

**MINUTES OF A COMMITTEE MEETING OF THE BODY CORPORATE FOR
SUNRISE AT 1770 COMMUNITY TITLES SCHEME 32536
HELD AT THE COMPOUND, SPRINGS ROAD, AGNES WATER
ON SATURDAY, 11TH JULY 2020 AT 9.00 A.M.**

Representation:	Mr Peter Kemp	Chairperson
	Mr Gary Pritchard	Secretary
	Mr John McCartney	Treasurer
	Mr Michael Comley	Ordinary Committee Member (via teleconference)
	Mrs Robyn Hauser	Ordinary Committee Member
	Mr Mark Simpson	Ordinary Committee Member
	Mr Mark Hulst	Ordinary Committee Member
	Mr Michael Lane	Caretaker
	Mr Andrew Staehr	Representing Archers the Strata Professionals

Also In Attendance:	Mrs Sandi Michel	Co-Owner Lot 9
	Mr David Allen	Co-Owner Lots 30 & 31
	Mr Tim & Mrs Di Crockford	Owners Lot 77
	Mr Dave & Mrs Julie Bealing	Owners Lot 81
	Mrs Kathy Pritchard	Co-Owner Lot 137

Quorum: It was noted that a quorum was constituted as at least 50% of all members of the Committee were represented.

Chairperson: Mr Peter Kemp

1. Minutes of Previous Meeting: RESOLVED that the minutes of the previous Committee Meeting held 9th November 2019 be adopted as a true record of that meeting and That the Committee Resolutions voted on outside of a Committee Meeting, Committee Member replacements dated 20th January 2020 and 20th February 2020 be accepted.
Yes: 7 No: Nil Abstain: Nil

2. Business Arising: **Bush Heritage Australia (BHA) Update**
Mr Kemp advised that Mr Ron Holden has been acting on behalf of the body corporate and has not received any further correspondence from BHA. Mr Holden will follow up with BHA.

CMS Update

Mr Kemp provided an update on CMS review and advised that he and Mr Holden are currently reviewing and are planning to circulate a final document to the committee for their review before including on the AGM for owners to vote on.

Lot 50 Unauthorised Structure

The meeting noted that the owners of lot 50 have erected an outdoor shower on the 4mt setback southern side. No approval has been sought or granted by the Design Review Committee for this structure. This structure is not permitted under the rules of the CMS. Although the committee are confident of a favourable ruling if legal action was taken they resolved not to proceed with legal action at this point in time. The cost of proceedings and the distraction from other important matters would not be in the best interest of the lot owners and an inappropriate use of the available funds.

The committee will review the wording in the CMS to remove any possible ambiguity. A letter will be drafted by the body corporate's lawyers to the owners of Lot 50 stating the committee's position.

3. Inward and Outward Correspondence: A list of correspondence was tabled.
RESOLVED to accept correspondence as read.
Yes: 7 No: Nil Abstain: Nil

4. Caretaker's Report:

A Caretakers Report was tabled and the following matters considered:

Springs Club & Kids Pool – refurbishment & painting to commence shortly

Arris completed noise reduction on aerator. Mr Allen confirmed noise levels acceptable.

Mrs Hauser confirmed that Michael's monthly reports are available on the website – owners wishing to visit the website please go to www.sunrise1770.com.au and the owners login password is "turtle"

RESOLVED to accept Caretakers Report as read.

Yes: 7 No: Nil Abstain: Nil

5. Financial Statements:

The Financial Statements for the period ended 31st May 2020 were tabled.

Water & Plant invoices

The meeting noted that Mr Lane had sent through the calculations for the Recycled and Potable Water along with nursery sales to Mr Staehr with Mr Staehr confirming that these would be invoiced to Lot Owners. The meeting asked Mr Lane to ensure that water readings were taken every 6 months and nursery information was sent through monthly for invoicing.

Lot clearing invoices to do

Mr Staehr confirmed that he would be sending the Lot Clearing invoices shortly.

Phone Accounts

The meeting asked Mr Staehr to send through account information to Mr Pritchard to review costs.

Electricity Accounts

The meeting asked Mr Staehr to send through the last 12 months' worth of bills to Mr Simpson.

5.1 Levy Arrears

The aged balance list was tabled and the following lots noted as in arrears:

