



**EXECUTIVE COMMITTEE MEETING**  
**Wednesday 21 August 2013, Diamant 19h00**

**Attendance:** Ralf Harding (Chair), Michael Meredith (Secretary), Chris Gardener, Luisa Liotta, Deb Moore, Gavin Napier.  
David Stanger (Building Manager).

**Guests:** Bruce Conway (Le Concierge) – part, Kathryn Thiel-Sirett.

**Apologies:** Paddy Conroy - proxy to Michael Meredith. Troy Scott - proxy to Michael Meredith. Anna Shepherd

**Minutes of Last Meeting:**

The Minutes of the last meeting were accepted.

**Matters Arising:**

Covered under the following items.

**Correspondence:**

1. E-mail stream from George Sirett complaining of the 'gradual decline of standards we have seen over the past year'; and subsequent response(s) from the Secretary; firstly asking for evidence of declining standards, and then when no evidence has been forthcoming requesting that George Sirett desist from perpetrating that standards are declining with no supporting input. The Secretary noted that we have had two positive Police security audits, an audit by a WH&S consultant which revealed very minor issues all of which have been addressed and a recent Fire training and inspection which gave Altair a clean bill of health and noted that Altair is amongst the safest of residential buildings from a fire perspective. The Building Manager noted that we have just had an inspection by our insurers, CHUBB, with no issues of any import. The Chair noted that we have moved to a specialist concierge management company and superior cleaning company that the EC regards as important steps to raising standards. No further action required.
2. E-mail stream from George Sirett complaining about material in resident's car spaces being fire and/or OH&S (sic) hazards and e-mail and letter response from the Secretary noting that building management have addressed the issue, that we have had a very recent inspection from Eagle Fire of our car park and that the only issue raised was the parking of George Sirett's vehicle which overhangs and does not comply with fire standards. George Sirett has been requested to ensure that his vehicle parking complies with fire standards in future.

**Owners are reminded that the only things allowed in a car space are a vehicle and a registered 'Box Thing'. These items must be contained within the car space. Any extraneous items stored in the car space and any overhang outside the car space is a potential fire hazard.**

3. E-mail stream from George Sirett complaining about material stored in the Building Manager's car space and a reply from the Secretary noting that the material had been unloaded from a vehicle and left temporarily in the space to allow the charity collection from Altair to be loaded into the vehicle and taken to the KX Community Centre. The material was only in the car space for about 20 minutes. No further action required.
4. E-mail from Carole Ferrier complaining about a concierge. Addressed under 'Updates: Concierge Services' following.
5. E-mail from a resident on level 15 complaining about excessive noise from a nearby apartment. Jim McDonald of StrataChoice has written to the offending owner requiring that he desist. Evidence was submitted to the Executive Committee giving support to By-Law breaches by the occupier of Lot 116, Mr. Cameron Grier (Apt 1507, Altair, 3 Kings Cross Road, Rushcutters Bay). It was reported that the occupant, has caused nuisance to other occupants due to causing excessive noise in the Lot on the evening of 17 August 2013 and into the morning of 18 August 2013. This breach is in contravention of By-Law 3.1 (a) of the Scheme and s117 of the Strata Schemes Management Act (1996).

*It was **RESOLVED** having reviewed such evidence the Executive Committee is satisfied that the occupier of occupier of Lot 116, Mr. Cameron Grier (Apt 1507, Altair, 3 Kings Cross Road, Rushcutters Bay) has contravened that by-law and that it act as follows:*

- i. That the Owners Corporation serve a Notice to Comply with a By-Law, under Section 45 of the Strata Schemes Management Act 1996 on the following person; Mr. Cameron Grier (Apt 1507, Altair, 3 Kings Cross Road, Rushcutters Bay) for breach of By-Law 3.1 by causing excessive noise in the Lot on the evening of 17 August 2013 and into the morning of 18 August 2013 causing nuisance and disturbing the peaceful enjoyment to other occupants of adjoining Lots.*

- ii. *That pursuant to Section 128 of the Strata Schemes Management Act 1996 that the Owners Corporation instruct Linders Strata Management Pty Limited to lodge an application for Mediation with Mr. Cameron Grier (Apt 1507, Altair, 3 Kings Cross Road, Rushcutters Bay) for breach of By-Law 3.1 should he again cause excessive noise to a level that causes nuisance and results in him or his occupants in disturbing the peaceful enjoyment to other occupants of adjoining Lots.*
- iii. *That if mediation with Mr. Cameron Grier (Apt 1507, Altair, 3 Kings Cross Road, Rushcutters Bay) is unsuccessful, that the Owners Corporation instructs Linders Strata Management Pty Limited to lodge an application for an Order by a Strata Schemes Adjudicator requiring Mr. Cameron Grier (Apt 1507, Altair, 3 Kings Cross Road, Rushcutters Bay) to immediately desist from causing excessive noise to a level that causes nuisance and disturbance to occupants of adjoining Lots.*

Agreed to leave the matter with Jim McDonald of StrataChoice and David Stanger of FM to process and resolve.

