

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 Thursday, 5 June 2014

In the offices of Strata Plus
Level 2, 80 Cooper Street, Surry Hills

The meeting commenced at 6:15pm

PRESENT:

M Rodgers	Lot 17
B Aitken	Lot 32
S Chan	Lot 74
K Hannan	Lot 75
J Hutchinson	Lot 123
C French	Lot 133
M Brindley – after motion 2.2	

IN ATTENDANCE:

M Collins	ABMS
L Meads	ABMS
M Brindley – prior to motion 3	
G Beresford	Strata Plus

CHAIRPERSON: John Hutchinson

MINUTES

STATUTORY MATTERS		
MOTION 1	MINUTES	RESOLVED that the minutes of the previous executive committee meeting held 15 April 2014 be confirmed as a true record of the proceedings at that meeting. <i>Subject to noting the exclusion in the minutes that D Krause had offered to provide the EC with all correspondence relating to the previous approval of Lot 30 balcony perimeter screens</i>
MOTION 2	EXECUTIVE COMMITTEE RESIGNATION & VACANCY	<ol style="list-style-type: none"> RESOLVED that the notice of resignation of Michael Brindley was tabled and accepted. RESOLVED that Michael Brindley be appointed as nominated by Chris Peat (Lot 108) to the Executive Committee on behalf of the Owners Corporation for the balance of his or her predecessors term in accordance with Schedule 3 Part 4 Section 2 of the Strata Schemes Management Act 1996.

MATTERS ARISING FROM PREVIOUS MEETING AND STATUS		
MOTION 3	BALCONY PEBBLES	RESOLVED that the report by IBC dated 23/4/14 was tabled. The Executive Committee discussed the proposed solutions provided by IBC. While all options will be presented to Owners, all agreed the option of lowering the level of the pebbles will be the solution recommended to the General Meeting where approval for the alteration to common property in whatever form will be voted upon.
MOTION 4	MOSQUITO MANAGEMENT	RESOLVED that the Building Manager provide an update on the progress of the blocked drainage and subsequent pooling of water under the pool deck. <i>It was noted that this item referred to pooling of water under decks in building 2/3 courtyard, not the pool deck. Investigations uncovered that a number of blocked drains under decking was the probable cause of pooling. Clearing roots and silt from the drain remedied this matter. As it is hard to estimate the effects of any actions taken (as it is not mosquito season) the item will remain in the Building Managers report.</i>
MOTION 5	NOTICE TO COMPLY	Notices to comply were issued in accordance with instructions from the previous meeting. The only response received was from Lot 30. Strata Managing Agent to write to tenant and owner seeking their agreement in writing for screens to be removed within a reasonable timeframe. if no agreement is reached, mediation to be applied for. The Strata Managing Agent is to confirm length of lease with Real Estate Agent. Applications for mediation with Lots 69 and 105 regarding unapproved car space storage units to be commenced. Strata Managing Agent to liaise with Building Manager to advise both lot owners of the availability of an advertised second hand storage unit at MondrianApplication for mediation with lot 71 regarding lack of air conditioning cover to commence.
MOTION 6	MEDIATION	Mediation was undertaken and was not successful. Executive Committee are still corresponding with the respondents to achieve a positive outcome. To this end the Executive Committee discussed the limits to what it was able to offer without the consent of Mondrian owners in general meeting. Resolved that a motion be put to the AGM that the owners' corporation fit security screens of approved design to all of the ground floor units facing Short Street. A quotation for this work is to be sought. If owners at the AGM approve the installation, the screens would become common property and, as with current doors & windows, become the responsibility of the Owners' Corporation.

MOTION 7	NOTICE TO SEEK ORDER	<p>RESOLVED Strata Plus provided the status of the application for an Adjudicators Order issued to Lot 93 for the ongoing breach of By-law 25</p> <p><i>Draft application dated 6 June 2014 was provided to the secretary to review prior to lodgement</i></p>
MOTION 8	STRATA PLUS SLA'S	<p>RESOLVED that the Secretary, Treasurer and Strata Manager update the Executive Committee on SLA's developed and in draft.</p> <p><i>K Hannan and B Aitken tabled an analysis of service levels discussed with Strata Plus. Those relating to compliance with mailing deadlines and invoice processing were discussed by the Executive Committee. The Executive Committee agreed to monitor performance pending final agreement on service levels.. Strata Plus was instructed to write to all owners explaining the convenience & benefits that providing email addresses offers and urging owners to provide.</i></p>
FINANCIAL MATTERS		
MOTION 9	FINANCIAL STATEMENTS	<p>RESOLVED that the financial statements as presented by Strata Plus Pty Ltd for the period ending 31 May 2014 be accepted subject to the following</p> <p><i>Financial statements were adopted noting that the Managing Agent should follow up on some unpaid electricity invoices which had been forwarded to the Managing Agent for payment as well as any electricity invoices that may not have been received.</i></p> <p><i>The high value of these invoices and the importance of their inclusion in the current financial year were stressed.</i></p> <p><i>The chairman is working with a quantity surveyor to establish a meaningful 10 year sinking fund forecast to reflect both repair needs and desirable upgrades.</i></p> <p><i>The coming year's budget will reflect this sinking fund forecast which is complicated by the need to fund fire defect rectification and repairs outside of the Home Owners Warranty cover.</i></p> <p><i>Despite the targets of the current sinking fund plan having been achieved it is anticipated that there will need to be a significant increase in the amount of funds levied to the sinking fund. The Executive Committee discussed the possibility of presenting two different funding models to the owners corporation at the AGM.</i></p>
BUILDING MANAGEMENT & MAINTENANCE		
MOTION 10	BUILDING MANAGERS REPORT	<p>RESOLVED that the executive committee received and adopted the Building Managers Report</p> <p><i>It was noted with gratitude by the Executive Committee that Mick Collins has been able to negotiate some significant discounts on works and labour rates from contractors. The convenience of using Biltbeta for work on site was noted with a caution that their quotes had been high and in some instances uncompetitive.</i></p> <p><i>Of the extensive number of items in the report the following in particular were discussed:</i></p> <ul style="list-style-type: none"> • <i>BM is investigating WH&S implications on building 1 roof access</i> • <i>Mondrian sculptures to be fish oiled</i>