- Lot 169 (\$8,431.58) – The Body Corporate resolved:
 - (1) that on the basis that the owner of Lot169 ("Debtor") has not paid levy contributions by the due date fixed for payment, that pursuant to Section 143 of the Body Corporate and Community Management (Accommodation Module) Regulation 2008 the Body Corporate engage HWL Ebsworth Lawyers ("Collector") to recover the outstanding contribution/s, plus any applicable penalty for the Debtor's failure to pay, and all costs reasonably incurred by the Body Corporate in recovering these amounts ("the Debt");
 - (2) the Collector issue a final letter of demand to the Debtor requesting payment of the debt in full within 14 days, after which if full payment or payment provisions deemed acceptable by the Committee are not received, the Collector is further engaged to commence recovery proceedings against the Debtor, and take such of the following steps as may be necessary to achieve payment of the Debt in full, or Judgment:
 - (a) filing and serving a Claim and Statement of Claim;
 - (b) obtaining Judgment (including as applicable default or summary judgment);
 - (c) if a Defence is filed by the Debtor, completing a Reply and any Request for Further and Better Particulars, completing disclosure, conducting any necessary interlocutory applications, appearance at any Mediation or Directions Conference, and trial as necessary; and
 - (d) participating in any settlement negotiations with the Debtor and reporting on them to the Body Corporate;
 - (3) that if judgment is obtained in the Recovery Proceedings, enforce that judgment against Debtor ("Enforcement Process") and to continue the relevant Enforcement Process against Debtor until the judgment debt is paid in full.

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Yes: 7 No: Nil Abstain: Nil

- Lots 90, 123, 124, 126 & 166 (31,059.20) – The meeting asked Mr Staehr to contact the owner of these lots and ask for payment details to be provided prior to the 31st July 2020.
- Lot 10 – Mr Staehr noted that this Lot was already in collection action but was yet to pay. The meeting resolved to proceed with a Bailiff's auction to sell the Lot if payment was not made immediately.

Yes: 7 No: Nil Abstain: Nil

RESOLVED to accept the Financial Statements as tabled.

Yes: 7 No: Nil Abstain: Nil

6. Proposed Administrative Fund Budget:

A proposed Administrative Budget was tabled.

Sewerage & Water Treatment Plant – The meeting noted that they are currently obtaining quotations for the ongoing maintenance of the plant.

RESOLVED to accept an Administrative Fund Budget for the year ending 31st May 2021 of \$956,680.00 Gross, including GST for presentation to the Annual General Meeting.

Yes: 7 No: Nil Abstain: Nil

7. Proposed Sinking Fund Budget:

A proposed Sinking Fund Budget was tabled.

Mr Kemp noted that the balance of the Sinking Fund is below what the Sinking Fund Forecast (SFF) indicates it should be. The meeting Noted that a new SFF will be required in 2022 at the latest. Mr Staehr noted that Archers will be updating the SFF at their cost and will arrange for this to be done as quickly as possible.

Discussed how to recover shortfall from previous years and agreed that it would be done gradually.

Intent is to maintain a minimum balance of \$500,000.

RESOLVED to propose a Sinking Fund Budget for the year ending 31st May 2021 of \$113,575.00 Gross, including GST for presentation to the Annual General Meeting.

Yes: 7 No: Nil Abstain: Nil

8. Compliance Register:

The Compliance Register was tabled and the following items considered:

8.1 Annual Workplace Health & Safety Audit

It was noted that the last report was completed on 31st May 2019 and requires update to maintain compliance. Mr Staehr advised that he will obtain multiple quotations for the committee to consider.

8.2 Insurance Valuation

It was noted that the last report was completed on 26th July 2017 and remains compliant.

8.3 Sinking Fund Forecast

It was noted that the last report was completed on 26th July 2017 and remains compliant.

9. Annual General Meeting (AGM):

9.1 Date of Annual General Meeting

RESOLVED that the AGM be held at The Compound, Springs Road, Agnes Water on Saturday, 29th August 2020 at 9.00a.m.

Yes: 7 No: Nil Abstain: Nil

9.2 Motions for Annual General Meeting

9.2.1 Statutory Motions

Prior Minutes

Financial Statements

SUNRISE AT 1770 Minutes – Committee Meeting Year End

Audit
Appointment of Auditor
Administrative Fund Budget
Insurance Budget
Sinking Fund Budget
Insurance

9.2.2 Committee Motions

Electronic Delivery of Notices
Electronic Voting
New Community Management Statement

It was noted that the above motions are required to be included on the AGM agenda as received.

9.3 Committee Nominations

It was noted that the following nominations have been received and are required to be included on the AGM notice:

Chairperson – Mr Peter Kemp
Secretary – Mr Gary Pritchard & Mr David Allen (Ballot required)
Treasurer – Mr John McCartney
Ordinary Members (Ballot required)

- Mr Gary Pritchard
- Mrs Robyn Hauser
- Mr Mark Simpson
- Ms Julie Bealing
- Mr David Allen
- Mr Mark Hulst
- Mr Michael Comley

As there are more nominations than positions available for Secretary and Ordinary Members, an open ballot will be conducted to elect the Committee positions. Meeting agreed that nominees could provide CV's to circulate with the agenda. Mr Staehr asked that the CV's be provided by the 31st July 2020.

General Business:

10.1 Design Review Panel Report

Mr Comley advised that he has been speaking with a Rockhampton based contractor to try and put together a simple document for owners to provide a brief outline on the design and compliance guidelines to assist with new builds. Mr Comley to follow up with contractor for a proposal for the committee to review. Mrs Hauser also noted that this document could be included on the website as well.