6. Informal advice from Francis Management to the Chair advising that as a result of a new employment opportunity Phillip Metcalf was leaving Altair effective Friday August 16. David Stanger will be acting manager until a replacement can be hired. EC passed a vote of thanks for Phillip's contribution over the past 18 months.
7. It was noted that an increasing number of issues and complaints are being sent directly to the officers of the EC. It was agreed that all issues and complaints should be directed to the Building Manager. It was **RESOLVED** to draw owner's attention to the need to address all complaints and issues, in the first instance, to Building Management and that all complaints sent directly to the EC will be re-directed to Building Management for their attention. Complaints will only escalate to the EC if they cannot be satisfactorily resolved by Building Management. Agreed to promote this in the lift displays to ensure that all owners/residents are aware of this policy.

#### **Finance Report:**

We remain broadly on budget. A copy of the Finance Report is available to any owner on application to the Building Manager. Noted that an owner was now getting seriously in arrears with levies. Agreed to leave with Jim McDonald to deal with but further agreed that, if necessary, the EC would support appropriate legal action by StrataChoice/Grace Lawyers on our behalf.

**Building Managers Report:**

Attached.

**Updates:**

**Concierge Services**

- 3 Month review: A report prepared by Bruce Conway of Le Concierge on the first 3 months of service had previously circulated amongst the EC. It was noted at last month's EC meeting that there had been 'progress in advancing general concierge services' but that there were some teething issues to be resolved.

Gavin Napier and FM have had discussions with Bruce about these issues which are under active review. It was noted that any complaints concerning concierges and/or concierge services are generally made to the Building Manager and that all partner services including Le Concierge report to Building Management. A concierge has had extra training and a realignment of shifts to less public-facing hours more suited to their skillset. Ongoing performance will continue to be monitored. Following some discussion it was agreed to appoint Le Concierge as our 'permanent' concierge management service in line with the existing contract.

- Swipes audit. An audit of all swipes is being held by FM/Le Concierge across August. All owners and residents will be required to re-register their swipes and car remotes and have already been sent the appropriate forms. FM reports that the response to date has been very good. There will be reminder communication to owners/residents in the week leading up to Friday August 30. **Owners are reminded that following the audit any swipes or car remotes not appropriately held will be de-activated effective noon on Friday August 30.**
- Cameras:  
The extra CCTV cameras approved for installation are due to be cabled in by the end of August.

- Car Park Security. It was suggested at the July EC meeting that we make all lifts at levels 1, 2 and 3 and also the doors from the foyer to the garbage area 'swipe access' only in an attempt to improve security. It was noted that this had been suggested before and rejected. A review of the previous minutes and associated notes by the Chair and a re-examination of the issues by FM has revealed that:
  - It is not a practical option to 'lock' the glass sliding doors on the foyer level as they can be (and legally must be capable of being) manually opened by a child and this invites them being broken with on-going repairs and costs.
  - There is access on level 2 via the KX Rd doors and through the level 1 foyer doors to levels 1, 2 and 3 which are all inter-connected internally. It was noted that this may, however, increase the perception of security.
  - Introducing a swipe system to the lifts at levels 1, 2 and 3 will cost approx. \$3000 and cannot be done prior to the August 30 audit as all lift companies are currently involved in an industrial 'go-slow'. Accordingly any change will have to wait for the next audit.
  - If we proceed with swipe access owners will have to swipe visitors to levels 2 or 3 for them to access parked cars.

It was agreed that the matter should be put to the owners at the AGM.

### **Fire Safety**

- a. Fire Training. Conducted by a Fire Officer contracted by Trimevac for all concierges and any interested owners. Altair cited as 'very fire safe', 'amongst the best residential buildings from a fire safety perspective' and with 'first rate systems'. Emergency procedures flyers have been sent to all residents and posted in the lifts. Key advice is that if all else fails the safest places are:
  - i. On the floor behind your fire (apartment) door.
  - ii. In the fire stairwells.

