

MINUTES OF EXECUTIVE COMMITTEE MEETING OF STRATA SCHEME NO. 52948, 1-15 FONTENOY ROAD NORTH RYDE HELD IN THE OFFICES OF RAINE & HORNE STRATA LEVEL 1 BLOCK D, 240 BEECROFT ROAD, EPPING ON 22nd AUGUST 2012 at 7.30PM.

Standard abbreviations used in these minutes are as follows: MA = Managing Agent, EC = Executive Committee, OC = Owners Corporation, CTTT = Consumer Tenancy and Trade Tribunal, AGM = Annual General Meeting.

ITEM 1

PRESENT

B Copland, J Ward, S Pogorelsky, J Wang, J Hessink, M Levitt & S Quick

APOLOGIES

M McDonald, E Saulits

IN ATTENDANCE

P Banoob & P Bone from Raine & Horne Strata-Sydney

Paul Banoob introduced Peter Bone as the manager from Raine & Horne Strata who will be responsible for day to day management due to Gary Webb being unable to continue for medical reasons. Peter may be contacted on 02 9868 2999.

ITEM 2

To confirm the minutes of the last two meetings.

The EC meeting held 13 June 2012 – Carried.

The EC emergency meeting held 9 July 2012 – Carried.

ITEM 3:

Matters arising from the last minutes:

1. Building D hot water tank – Warranty claim.
\$783.50 was received from Nickel Engineering. Matter finalized
2. Construction of footpath to a new gateway onto Lane Cove Road.
As minuted on 13th June this matter is deferred to the next AGM
3. Tree Pruning
The EC discussed recent pruning of trees and bushes around the grounds. Greater consultation is required from the caretaker before further pruning is carried out. A detailed review of certain trees that may require removal or surgery will be conducted by the MA, caretaker and members of EC during the next inspection of the common property.
4. Email Survey
A test of the survey form will be carried out on the EC before general release. Email addresses are required from as many owners as possible to utilise this.
5. Water saving quotes
The MA confirmed rain detection devices have been installed to limit garden watering in some areas. Matter finalized.
6. Security
As discussed at previous meeting the proposal to improve security by construction of a watchkeeper's security station above the garbage room will go forward to the next AGM due to the cost estimates based on quotes to date.
7. Shock absorbing bollard
This has been installed at garage entrance. Matter finalized.
8. Gym & Pool Keys – This matter was finalized at last meeting.
9. Appeal against CTTT decision by L (DB)
As minuted on 9 July 2012 Mr. Adrian Mueller of J S Mueller & Co. had been engaged to represent the OC at the CTTT hearing held on 8 August 2012. DB is appealing against the decision by CTTT to dismiss his application for orders

against the OC. The solicitor estimated the OC legal costs may reach \$12,000. Arrangements to meet the actual costs incurred will be a matter for the budget for the next financial year and may affect levies adversely as the funds will require to be collected from all owners before final costs are known. The EC noted the CTTT hearing was adjourned pending submission of a concise written summary by DB as it was unclear to CTTT what orders were being sought. The OC has been put to further legal expense to prepare a submission by way of response to the voluminous paper file lodged by DB with CTTT. The solicitor has advised there is no additional information required from the OC and will file the required response before the due date of 12 September 2012. The solicitor also advised the OC that neither the MA or EC are required to consider any further correspondence from DB before the CTTT has determined the appeal.

To consider the financial position.

The financial statements to the 31st July were reviewed by the EC. The Treasurer has reviewed expenditure and have no queries. The Treasurer and Assistant Treasurer have reviewed term deposits (now almost \$800,000) spread over a number of major banks. It was noted that the recently received electricity accounts are still within budget. The EC considered the overall administration budget will conclude the year within permitted variations and close to approved limits.

To receive a report from the Caretaker

The Caretakers report was presented. The EC asked the MA to review a number of service level delivery issues with the Caretaker. Recent problems with hot water service in one tower are to be immediately investigated. Requests for quotes for the outdoor furniture replacements are long outstanding and to be followed up.

To consider correspondence.

1. The current wireless internet service provider to the OC has submitted a new agreement. The EC discussed the 'Telecommunications Site Access agreement' from Open Networks and instructed the MA to review the terms and conditions of the previous agreement to determine if the payment terms to the OC have been complied with and determine what changes are being sought. The EC expressed the view that if there are no great number of owners using this service (previously known as "whome") and because there are now many more alternative public networks, that unless costs are reimbursed, the agreement may not be renewed.
2. The MA advised the EC that a townhouse owner has recently made a request for the re-imbusement of approximately two years of gas and water usage. Attention was drawn to the terms of the rebate scheme (recently reaffirmed in minutes) which can only reimburse usage for the current financial year or immediate past quarter. The EC confirmed that the MA has authority to apply the standard policy with previously agreed terms and conditions to such requests. Rebates for usage in the period since 1 September 2011 only were approved.
3. The MA advised the EC that the owner of a townhouse has requested approval to keep a mini Fox cross Pomeranian dog. The EC confirmed that the MA has authority to apply the standard policy with previously agreed terms and conditions to such requests. This policy permits small animals to be kept in units that do not require animals to be brought through interior common property. All such approvals are subject to animals not becoming a nuisance or the object of complaints by other occupants.
4. The MA advised the EC that the owner of a tower unit has requested approval to replace the blinds / curtains in this unit with new blinds of the same colour as the

existing blinds / curtains. The EC confirmed that the MA has authority apply the standard policy with previously agreed terms and conditions to such requests. This policy permits installation where the external visual appearance is not detrimentally affected or changed. Reflective tinting does not fall within this standard policy.

