

Monday, 17 October, 2022

The Owner
SP – 83974
Acacia
2 Peninsula Drive
Breakfast Point, NSW 2137

**SP – 83974 – ACACIA, 2 PENINSULA DRIVE, BREAKFAST POINT
MINUTES OF A STRATA COMMITTEE MEETING**

Dear Owner,

As the managing agents for your strata scheme, we write to all owners and attach a copy of the minutes of the recently held Strata Committee Meeting.

We confirm that the meeting went ahead as scheduled on Monday, 19 September, 2022. We further confirm that all the major agenda items are being attended to.

We hereby inform you that the next meeting will be the Annual General Meeting to be held Monday, 28 November, 2022 and as an Owner, you will receive notification closer to the date and invited to attend.

Should you have any questions or queries, please do not hesitate to contact myself on either (02) 8203 3111 or peter.domazetovski@bright-duggan.com.au.

Yours Faithfully,
CHANGE STRATA MANAGEMENT



Peter Domazetovski
Branch Manager

**MINUTES OF A STRATA COMMITTEE MEETING
THE OWNERS – STRATA PLAN NO. 83974**

**ADDRESS OF THE STRATA SCHEME: ACACIA
2 PENINSULA DRIVE, BREAKFAST POINT**

DATE, PLACE &

TIME OF MEETING: A Strata Committee Meeting of The Owners – Strata Plan No. 83974 was held on Monday, 19 September, 2022 by way of teleconference / videoconference. The meeting commenced at 4.00pm.

PRESENT: Mr R J Sweeney, Mr D N Foster, Ms R L Samuels,
Mr F Diorio (from 4.15pm)

APOLOGIES: Mr P Marshall

VOTING

AUTHORISATION: NOTED that Mr P Marshall authorised Mr R J Sweeney to vote on his behalf. The voting authorisation was approved by the meeting.

IN ATTENDANCE: Mr J Grabowski (Lot 5), Mrs L A Foster (Lot 7), Mrs S Diorio (Lot 47)

Mr P Domazetovski (Change Strata Management Pty Ltd)

Mr M Donnellan (Estate Managers Pty Ltd; to 8.00pm)

CHAIRPERSON: Mr D N Foster

SECRETARY (ACTING): Mr P Domazetovski (under delegation of the meeting)

The agenda for the meeting was:

1. CONFLICT OF INTEREST:

- 1.1 RESOLVED that the Acacia Strata Committee members confirm they have no conflict of interest of both a pecuniary and non-pecuniary nature relating to any motions being considered at this meeting and agree to abstain from voting on any motions where they may have a conflict of interest.

NOTED that the following conflicts of interest were identified by the following Strata Committee members with regards to the relevant motions. Both Committee members abstained from voting on the applicable motions:

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- Ms R L Samuels – 7.1.1 “Portal”
- Mr D N Foster – 7.1.2 “Unit 107 Renovation Approval”

2. MINUTES:

- 2.1 RESOLVED that the minutes of the last meeting of the Strata Committee held Monday, 25 July, 2022 be confirmed as a true and accurate account of the proceedings of that meeting.

3. OUTSTANDING MATTERS FROM PREVIOUS MEETINGS:

- 3.1 RESOLVED that the Strata Committee reviews, discusses and resolves an action on the outstanding matters from the previous meeting(s) nominated below:

3.1.1 Building Defects Update – BCA Logic Report & Carpark Cracking & Drainage

NOTED that the Strata Committee received the following update regarding outstanding defects at the building:

- BCA Logic Report – The Estate Manager is to follow up the report with Richard Crookes Constructions (“RCC”)
- Carpark Cracking – Pins have previously been installed to address cracking concerns. They now need to be removed.
- Drainage – Mr Diorio’s plumber is to contact the Estate Manager in order to arrange a proposal for the Strata Committee’s consideration.

3.1.2 Landscape/Gardening Report

NOTED that the Peninsula Drive gardening works are to take place after the refurbishment works are completed. Other gardening works are to be accounted for in future Capital Works planning.

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- Garden maintenance contract due July, 2022

NOTED previously that the Surroundscape garden maintenance contract expired in July, 2022 and previously RESOLVED to tender the contract.

NOTED that to date only proposal has been received, from the incumbent. Surroundscape.

RESOLVED to continue with Surroundscape until 3 proposals are received for the Strata Committee's consideration, and final decision made.