- b. Fire Inspection: Carried out by our consultants Eagle Fire. In due course a formal report will be produced for Altair to submit to CoSC for the Annual Fire Statement but preliminary feedback is that required action is confined to adjusting the hanging of a few apartment fire doors and improving the parking of a vehicle in the car park.

#### **Exterior Maintenance System** (Ring around the roof)

A report has been received from BaseFX and previously circulated to the EC. In short the engineering tests support the proposed option. FM has reviewed our requirements and the report and advises that this solution will address our needs. Ballpark cost of around \$145/150k vs. our budget of \$155k. Agreed to arrange for a visit for EC members to the roof and a penthouse to get a better perspective of what is being proposed before we make any decisions. Ultimately we will need owner approval via a Special Resolution at a general meeting.

#### **Retail Lot**

- i. Signage: CoSC has rejected all SGT SAM signage. NB. This issue is now subject to discussions and actions between SGT SAM and CoSC and is no longer a matter for the EC/OC. Owners reluctantly approved the existing signage at the AGM as the 'lesser of two evils' as the proprietors of SGT SAM had advised us that they would not open for business without what they saw as this 'minimum' signage. The EC has always stressed with SGT SAM that they require CoSC DA approval for any signage.
- ii. Fire Doors: We have had some issues with SGT SAM staff using the Craigend St fire doors for smoking breaks. FM has advised SGT SAM verbally and in writing that this is not satisfactory. To date FM report a positive response.
- iii. Glazing: Chair has met with the owner of the retail lot (Brad Garlick) and the proprietor, together with a glazing specialist. It was noted that:

- The eastern façade as approved was to be glazed - not using Perspex.
- The existing Perspex was only ever agreed as a short term emergency measure to enable Chimmichurri to open on time.
- Lot owner to liaise with his designers to prepare a schematic of what is proposed for the eastern façade as a guide for initial approval by the EC and then for consultation with the building's architect.
- A possible design might reflect the outline of the existing window frames but likely remove the 'bars' and revert to something closer to the original 'clear' sliding doors.

### **CTTT/Air-Conditioning**

A hearing is scheduled for Wednesday August 28 at the CTTT to ascertain whether we can gain access to the lot and remove the air-conditioning. If successful we will be seeking full cost recovery, legal, tradesmen, make-good, etc. from the lot owner. *The Executive Committee of The Owners - Strata Plan No 64622 (the Owners Corporation) **RESOLVED**, pursuant to section 80D of the Strata Schemes Management Act 1996 and/or regulation 15 of the Strata Schemes Management Regulation 2010, to engage the services of Grace Lawyers Pty Ltd (Grace) in lodging an application for Orders to the Consumer Trader & Tenancy Tribunal against the owner of lot 103 concerning orders for a penalty and removal of unauthorised works and all matters incidental thereto and to pay all of Grace's reasonable costs in acting for the Owners Corporation as disclosed in the costs agreement and costs disclosure between Grace and the Owners Corporation dated 12 August 2013.*

### **Balcony Tiles**

***RESOLVED** that following advice from both the building manager and strata manager regarding the specific problem with the tiles on the balcony of Lot 114, all parties have reached a mutually acceptable solution whereby, while this is currently an Owners Corporation issue, the proprietors of Lot 114 have offered, as settlement of the matter, to accept future responsibility for the repair and maintenance of the tiling on their northern balcony pursuant to Bylaw 8.*

### **Altair internal signage**

Final signage approved and should be installed in early September.

### **Soffits**

Noted that some rust marks are re-appearing on the soffits. FM have advised that these marks are purely aesthetic and that they would be most effectively and cost-efficiently dealt with when we paint the building tentatively timed for 2015/16.

### **Chubb Insurance**

Chubb have inspected the building from an insurance perspective. There are no major issues and we await a report to FM.

### **Former Staff**

Our lawyer has drafted this latest update for the owners on the situation.

- Our latest (4<sup>th</sup>) offer to an ex-employee expired on Thursday 15 August. We now have no current offers in front of that ex-employee.
- The ex-employees union has formally advised us that they no longer represent him and has filed a Notice of Ceasing to Act with FWC.
- FWC has advised that they regard the mediation phase as over.
- Unless and until we are served with any statements and submissions by the ex-employee for a hearing before the FWC we have nothing to respond to.

We will be guided by the professional advice of our lawyer as to what steps we take from here.

**The meeting finished at 19h45.**

**Next EC meeting Wednesday September 18, 7pm, Diamant Hotel.**

Apologies in advance for Sept EC meeting from Luisa Liotta, Gavin Napier and Chris Gardener.