



Informal Body Corporate Meeting 07/12/2021

Present

Peter Kemp
John McCartney
Julie Bealing
Gary Pritchard
Lynne Lewis

Apologies

Mark Simpson
Robyn Hauser

Correspondence in: Page 6

Correspondence out: Page 7

General Committee Items:

From Previous Minutes: Items in red are outstanding. Action required in blue.

- Lot 36: Letter sent regarding washing and response with action received
- Unauthorised beach access. Letters sent to owners, real estate and letting agents. Michael has arranged for signage to be ordered and erected.
- Letter to Rebecca (Sunrise at 1770 holidays) re: forwarding email sent to owners regarding pool maintenance. This email has now been received.
- Key safes – Letter sent and key safes have been removed
- Letterboxes for caretakers - Letters sent/received. **BC decision needs to be actioned by caretaker. JB to follow up with Michael**
- Letter to Lot 22 re builder's sign sent. Compliant sign has now been erected.
- Lights at the gates and pool – **Michael to get demo. Grounds committee to follow up**
- Tree removal by arborist - **Michael to get quote. Grounds committee to follow up**
- WTP – **Request for reports and sampling. JB to contact Ben Kele**
- Solar – **Tree trimming to reduce shading. Grounds committee to follow up**
- Nursery operating Budget – **Michael to provide. Grounds committee to follow up**
- Rubbish Removal JJ Richards trial – Committee does not want to progress with this. **JB to write to Michael, requesting he provide alternative proposal for addressing WHS concerns he has around bin collection.**

General Business:

The committee agrees that David Allen's resignation letter be tabled and appended to the agenda and minutes of the next formal meeting of the Body Corporate.

Treasurer's Update:

Decisions around discretionary spending for additional staff for Caretaker during peak periods need to be made whilst taking into account the remaining budget allocation. Notably \$12000 of the allocated \$20000 has already been spent.

Letting Agreement:

- **Gate access for Sunrise at 1770 holidays**

The committee agrees that for security reasons Gate codes are only to be issued to tradespeople carrying out building/ maintenance work. [JB to write letter to Rebecca from Sunrise at 1770 Holidays, explaining that gate codes will not be issued to Letting Agents and that she she must make arrangements with her tenants to hand over keys and swipe cards \(which her owners should provide\), in a manner consistent with her letting agreement.](#)

- **Breaches**

The committee has concerns that Ocean Ridge Enterprises Pty Ltd whose director is a cosignatory of the Caretaker's agreement via Sunrise at 1770 Escapes Pty Ltd may be in breach of their contractual obligations to the Body Corporate.

In particular: *(In brackets points from the caretaking agreement)*

- Act at all times in the best interest of the Body Corporate and Lot Owners. (2)
 - An email sent to a selection of owners containing incorrect and misleading information about planned maintenance on the Sunrise at 1770 pools, and prejudicial statements regarding the intent of the Body Corporate. Resulting in unnecessary and unwarranted stress to both owners and members of the Body Corporate.
 - Attempting to broker an unsolicited meeting with the Body Corporate and Owners with whom the Letting agent has no contractual relationship, without the consent of the Body Corporate, in an apparent attempt to undermine the Body Corporate.
- Keep Secure all master and other and entry passes to the Scheme. (28)
 - A swipe card to the estate was found in an unlocked mailbox, purported to be in use by the Caretaker/Letting agent.

[JB to draft "show cause" letter to Ocean Ridge Enterprises Pty Ltd outlining breaches, for approval by Archers.](#)

Caretakers Agreement:

- Michael's review

Michael's review to be carried out before Christmas. [Date needs to be decided](#). The basis of the review will be as discussed at the informal meeting on 08/11/21. [Peter in consultation with Robyn, to review the overall format of the Caretaker Performance Evaluation from the last review and update with any identified improvements.](#)

- Breaches

The committee has concerns that Sunrise at 1770 Escapes Pty Ltd may be in breach of their contractual obligations to the Body Corporate.

