. RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to sign and affix the common seal to the notice to comply document. RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing

		<p>agent to issue a notice to comply with by-law no. 28 to owner or occupier of lot 105, in relation to their ongoing breach of the car park storage by-law.</p> <p>d) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to sign and affix the common seal to the notice to comply document.</p> <p>e) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing agent to issue a notice to comply with by-law no 26 to owner or occupier of lot 71, in relation to their ongoing breach of the air-conditioning installation by-law</p> <p>f) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to sign and affix the common seal to the notice to comply document.</p> <p>g) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing agent to issue a notice to comply with by-law no 5 to owner or occupier of lot 30, in relation to their ongoing breach of the General Requirements by-law relating to installation of screens</p> <p>h) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to sign and affix the common seal to the notice to comply document</p> <p style="text-align: right;">To be issued by 30 April 2014</p>
MOTION 22	MEDIATION	<p>That the Executive Committee review actions taken to resolve breaches and agree the need to proceed to mediation for Lots 48, 54 and 55 for unapproved diamond design grilles.</p> <p>a) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing agent to make an application for mediation relating to breach of by-law no 5 by the owner of lot 48, in relation to their ongoing breach.</p> <p>b) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to sign and affix the common seal to the application</p> <p>c) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing agent to make an application for mediation relating to breach by-law no 5 by the owner of lot 54, in relation to their ongoing breach.</p> <p>d) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to sign and affix the common seal to the application.</p> <p>e) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing agent to make an application for mediation relating to breach with by-law no 5 by the owner of lot 55, in relation to their ongoing breach.</p> <p>f) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to</p>

		<p>sign and affix the common seal to the application</p> <p style="text-align: center;">Applications to be lodged by 30 April 2014</p>
MOTION 23	NOTICE TO SEEK ORDER	<p>a) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the strata managing agent to make an application for an Adjudicators Order for breach of a mediated agreement and ongoing breach of by-law 26, by the owner of Lot 93</p> <p>b) RESOLVED that the owners corporation of strata plan 69259 authorise and instruct the managing agent to sign and affix the common seal to the application</p> <p style="text-align: center;">Application to be lodged by 30 April 2014</p>
MOTION 24	JUNK MAIL	<p>RESOLVED that the Executive committee instruct the strata manager write to the following real estate agencies requesting that they, their servants and contractors respect the NO JUNK MAIL instructions placed on the letter boxes at Mondrian 2-4 Powell St Waterloo and refrain from delivering unsolicited advertising material:</p> <p>Martins Real Estate Clarke real Estate Compass Real Estate Bresic Whitney</p> <ul style="list-style-type: none"> • Liberty Property Services to also be written to on same matter.
STRATA MANAGEMENT		
MOTION 25	STRATA PLUS SLA'S	<p>RESOLVED that Strata Plus to confirm validity of attached document regarding SLA's dated 5 Dec 2011 and agree to work with Executive Committee Office Bearers to refine and update as required and in alignment with current contract.</p> <ul style="list-style-type: none"> • K Hannan, B Aitken and Guy Beresford to develop new SLA within 30 days.
MOTION 26	CREDIT RATINGS	<p>RESOLVED that Strata Plus to provide an update to the Owners Corporation on the impact of late payments to Owner credit ratings in light of the recent Credit Act enhancements.</p> <ul style="list-style-type: none"> • Strata Plus to provide treasurer with information on changes to credit reporting relating to late payments. Strata Plus to liaise with treasurer to expedite approvals procedure.
OTHER BUSINESS		
MOTION 27	TYRE PUNCTURES	<p>RESOLED that the Executive Committee instructs the Building Manager to place notices inquiring if residents have experienced tyre damage following some recent incidents of punctures. The Building Manager is requested to remind onsite contractors of their obligation to maintain a safe and clean workplace.</p> <ul style="list-style-type: none"> • Exact wording of correspondence to be agreed between building manager and building management sub-committee.

NEXT MEETING

MOTION 28	NEXT MEETING	RESOLVED that the next executive committee meeting be held at 6:15pm Thursday 5 June 2014 and that the Annual General Meeting to be held on Thursday 24 July 6:30PM
CLOSURE		There being no further business the chairperson declared the meeting closed at 8:10pm