MOTION 11	APPROVAL OF QUOTATION FOR REMOVAL OF TREES & LANDSCAPING	<p>That Executive Committee formally accept a quotation for the Removal of the Cotton & Rubber Trees and the Landscaping of the Pool & Associated Areas having regard to the recommendations of the Garden & Pool subcommittees</p> <p style="text-align: right;">MOTION DEFERRED</p> <p><i>Deferred to Executive Committee forum vote once quotes finalised</i></p>
MOTION 12	APPROVAL OF ADDITIONAL RECTIFICATION BY BILTBETA PTY LTD	<p>(a) RESOLVED that the Executive Committee accept the following quotations from Biltbeta Pty (GST inclusive)</p> <ol style="list-style-type: none"> 1. Fire Order item 4.11 Separation of HW services \$22,403.15 2. Additional repair works as set out in quote 1788B dated 6/5/14 \$15,474.11 <p>(b) RESOLVED that the Executive Committee authorise the execution by the strata manager on behalf of the owners corporation of a contract for these works to a total value of \$37,877.26 and that in accordance with Section 238 of the Act the strata manager be instructed to affix the common seal as necessary</p>
SUB COMMITTEE REPORTS		
MOTION 13	SUB COMMITTEE REPORTS	<p>RESOLVED that updates on status and progress of the following sub-committees was tabled and adopted</p> <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 • By-Laws & Compliance – Chris French • Pool / Breezeway Gates – Michael Brindley <p><i>EC resolved that since the AGM is approaching, this month the sub-committee reports be sent to all owners along with the minutes and a suitable covering letter explaining the role of subcommittees. Previous and all future editions are and will be available on the Strata Plus Mondrian webpage / the Mondrian website.</i></p>
COMPLIANCE		
<p><i>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.</i></p>		
MOTION 14	BY-LAW NON-COMPLIANCE	<p>RESOLVED that matters of non-compliance with the by-laws be considered and the following instructions provided:</p> <p>Some new breaches have been reported which are being investigated by the building manager.</p> <p>Existing approvals for noted items are being investigated by MA. Specific breaches will be put on the future agenda if found necessary.</p>

OTHER BUSINESS		
MOTION 15	NOMINATIONS FOR THE EXECUTIVE COMMITTEE	<p>(a) RESOLVED that nominations for election to the executive committee at the AGM be called ahead of the meeting using appropriate media and that nominees be invited to submit in no more than one hundred words details of why they wish to serve on the Executive Committee and what talents and energies they can bring to the position.</p> <p><i>noting that nominees for executive committee positions may provide a "short" summary, rather than 100 words</i></p> <p>(b) RESOLVED that these resumes be included with the Notice of Annual General Meeting to be sent to Owners ahead of the meeting.</p> <p>(c) RESOLVED that the rights of owners to nominate at the meeting are in no way prejudiced by the above.</p>
MOTION 16	MATTERS FOR INCLUSION ON THE AGM AGENDA	<p>RESOLVED that in addition to the statutory motions the Executive Committee decide what further motions should be put to Owners at the Annual General Meeting including:</p> <ul style="list-style-type: none"> • Special Resolution: Resolve upon whether action should be taken to secure or reduce the pebbles installed on the higher level balconies at Mondrian having regard to the report of IBC dated 23.4.14 • Item from Motion 6 - fit security screens of approved design to all of the ground floor units facing Short Street. • replanting of breezeway garden bed with bamboo
NEXT MEETING		
MOTION 17	NEXT MEETING	The next Executive Committee meeting will take place immediately subsequent to the AGM.
CLOSURE		There being no further business the chairperson declared the meeting closed at 8:35pm