

MINUTES

*of the Executive Committee Meeting of SP 47991, Pacific Park, 41 Rocklands Rd,
Wollstonecraft
held Monday, 19 May 2014*

- Present:** Chris Wykes, Michael Morris, David Russell, Clive Mackay, Bob Vernon, Guy Williams,
- Apologies:** Emma Howard, Jade Astbury,
- Attending:** Bart Jaworski (Bright & Duggan Pty Ltd), Kris Pruszynski (Kristal Property Services), Tony Moon
- Chairman:** Chris Wykes opened proceedings at 6:05pm.

Motion 1 Minutes **Resolved** that the minutes of the previous executive committee meeting held 14 April 2014 be adopted with the following amendment:

1. Motion 5.1 Lifts – resolved to proceed with JCA Consulting to prepare a report on all lifts and whether Lift No 2 requires replacement. *Written report was received and discussed at the meeting regarding the troublesome lift.* Continuing problem with OTIS and Lift No 2 in particular. The lift was out of service completely for about 4 weeks in December / January. OTIS took a long time to fix it, partly because they had no replacement part in stock. The fix for Lift No 2 has not been satisfactory. It works only intermittently, often trapping residents. Contract with OTIS expires on 2 April 2015.

Motion 2 Financial Position **Resolved** to receive the statement of financial position and statement of financial performance for the period ended 30 April 2014.

1. The managing agent to contact Sydney Water for the latest water usage bill.
2. Levies in arrears update.
3. Treasurer to add the lift maintenance invoices to the ledger but not approve the payments.

Motion 3 Building Supervisors Report The building supervisors report was received and discussed at the meeting. Copy attached.

1. Unit repairs
 - a. Commenced in Units 21, 43, 69, 71, 87, 153 and 155 by Everest Contracting.
2. New items:
 - a. Laundries and storage of items on balconies – the building supervisor to issue a circular to all residents not to hang washing on balconies (By-law 10) and furniture that's not keeping with

powered by



*Motion 3
Building
Supervisors Report
(Continued)*

- the appearance of the building, other than outdoor furniture.
- b. Circular to be issued regarding new charges for the security access devices - \$100 deposit, \$50 damaged card, \$50 admin fee for reactivation.

*Motion 4
Strata Managers
Report and
Correspondence*

The strata managers report and correspondence was received and discussed:

1. Unit 69 – letter from the owner’s solicitor dated 19 May 2014 was tabled at the meeting. Resolved to appoint Doyle Edwards Anderson Lawyers Pty Ltd to respond to this letter. Owner of Unit 69 has two illegally installed privacy screens not keeping with the appearance of the building. The Executive Committee has not approved this application at previous meetings twice. Motions 6-9 below deal with this matter.
2. Unit 121 – request received to park permanently in the visitors’ car spaces due to the owner’s garage being allegedly too small for the vehicle he wishes to purchase. The Executive Committee sought legal advice on this matter and did not approve this request for the following reasons:
 - a. The Executive Committee cannot approve this request as any approval would need to come from a general meeting and require a special resolution, notwithstanding consent may breach the Development Consent,
 - b. The Owners Corporation is unlikely to have any obligation to accommodate the owner’s request unless an order is obtained from the North Sydney Council.
Resolved to instruct Doyle Edwards Anderson Lawyers Pty Ltd to respond to this request.
3. Unit 84 – air-conditioning installation approved subject to the standard terms and conditions.
4. Unit 97 – warranty repairs of the lifting tiles on the balcony have now been repaired by Premier Waterproofing.
5. Unit 21 – request to change the balcony door configuration from sliding to opening outwards. New windows would be in line with the other units above. This is a ground floor unit not visible from the rest of the building. The Executive Committee to inspect the external appearance of the units before agreeing to these works.
6. OTIS – has not responded to any of the four letters sent regarding their contractual obligations.
7. 44 Owners have updated their email addresses and agreed to receive agendas and minutes by email. Owners are encouraged to save disbursement costs and to email the managing agent at general@bright-duggan.com.au to consent to electronic service of notices.

*Motion 5
Common
property*

The conditions and use of common property was discussed and resolved the following:

1. CORE’s Executive Summary received for 15, 22, 66, 90, 92, 98, 118, 121, 151, 152, Foyers 8 & 9.
2. Fibre optics – Clive Mackay to explore the option to connect fibre optics internet to the property with Optus.
3. Lighting upgrade – Clive Mackay tabled Lighting report for all common property lights excluding exit lights. There are some 480 lights in the common areas. **Resolved** that Clive Mackay will seek quotes for the lights replacements.
4. Lifts – David Russell’s report regarding the lifts was tabled and discussed at the meeting. **Resolved** to accept JCA’s quote to prepare lift reports. The managing agent to seek further fee proposal from JCA to seek tenders for the lifts contracts. The current contract with OTIS expires in early 2015.
5. Next meeting – 7 July

*Motion 6
Notice to Comply
Lot 69*

Resolved that the Owners - Strata Plan No. 47991, have formed the opinion that the owner of Lot 69 is in breach of **By- Law 17 Appearance of Lot** of the registered By-Laws applicable to the Strata Scheme by constructing and keeping timber screen on the Western side of the balcony of Lot 69 facing Rocklands Road that is visible from outside of the Lot and is not in keeping with the rest of the building. The Executive Committee did not consent to this installation.

17 Appearance of Lot

- (1) The owner or occupier of a lot must not, without the written consent of the owners corporation, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.
- (2) This by-law does not apply to the hanging of any washing, towel, bedding, clothing or other article as referred to in By-law 10.

*Motion 7
Notice to
Comply- Lot 69*

Resolved that the Executive Committee authorises Bright & Duggan as the Strata Managing Agent of Strata Plan No.47991 to issue the owner occupier of Lot 69 with a Notice to Comply for breach of the By Laws in the motion which preceded this motion, by installing the timber screen on the balcony of Lot 69.

*Motion 8
Notice to Comply
- Lot 69*

Resolved that the Executive Committee instructs Bright & Duggan as Strata Managing Agent for Strata Plan No. 47991, if required, to engage legal council to act on their behalf at but not limited to any mediation, preparing NSW Civil & Administrative Tribunal (NCAT) applications that may be required following the owner of Lot 69 being issued with a notice to comply for breach of the By-Laws in the motions which preceded this motion, by constructing and keeping timber screen on the balcony of Lot 69.

There being no further business the meeting closed at 7.41pm.