

**THE OWNERS OF STRATA PLAN NO 61139
9-15 CENTRAL AVENUE, MANLY NSW 2095**

**MINUTES OF THE STRATA COMMITTEE MEETING OF THE OWNERS OF
STRATA PLAN NO 61139 HELD ON THURSDAY 8TH APRIL, 2021 IN THE
GROUND FLOOR CARPARK AREA, 9-15 CENTRAL AVENUE, MANLY AT 7.00PM.**

Present: Mr G Brown, Mr R Stone, Mr D Mockler, Mr F Martinez de Morentin, Mrs S Stow and Mr D Chapman.

In attendance: Mr D Glading, Ms K Williams and Ms A Nicholson.

Apologies: Mrs M Haynes, Mr T Strati (Building Manager) and Ms N Hopkins (Lamb & Walters).

Chairman: Mr G Brown.

1. Minutes

Resolved that the Minutes of the last Strata Committee Meeting held on 8/12/20 be confirmed.

2. Refurbish Garden Box

Resolved that the Strata Committee ratify email vote to refurbish the small garden box situated in the front courtyard and located on the left hand side adjoining the commercial strata.

3. Scope for Pool & Spa Renovations

Resolved that remedial works relative to the pool, spa and surrounds be undertaken this off season. A scope of works is to be developed with the Building Manager and that quotations be obtained for limited remedial works and for a full renovation as an alternative for consideration by the SC.

4. Renovate Failing Garden Box Area

Resolved that the front of the garden box facing Henrietta Lane be emptied and re filled with quality soil mix and new planting be installed during the present autumn period.

5. Motion to be tabled at next BMC Meeting (Courtyard)

Mr Brown reported that a dispute had arisen between SP61139 and SP61679 involving the continued use of the front SP61139 courtyards and the SP61679 courtyard as a shared common area. He reported that this usage was formally agreed in early 2000 although not specifically documented within the Strata Management Statement at the time the buildings first became available for occupancy and that this usage status has continued without change.

Resolved that the draft motion be prepared to provide documentary recognition of this usage at the next meeting of the BMC be refined and presented to be voted upon.

Resolved that in the event that the vote is not carried that we activate the dispute provisions of the Strata management Statement.

Resolved that Mr Mockler organize a fee proposal from solicitors for the purpose of preparing and presenting our case pursuant to the provisions of said dispute clauses.

6. Motion to be tabled at next BMC Meeting

Mr. Brown reported that there are five plant rooms situated on the roof of the low rise building. They service in the main the commercial strata and the Offices Strata. Further that they have been treated as shared areas and the arrangement needs to be formally documented and the expense allocations revised.

Resolved that the draft motion prepared for the next BMC meeting designed to formally document the current usage status as shared common area be refined and presented at said meeting. Further in the event that the motion fails to carry that the dispute resolution clauses be activated and that Mr. Mockler include legal representation for this eventuality within the ambit of the instruction contained in item 5.

7. Dispute Provisions of the Strata Management Statement

Resolved that in the event that agreement regarding the validity of the revised Strata Management Statement which was unanimously approved in 2018 cannot be reached that we activate the dispute resolution clauses of the Strata Management Statement.

8. Licence Agreements

Mr Stone reported that in response to a question put by Mr G Brown to Mr P Brown Chair of SP61679 at the last BMC meeting the latter stated that SP 61679 considered that the current licence agreements were invalid.

Resolved that Mr Brown write to the Secretary of SP61679 seeking urgent clarification. In the event of an unsatisfactory response, Mr Mockler is authorized take action with the aim of securing urgent legal representation with a view to obtaining an injunction to prevent any dealings with the licence agreements in the short term pending either a satisfactory resolution or litigation.

9. Replacement Artwork

Ms Nicholson and Mrs Stow presented their proposal to replace the artwork throughout the building. They recommended 34 photos of Manly be purchased and demonstrated with samples. Two costing options were presented depending on the backing quality.

Resolved that we proceed with the better quality photos option at a cost of \$11000.

Closure: As there was no further business the Meeting closed at 8.10pm.