

EXECUTIVE COMMITTEE MEETING MINUTES
Wednesday 20 August 2014, Altair EC Meeting Room. 6.30pm

Attendance: Deb Moore (Chair), Michael Meredith (Secretary), Paddy Conroy, Chris Gardener, Luisa Liotta, David Mackinnon, Geoff Shaw (Building Manager), David Stanger (Francis Management).

Apologies: Troy Scott (proxy to Michael), Ralf Harding, Anna Shepherd

Welcome: Geoff Shaw was welcomed as Building Manager for his first meeting

Minutes of last Meeting: Confirmed

Matters Arising: Dealt with under Progress updates

Correspondence:

- Letter from Lord Mayor in response to our enquiry re Kings Cross Rd upgrade
- Email advice from City of Sydney re Crest site development
- Email from City & Suburban Pools with our reply advising of termination of services

Finance Report:

StrataChoice and Francis Management's Report was accepted. While there remain some unexpected costs in the Sinking Fund as detailed in last month's minutes but these are currently off-set by some 'underspends' and optional spend items in the Admin fund. At this stage our management plan to meet year end budget is in hand.

Building Manager's Report: Accepted

Progress Updates:

Awning

Application for an Interim Order to remove the unauthorized awning affixed to Lot 11 has been made by our lawyers with NCAT. A date for mediation has been set for 11th Sept-this mediation subject to attendance of the Lot owners-their attendance to be confirmed by 27th August.

The Committee unanimously expressed concern that through the failure of the owners of Lot 11 to comply with the advised process the Owners Corporation has had no option but to engage legal advice and give instructions to protect Altair's exposure to liability, this resulting in costs of approx \$10,000 to date. The deliberate flouting of Altair's by-laws is a concern as the Owners Corporation is now required to engage professional expertise at considerable cost to owners. Altair will look to recover these costs.

This is not the first instance we have been forced into incurring costs through owners failing to comply.

Defamation Action

Awaiting outcome of hearing Friday 29th August

NCAT/Air Conditioning

Further to NCAT's Order enabling us to enter and remove the unit we have been un able to have guaranteed Police presence on site at the time of entry. In this instance we believe their presence is mandatory in line with our duty of care for those carrying out the 'work'. Accordingly Grace Lawyer will have to make a further Application for a Court Order for Police attendance. A schedule of costs from Grace is attached. It was unanimously **resolved** to pass to following

MOTION 1:

RESOLUTION TO APPROVE LAWYER
FOR COSTS ASSESSMENT

THAT The Owners - Strata Plan No. 64622 RESOLVE to appoint Grace Lawyers Pty Ltd to act on behalf of the The Owners – Strata Plan No. 64622 to arrange the assessment of costs arising from orders of the NSW Civil and Administrative Tribunal Proceedings No. SCS 13/39642 and to pay all of their reasonable costs in acting for The Owners - Strata Plan No. 64622 in relation thereto pursuant to Grace Lawyers Pty Limited's costs agreement and disclosure dated 15 August 2014.

MOTION 2:

RESOLUTION TO APPROVE LAWYER
FOR PENALTY APPLICATION

THAT The Owners - Strata Plan No. 64622 RESOLVE to appoint Grace Lawyers Pty Ltd to act on behalf of The Owners – Strata Plan No. 64622 in an application to the NSW Civil and Administrative Tribunal for interim orders for access to unit 1402 and final orders for a penalty and to pay all of their reasonable costs in acting for The Owners - Strata Plan No. 64622 in relation thereto pursuant to Grace Lawyers Pty Limited's costs agreement and disclosure dated 15 August 2014.

Exterior Maintenance System

Awaiting shipping/arrival dates from Koltek, Norway for FM to prepare critical path document for managing the project once the goods arrive 'on wharf'.

Painting the Façade

FM In process of finalising competitive prices (refer BM Report) which will be presented at a subsequent meeting with a view to completing repairs and painting of the podium 'grey bits' in 2015 and the tower 'white bits' in 2016. FM is investigating costs to replace the blue metal grilles.

Telecommunications/Internet

This remains Status Quo- We have some defense options but this is very tricky territory and we must be guided by our lawyers as required. In the meantime it was **resolved** that Paddy Conroy monitor and report to the Committee on latest developments for consideration to up date the buildings TV and communications distribution.

Kings Cross Rd Development

From our last meeting it was resolved to write to CoSC to consider further works to include Altair in the redevelopment, these being a 'drop-off' zone like the Elan – noting that this will probably eliminate at least one car space on KX Rd and maybe to restore the garden bed on the KX Rd and Ward Avenue south-west corner. We have received a positive response to our requests as outlined in the letter 13/08/2014 from Lord Mayor Clover Moore which indicates our requests may be met.

Note: It was suggested that we also apply for a pedestrian X but in consultation with Council officials on how best to frame our 'requirements' we were strongly advised to leave this out as it would likely scuttle our entire request for consideration. It was **resolved** to revisit this issue within the next 6-12 months'

Retail Lot:

Brad Garlick has advised us that he has prepared a revised concept for this with a reduced number of apartments. He wishes to contact/email all Owners direct with an outline of this proposal in order to gain a measure of support. Any communication must not infer/imply in any way that the proposal has any endorsement from the EC

Following discussion the following was **resolved**:

- The EC to immediately advise owners that they will be receiving advice regarding the new proposal.
- That the draft letter to owners setting out the situation/process, from the EC with minor modifications be sent Thursday August 21st
- That the use by the developers (through the building manager) of the Altair owner's electronic mailing list not be approved.

Meeting closed at 7.05pm

Next Meeting Wednesday 17th September @ 6:30pm