3.1.3 Driveway Visibility/Awareness, including Mirrors for Driveway

NOTED at previous meetings that the possibility of installing mirrors on Community Association land in order to enhance driver visibility be referred to the Community Association by the Strata Managing Agent. In the first instance Observatory Hill were to be asked to see if they object to mirrors being erected on the community land at the front of their building. Observatory Hill previously advised that they are not in favour of having mirrors installed on the Community Association land at the front of their building.

NOTED that speed humps on Peninsula Drive in front of Acacia have previously been requested from the Community Association Traffic Committee. Previous feedback from the Community Association was that the request is to be considered under a future Phase of the Community Association's Traffic Management Plan.

NOTED that previously it was RESOLVED that correspondence be sent to the Community Association.

NOTED that following recent correspondence with the Community Association, a meeting was arranged with Ms Dianne Brookes the Community Association Facilities Manager, Ms Kim Radford the new Community Association General Manager and a Traffic Engineer to discuss Acacia's concerns.

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NOTED that the meeting has since taken place where it was agreed to move 1 Disabled Space from in front of Observatory Hill to in front of the Acacia Driveway on Peninsula Drive. Traffic calmers are also to be installed opposite Savannah, and an additional traffic calmer in front of Acacia. A strip traffic divider is to be installed at the intersection of Vineyard Way and Peninsula Drive. Mirrors however were not approved.

NOTED that with regards to the agreed items, the only progress is with regards to the installation of the speed hump on Peninsula Drive. The other proposed changes are currently with Council.

3.1.4 Implementation of Disposal of Excess Goods or Assets Policy

NOTED that following recent correspondence sent to residents and owners requesting interest to purchase any items, the picture in the foyer has been purchased by the owners of Unit 105. With regards to the purchase of the table, previously interested parties are being contacted.

3.1.5 Owners' Survey/Audit
(Fobs/Pets/Bicycles/No Junk Mail Labels)

NOTED that the owners' survey/audit has been distributed. (Please see Case 588 in the Estate Managers' Report for further details)

3.1.6 Replacement of time expired Smoke Detectors

NOTED previously that smoke detectors are approaching their 10-year life expectancy. The matter is ongoing.

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3.1.7 Flexible Hose Replacement Recommendation

NOTED previously that the Strata Committee are to investigate the replacement of flexible hoses in apartments. Owners (Laurel Dodson, Rose Samuels) have requested that the SC source indicative quotes from a number of Breakfast point approved plumbers, so owner can utilise those tradesmen at the most competitive price. The Estate Manager agreed to source the quotes.

NOTED that owners are encouraged to replace flexible hoses within their apartments.

3.1.8 Apartment 110 – Shower

NOTED previously that the owner of apartment 110 advised that there was water not draining away in their shower. The owner has since arranged for change to the shower recess floor level to be corrected to facilitate water drainage and tiling over existing tiles in the shower, without the Strata Committee/Owners Corporation's knowledge/approval.

NOTED that at the previous meeting it was RESOLVED that correspondence be sent to apartment 110 advising that the works have been undertaken in breach of the Strata Plan's By-laws, and the owner asked to provide an indemnity to the Owners Corporation and also place a By-law on the agenda of the upcoming Annual General Meeting for retrospective approval.

NOTED that a draft indemnity has been provided. The Strata Managing Agent and owner are to work on enhancing the indemnity.

3.1.9 Apartment 304 – By-law Registration

NOTED that at the recent Extraordinary General Meeting a By-law was passed approving the renovations in Apartment 304. The By-law is in the process of being registered and works are due to commence shortly. As part of the works, the owner is to arrange approval for a skip bin on Community Association property.

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3.1.10 Articulating Voting Options/Motions

NOTED that at the Extraordinary General Meeting it was RESOLVED that the Strata Committee review the wording of each voting option/motion carefully before voting to avoid stop/start works and ensure continuity in works proceeding.

4. BUILDING MANAGER'S REPORT:

4.1 RESOLVED that the Estate Managers' report be adopted. A copy of the report accompanies these minutes.

NOTED that in addition to the Estate Managers report, the items below were also discussed:

- The timers on the sensors have been replaced by the Building Manager.
- Two contractors looking at the gutter falls have attended site and their proposals remain outstanding.

5. PLANTATIONS PRECINCT ASSOCIATION REPRESENTATIVE'S REPORT:

5.1 RESOLVED that the Precinct Association Representative (Mr David Foster) provided the following report:

Plantation Committee Representative Report

Please read in conjunction with the CA Representative report circulated last week.