5. A request has been received to have gas heating installed in a tower unit, to be run from the existing gas supply to the kitchen of this unit. The EC agreed that any owner must forward a formal written request for this installation to the MA. The MA has been asked to confirm that fees for additional unmetered gas usage by tower owners can be levied and enforced. Charges currently levied on owners are to be reviewed in light of gas increases. The gas supply pipes are common property and will be inspected to determine no unauthorized installations exist and that all owners with heating are paying a fair contribution. The current gas supplier is to be asked to provide the OC with a 'reasonable' gas usage estimate and also whether the contracted gas price can extend to the other meters in the complex.
6. The MA is to discuss with Adrian Mueller of J S Mueller the possible requirement for an appropriate by law to deal with all the issues raised in access to the unmetered gas supply and usage of gas for heating within tower or townhouse units. If necessary this will be dealt with at the next general meeting.
7. The EC noted that a number of units are again displaying washing on their balconies. The Caretaker is to be asked to advise the MA of the unit numbers, who is to specifically request in writing compliance with by laws.

To consider and appoint a valuer to inspect the building for insurance replacement

Subject to confirmation that the last independent valuation will not reach its five year limit within the next financial year and in order to save the costs of a valuation this year (now expected to exceed \$2,000) the MA is to instruct the insurance broker to seek quotes for renewal of insurance on a building value increased by 5% over last year.

To review the Building Consultants report

The MA advised the EC that the final signed copy of the Building Consultants report has not yet been received, and is to follow this up with Napier & Blakeley. From the draft report, the EC has noted the following:

- No items of immediate concern have been identified.
- No structural issues have been identified.
- No asbestos has been located within the scheme. (This inspection is a new legal requirement and now avoids repeating this expense in all future years).
- The manufacture of some parts for the lifts has ceased and supply may become an issue once the current lift maintenance agreement has expired necessitating planning for earlier replacement of major components than might otherwise have been required. This matter will be investigated further during the next year to determine what impact this will have on long term sinking fund plans. The lift maintenance contract has some years still to run and guaranteed no obsolescence during contract term.

Reappointment of Raine & Horne Strata Sydney as MA for a further year

The Chairperson advised the meeting that due to the level of cost involved with the Agency Agreement between the OC and Raine & Horne, it is a statutory requirement that alternative quotes be obtained before an appointment is confirmed. The

Chairperson and the Treasurer were authorized to obtain at least one alternative Strata Management quotations not to be made available to the MA before discussion with the committee to determine the course of action.

Gas & Water Rebates

There is to be no change to the previously approved gas and water rebate scheme currently in place since approval at the AGM in 1999 which ensure fairness in utility cost sharing amongst all owners.

Appointment of a Sub -Committee to prepare a budget for the 2013 Administrative and Sinking Funds

All members of the EC were appointed to join the Sub-Committee for the preparation of the 2013 budget and recommendation of the levies to be set at the AGM. The EC approved the following time-table:

07 Sep 2012	Draft annual accounts to be forwarded to the Committee.
22 Sep 2012	Meeting of Budget Sub-Committee.
30 Sep 2012	Completion of audit.
01 Oct 2012	Distribution of AGM notice and agenda to be distributed.
17 Oct 2012	AGM to be held at a location to be determined by MA.
22 Oct 2012	Levy notices for quarter beginning 1 November 2012 to be issued

To discuss the outcome of the CTTT hearing held on the 8th August 2012
This matter was dealt with under item 3.9 of this meeting.

General Business

1. The EC reviewed a quotation from Eagle Fire Protection Pty Ltd. The Caretaker is to arrange for an appropriate sign to be attached to the door of the sprinkler alarm valve room. The supply of spare sprinkler heads has been depleted (likely by theft). As replacement sprinkler heads are available at short notice from any fire safety maintenance company these will be purchased when required. The exhaust of the hydrant diesel pump is not protected by any thermal lagging. The Caretaker is to arrange for appropriate thermal lagging to be installed.
2. The EC noted that some of the tower courtyard vertical fence posts are rusting through at ground level and the Caretaker is to organise replacement as required.
3. The MA advised he recently met with representatives of Leighton's Holdings (LH), the company undertaking the upgrading of the M2 motorway, in relation to the erection of a sound barrier on the strip of land between the scheme and the M2. LH advised the sound barrier could be located at the top edge of the cliff face, or closer to the boundary fence. The closer the sound barrier is to the boundary, the taller it will have to be. For example, if erected at the edge of the cliff face, the barrier will only have to be three (3) metres high. If erected on the boundary of the scheme (where the current green fence is located), the barrier will have to be six (6) metres high. The MA was instructed to advise the contactor that the OC wish the barrier to be sited at the top edge of the cliff face, as far away from the OC boundary as possible, for several reasons, including but not limited to preserving the visual amenity of the complex by keeping the height of the barrier as low as possible and maintaining as large a strip of open land between the scheme and the cliff face, for possible future access by residents.

There being no further business, the meeting was closed at 10:00pm.