In particular: *(In brackets points from the caretaking agreement)*

- Understand and at all times comply and behave and ensure that Staff and Contractors of the Caretaker and the Body Corporate understand and at all time comply and behave in accordance with the provisions of the CMS. (1)
 - Blatant disregard for clear direction given in writing by the chairman of the Body Corporate in relation to clearing of vegetation at Lot 2, resulting in unauthorised removal of mature trees.
- Act at all times in the best interest of the Body Corporate and Lot Owners. (2)
- Maintain confidentiality with respect to the affairs of the Body Corporate and Lot Owners. (4)
 - Incorrect information from an informal meeting of the Body Corporate regarding planned maintenance on the Sunrise at 1770 pools was relayed via the Caretaker in attendance at the meeting to Ocean Ridge Enterprises Pty Ltd.
 - Subsequently an email was sent from Ocean Ridge Enterprises Pty Ltd to a selection of owners containing incorrect and misleading information about planned maintenance on the Sunrise at 1770 pools, and prejudicial statements regarding the intent of the Body Corporate. Resulting in unnecessary and unwarranted stress to both owners and members of the Body Corporate.
- Treat all Lot Owners, Staff, Contractors, occupiers of lots equally and with respect. (3)
 - The Body Corporate has received multiple written complaints in relation to negative interactions with the Caretaker. Including being disrespectful and spreading misinformation about the intent of the Body Corporate.
- Comply with and carry out in a timely and cost effective manner all reasonable instructions given by the Body Corporate whether verbal, written or otherwise, concerning the administration and management of the scheme or the performance by the caretaker, the staff or contractors of work done or to be done on the scheme. (30)
 - Body Corporate request from Chairman dated 21/11/2021. Daily report for request for gate codes. Specifically; "The Body Corporate requests a written document of any permission you give gate codes including any tenant, owner or contractor". This request was not complied with.

- Keep Secure all master and other and entry passes to the Scheme. (28)
 - A swipe card to the estate was found in an unlocked mailbox, purported to be in use by the Caretaker/Letting agent.

JB to draft “show cause” letter to Sunrise at 1770 Escapes Pty Ltd outlining breaches, for approval by Archers.

DRP update:

No significant updates since last meeting.

It is recognised that due to significant construction activity currently occurring in the estate, the DRP needs to work to ensure the performance criteria of the Dwelling House Code in the CMS is maintained.

DRP and Peter to meet to discuss

Grounds Committee update:

- Request for additional staff over the Christmas holidays

The committee has agreed that Michael can spend \$2000 on additional staff over the Christmas period. The Body Corporate will request a report outlining when and how the hours were allocated, and photos in supporting evidence of work carried out (e.g., at the Nursery) so that the Body Corporate can assess the benefit from the extra staff as part of the decision making process in the future. [JB to write to Michael with this proposal](#)

The grounds committee has not met since the last meeting.

It is reported that the beach track maintenance was not completed over winter. [Grounds committee to discuss with Michael whether enough boards are available/on order to complete this work.](#)

Items for follow up from previous meetings:

- Lights at the gates and pool – [Michael to get demo.](#) [Grounds committee to follow up](#)
- Tree removal by arborist - [Michael to get quote.](#) [Grounds committee to follow up](#)
- Nursery operating Budget – [Michael to provide.](#) [Grounds committee to follow up](#)

Pool Maintenance Update:

Concrete spalling has been removed from China Beach pool, and work has now commenced on the Springs pool. Anodes are on order, and packing and filling of the affected areas will commence once they have been received and installed.

STP/WTP Update:

Planned upgrade of the STP is now complete. [Body Corporate to arrange walk through of plant with Ben Kele to view the upgraded system](#)

Bush Heritage Update:

Lawyers are expected to meet next week in regard to finalising the contribution agreement.

Certification Update:

Changes to the consent orders are required to coincide with the Sunrise at 1770 fire management plan, which has been updated to incorporate the requirements of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas.

[Approval from owners is required to make application to the courts to change the consent orders.](#)

Generator Update:

- New/Repair

Awaiting arrival of parts (engine monitoring interfaces).

If the generator cannot be repaired, it is recognised that appropriate sizing of a new generator needs to be empirically assessed by an electrician/engineer.