A meeting of the Plantations Strata Committee was held on the 8th September.

Notable points.

Pool

A Report has been received from Noviiion Engineering regarding minor subsidence issues at the pool. This report will be made available to contractors quoting for the pool renovation work.

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3 contractors are expected to inspect the pool and quote on the renovation work.

At this stage it is expected the work will now not commence until approximately Autumn 2023 due to a large backlog of work caused by Covid and the wet weather.

Trees

A report has been commissioned from an independent Level 5 Arborist regarding the trees between the Norfolk and Maple buildings following complaints from residents in the Norfolk Building. Once the report is received a decision will be made as to how best to address the issues.

Insurance.

The Precinct Common area property will be revalued before the insurance is renewed.

Gardening Sub Committee Report.

Following the Gardening Sub Committee noting in their report concrete dust residue resulting from the tiling work at the rear of the Acacia Building on the grass, flowers and on the adjacent hedge, the Plantations Strata Committee intends sending a reminder to the Acacia Strata Committee that as part of the approval to permit workmen access through Plantation property was a requirement that the Acacia Owners Corporation is responsible to ensure rectification of any damage caused by contractors or sub-contractors. Rose Samuels promised to pass this issue on to DUKES for rectification as part of the 'clean-up' of the front and back entrance tiling.

Plantations Precinct CA Representative Report.

The last period has been relatively quiet due to the wet weather delaying some Capital Works projects or alternatively waiting for Canada Bay Council Development Approval.

It is hoped that items such as the underpinning part of the Heritage Wall in Tennyson Road and the repairs to foreshore sea wall will be able to commence late 2022 or early 2023.

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Planning work continues for the renovation and improvements of the Club lap pool.

The problem with the surface of tennis courts 4 and 5 appears to be resolving itself as the contractor advised would happen.

The Club advisory committee is being selected and starting work. It is expected that a survey will be carried out in October/November.

Planning is underway to transit to online bookings for Club and CA facilities following the latest upgrade of the IT system.

An increase in the non member charge for use of facilities such as the tennis courts was approved from \$5 to \$6. The charge has resulted in over \$10000.00 of additional revenue this year.

Award increases of 5.6% for the hospitality staff become effective in September.

The CA committee has decided to restrict discussion at the monthly CA voting meetings. They had been allowing general discussion which made attending these meetings worthwhile for CA representatives. This does not seem to be the case now. Any discussion permitted relates only to the motions being addressed at the meeting.

The CA representatives meeting in August allowed the CA committee and General Manager to present their current plans and intentions for various projects.

The General Manager has been putting in place an updated assets register and a number of policies and procedures which had been missing to ensure the CA is compliant with current Legislation and Regulations.

Some parts of the meeting however were rather disappointing such as no current financial data was presented (as is usually expected with the agenda of these meetings) with just a verbal briefing being given . The Treasurer also declined to give indication of what percentage allowance he would expect or recommend (for those Strata who have to determine their levies before the CA AGM) should reasonably make when setting their own budgets for the coming year in view of increasing costs such as insurance, power, gas and inflation.

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The CA is looking at a water harvesting project which aims to provide water security for the lawns and gardens in dry years.

The CA is also looking at changing the CA status to a non profit charity. Many grants are only available to non profit organisations.

6. FINANCIAL STATEMENTS:

- 5.1 RESOLVED that the accounts for the period ending 19 September, 2022 be adopted.

NOTED that actual expenditure is tracking well to budgeted expenditure for refurbishment works, as well as in general. Some savings have also been identified.

NOTED that the Treasurer is to provide a summary on expenditure for the Refurbishment works at the upcoming Annual General Meeting.

NOTED that owners are able to access financial information for the Strata Plan by logging onto the Strata Plan's Stratamax Portal. Owners requiring access details are to contact the Strata Managing Agent for password details.

7. OTHER MATTERS:

- 7.1 RESOLVED that the following other matters be reviewed, discussed and an action resolved by the Strata Committee:

7.1.1 Portal

RESOLVED that the following expenditure be approved to permit the establishment of an Information Portal for the building:

- Labour \$800.00 (one off fee)
- Software \$120.00 (ongoing annual fee)
- Domain Name \$2.95 (ongoing annual fee)

7.1.2 Unit 107 Renovation approval

RESOLVED that the cosmetic and minor renovations advised by unit 107 be approved.