Mr Hulst updated the meeting with the following:

Concept Approvals issued

- Lot 2
- Lot 36
- Lot 129

Concept Application not approved

- Lot 136

Final Approvals issued

- Lot 2
- Lot 36

Final completion inspections

- Lot 153

Lot 105 update

Lot 105 has issues with storm water control and erosion, exterior painting. Conditional Final approval requested subject to various requirements being completed. On advice from Archers, conditional approval is not permitted.

Letter sent with requirements of items to be completed prior to Approval being issued.

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All correspondence to be addressed to The Secretary Mr Gary Pritchard, c/- Archers, PO Box 1191
MOOLOOLABA QLD 4557

Last week owner requested on-site inspection with Mr Pritchard & Mr Lane and a number of items are still not completed. Owners advised these need to be completed to get approval.

Other lots in the process of Concept Design Applications

- Lot 108
- Lot 164

Under construction

- Lot 2

Completed

- Lot 157

10.2 STP

The meeting noted they have had 3 companies inspect plant to provide a proposal for ongoing management and upgrades required. Discussions are ongoing with contractors to provide ideas regarding future automation requirements to decrease ongoing maintenance costs. The current contractor, Arris Water has also suggested separating the Waste Water and the Potable Water infrastructure.

10.3 Solar & Communications Sub-Committee

Mr Simpson addressed the meeting and reported the following:

Caretaker's House

Existing 1.5kW system has not been working for some time. Three quotes were obtained to replace it with a 6.6kW system; the new system is planned to be installed after these school holidays.

Beach Clubs

The two beach clubs have existing 1.5kW systems. These are totally inadequate in terms of power generated vs consumption. Although on an old, generous, rebate scheme, no income has been generated because there is no excess power generated (all self-consumed). Quarterly electricity costs are around \$2,800 for each pool.

Four companies have been approached to provide replacement systems, sized at 6.6kW or larger.

One quote has been received so far, for a 6.6kW system at each site (around \$5,000 each). An approximate calculation shows that the payback period for such a system would be 2 years, with subsequent savings in the order of \$2,500 per year. A larger system would provide closer to what is actually used daily and will be explored too.

Main Compound

The main Sunrise maintenance compound does not have a solar power system at present. Quarterly power bills range from \$3,400-\$4,400.

One quote has been received for a 39kW system (actually two systems, one on the roof of each main building). The cost of this system is \$27,500. Approximate payback for such a system would be 4 years, with on-going savings of \$8,000-\$9,000 per year, plus potential solar credits of \$850 to offset the on-going charges (night use).

Communications

The telephone connection to the beach club changerooms was restored.

For the benefit of non-resident owners the only NBN communications available within Sunrise are Fixed Wireless or Satellite. There is no fibre optic cable run to Sunrise. ADSL is still available to home owners. Mobile communications are limited to Telstra or Optus (no Vodafone). Signal strength is weak, however, so mobile repeater systems are recommended within houses. Even with such systems though, drop outs are still experienced.

10.4 Grounds Sub-Committee Report

Mrs Hauser addressed the meeting and noted the following:

COVID 19

Facilities reopened 16 May apart from China Beach facilities that remained closed due to maintenance. Now open.

Water Meter Readings

Water meter readings have been taken and sent to Archers for billing. Next reading will take place early December and continue 6 monthly as per CMS requirements.

Fuel Load Reduction

Bush Heritage have completed fuel reduction burns around the estate and council have completed along Springs Rd

Letters were sent to lot owners whose lots needed attention

Common areas that still require clearing/ mulching

North - Between Lot 1 & Springs Club

South- Southern Boundary

Quote for these 2 areas \$6300 + \$ 400 per day for Jack and Brodie – The meeting agreed to proceed with this work

Yes: 7 No: Nil Abstain: Nil

Bush Heritage is looking to contribute \$2000

Michael's map in the monthly reports shows the areas that have been sprayed and brush cut. Reports available on the website.

New Bore

Mr Lane now looking for an alternative contractor as original contractor still in NT/ WA

Painting of playground equipment and under children's pool

Scaffolding hire \$24/ week.

Trial of sanding the slides

All painting in the estate should then be completed

Ongoing Board Replacements along beach tracks

120 timbers ordered and being made up \$1900

Commence with Red Rock pathway and Hawksbill as the most used tracks.

A small number of boards need replacing near China Beach shower and surf tower.

Tree Lopping

Arborist to remove trees from common land near Lot 51, opposite Lot 26 and adjacent to Red Rock path

Car Park Replacement

Hawksbill track car park will need to be considered for replacing with concrete

10.5 Grants

Mr Comley advised that he would investigate what Government grants might be available to the body corporate.

10.6 Archers Charges

Mr Allen raised concerns with the disbursement costs from Archers. Mr Staehr advised that they were high for the past 12 months due to the additional printing and photocopying requirements of the new Caretaking Agreements and EGM held but they were in the process of introducing electronic voting which he considered would help with reducing these costs.

There being no further business, the meeting closed at 11.15 a.m.