Solar Update: (From Mark's email 20/11/2021)

Simon (solar installer) has/will talk to Michael about pump power requirements in order to size an appropriate battery option as well. Even if we do get a battery, we would still need a gen-set in case of excessive cloudy conditions. Battery options are scalable from 3 to 328 kWh.

Regarding the Compound solar installation, Simon advises that the price of panels has temporarily risen about 10c per Watt, meaning that the Compound site would cost about an extra \$4,000. The price rise is due to China shutting down factories to save coal, expensive shipping rates, tripling in price of polysilicon. Simon thinks that prices will come down again around March 2022. Even if we pay for panels now, there is no guarantee that we would receive panels any earlier.

My recommendation is that we sit for a while and check on prices again in Feb to see how they are tracking. We could still get a system in



Body Corporate Informal Meeting Agenda 07/12/2021

Correspondence in:

Date	From	Subject	Carriage
5/11/2021	John Gunn	Levy increase and Septic clean out	email
11/11/2011	Michael Lane	Request For extra staff over Christmas Holidays	email
14/11/2021	David Allen	Resignation Letter	letter via email
15/11/2021	Rebecca Willis	Removal of lock boxes, request for gate codes	letter via email
15/11/2021	Michael Lane	Letterboxes Manager and Caretaker	letter via email
15/11/2021	Keith Michel	History of letterbox allocation	letter via email
19/11/2021	Rebecca Willis	Request for gate codes	email
19/11/2021	Rebecca Willis	Forwarded email sent to Owners re Pool Closure	email
22/11/2021	Rebecca Willis	Acceptance of meeting request	email
24/11/2021	Michael Lane	Letter requesting letterboxes	letter via email
24/11/2021	Lot 36	Washing Solution	letter
24/11/2021	PRD	Response to Beach access letter with map	email
25/11/2021	Rebecca Willis	Response from Rebecca Re Owner Meetings	email
26/11/2021	Rebecca Willis	Request for gate codes/ intercom malfunction	email
3/12/2021	Rebecca Willis	Request for gate codes/ intercom malfunction	email
3/12/2021	Michael Lane	Information regarding deployment of extra staff	email

Correspondence Out:

Date	From	Subject	To	Carriage
1/11/2021	David Allen	Builders Sign	Jaiben Baker	Letter
4/11/2021	David Allen	Washing	Howe Built Concepts/Lot 36	Letter
6/11/2021	David Allen	Springs Pool email	Rebecca Willis	Letter via email
9/11/2021	David Allen	Removal of keysafes	Michael Lane	Letter via email
9/11/2021	David Allen	Use of Body Corporate Letter boxes	Michael Lane	Letter via email
14/11/2021	David Allen	Response re levy increase and septic clean out	John Gunn	email
18/11/2021	Julie Bealing	Beach Access and CMS	Owners	Letter via Archers
18/11/2021	Julie Bealing	Beach Access and CMS	Sunrise at 1770 Holidays	Letter via email
18/11/2021	Julie Bealing	Beach Access and CMS	PRD -Holiday Rentals	Letter via email
18/11/2021	Julie Bealing	Beach Access and CMS	PRD - Sales	Letter via email
18/11/2021	Julie Bealing	Beach Access and CMS	CAM Realty	Letter via email
21/11/2021	Peter Kemp	Gate access permissions for Sunrise at 1770 holidays	Michael Lane	email
21/11/2021	Julie Bealing	Request for meeting with Sunrise at 1770 holidays	Rebecca Willis	email
23/11/2021	Julie Bealing	Letterboxes Caretaker		
25/11/2021	Julie Bealing	Email seeking explanation of Rebecca inviting owners to meeting	Rebecca Willis	email
25/11/2021	Julie Bealing	Cancellation of meeting with Rebecca	Rebecca Willis	email
25/11/2021	Julie Bealing	Response to Michael Re Letterbox allocation	Michael Lane	email
30/11/2021	Peter Kemp	Request extra information Re extra staff	Michael Lane	email
3/12/2021	Gary Pritchard	Gate has been checked and not malfunctioning	Rebecca Willis	email