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7.1.3 Discretionary fund approval

NOT PUT that the Strata Committee Resolve a Discretionary Fund of \$5,000.00 be approved for emergency or unanticipated expenditure.

NOTED that the motion was NOT PUT because the motion proposer, Mr P Marshall was an apology for the meeting.

7.1.4 Building Manager Contract

NOTED that the Building Manager Contract will expire in November 2022.

NOTED that Estate Managers are to forward an updated agreement for the Strata Committee's consideration.

7.1.5 Bins

NOTED that the establishment number of bins is 25 Red, 25 Yellow, 4 Green. (There is also an additional spare 1 Red bin and 1 Yellow bin kept in the bin room for the Precinct BBQ)

NOTED that Acacia current numbers have declined. Latest count 16 Red, 18 Yellow and 4 green bins plus 1 Yellow for the BBQ.

NOTED that Acacia is getting short of bins and if that happens people will just dump their garbage and recycling on the bin room floor if they cannot locate an empty bin.

RESOLVED to increase bins to 25 Red, 25 Yellow, 4 Greens and ask the Precinct to provide the 2 spare bins for the BBQ.

7.1.6 Corridor centre light timing

RESOLVED to reduce the length of time the corridor centre lights remain on when illuminated by the sensors.

7.1.7 Unit 410 Oil Leak

RESOLVED to request unit 410 remove oil from their Car Space in Basement 2. The Strata Managing Agent is to write to resident.

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7.1.8 Unit 306 Complaint

NOTED that the Strata Committee discussed the complaint received from unit 306 in relation to unit 406 watering their balcony. Following receipt of correspondence from the Strata Managing Agent and being spoken to by the Estate Manager, unit 406 promised not to do the same again.

7.1.9 Capital Works program

NOTED that the Strata Committee discussed items for inclusion in the 2022/23 Capital Works program.

RESOLVED that the following items be included in the Capital Works program:

- Guttering on Eastern side of building
- Drainage in the Leve 1 car park
- Works in both gardens

NOTED that the Strata Committee also discussed the following items (without an agreed action item) in order to identify items to be put forward at the upcoming AGM:

- EV Charging
- Solar panels for the Building

RESOLVED that Strata Committee members are to advise if they require any additional items to be added to the Capital Works program for 2022/23.

7.1.10 Painting and Renovation Costs

NOTED that the Treasurer provided an update under motion 6 (Financial Statements) where he advised that actual expenditure is tracking well to budgeted expenditure for refurbishment works, as well as in general. Some savings have also been identified.

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RESOLVED that the Treasurer is to provide a summary on final costs for painting and renovation at the Annual General Meeting and establish recommendations for amendments to the Capital Works forward budget 2022-2032.

7.1.11 Electric Vehicle Charging and Solar panels

NOTED that that the Strata Committee discussed commencing initial discussions regarding policies or proposals regarding EV charging system in preparation for Annual General Meeting. In addition, the Community Association has published guidelines for the instillation of roof top solar panels.

RESOLVED that separate items regarding Electric Vehicle Charging and Solar Panels be added to the Annual General Meeting agenda.

7.1.12 Other Business including:

a. Window clean date

NOTED that window cleaning is due to take place approximately 3 weeks after building works are finalised.

b. Noise complaint from unit 308

NOTED that there have not been any additional complaints received in relation to the initial noise complaint received from unit 308.

7.1.13 Ratification of Works since last meeting

RESOLVED that the Cervas quote for the replacement of the warm water UV filter for \$1,432.00 + GST be approved.

7.1.14 Next Meeting

RESOLVED that the next meeting will be the Annual General Meeting to be held Monday, 28 November, 2022 commencing at 6.00pm.

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NOTES TO THE MEETING:

Apartment 110 – Carpet Replacement

NOTED that apartment 110 will be changing their carpet on 23 November, 2022.

Insurance Renewal

NOTED that Acacia's insurance renewal is due 1 December, 2022. Prior to the meeting the Strata Managing Agent obtained proposals for an updated insurance valuation of the building ahead of this year's renewal:

- Solutions in Engineering - \$ 1,308.00 (GST inc.)
- AG Thomas - \$440.00 (GST inc.)
- QS Solutions - \$1,000.00 (GST inc.)
- AC Valuers - \$615.00 (GST inc.)

RESOLVED to proceed with AG Thomas' proposal.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 6:00pm.

Chairperson

Date