

**MINUTES OF AN ANNUAL GENERAL MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

**ADDRESS OF THE COMMUNITY ASSOCIATION: PRINCE HENRY AT LITTLE BAY
ANZAC PARADE, LITTLE BAY, NSW 2036**

DATE, PLACE &

TIME OF MEETING: An Annual General Meeting of The Prince Henry Community Association, Deposited Plan No. 270427, was held on Tuesday, 18 August, 2020 in the Frangipani Room, Coast Centre for Seniors at Curie Avenue, Little Bay. The meeting commenced at 6:00pm.

PRESENT:

Ms S Graham (Lot 5, DP 285909)
Mr K Barker (Lot 6, SP 80510)
Mr T Cousins (Lot 13, SP 84782)
Ms S Stewart (Lot 16, DP 285908)
Ms S Henderson (Lot 18, SP 86334)
Mr. L Neale (Lot 30, SP 86078)
Ms M Ugarte (Lot 36, DP 285944)
Mr J Pearson (Lot 51, SP 86015), departed at 7:11pm
Mr S Miller (Lot 81, DP 285146)
Ms H Nilsen (Lot 82, SP 81878)
Mr P Wood (Lot 101, SP 88772)
Mr P McCarthy (Lot 102, SP 87551)

PRESENT BY PROXY: Mr G Thomas (Lot 127, SP 85837) to the Chairperson.

IN ATTENDANCE:

Mr P Byrnes (DP 285146)
Mr M McIntosh (DP 285944)
Ms L Wood (SP 88772)
Mr M Domazetovski (Change Strata Management Pty Limited)
Ms K Milne (Change Strata Management Pty Limited)

CHAIRPERSON:

Ms S Graham

SECRETARY (ACTING):

Ms K Milne (under delegation)

TREASURER:

Mr K Barker

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The agenda for the meeting was:

1. MINUTES:

- 1.1 RESOLVED that the minutes of the last general meeting held on 9 April, 2019 be confirmed as a true record of the proceedings at that meeting.

2. INSURANCES:

- 2.1 RESOLVED that the Owners confirm its current insurance policy in effect.

Insurance Company:	QBE Insurance (Aust) Ltd
Policy Number:	NT204526
Period of Insurance From:	31 March, 2020
Period of Insurance To:	31 March, 2021
Community Property:	\$202,400
Community Property (Community Income):	\$30,360
Community Property (Common Area Contents):	\$2,024
Sports Playing Field:	Not Selected
Extra Expenses:	Not Selected
Public Liability:	\$30,000,000
Voluntary Workers:	\$200,000 / \$2,000
Workers Compensation:	Not Selected
Fidelity Guarantee:	\$100,000
Office Bearers Legal Liability:	\$20,000,000
Machinery Breakdown:	Not Selected
Catastrophe (Community Association):	\$30,360
Extended Cover – Community Income:	\$4,554
/ Temp Accommodation / Storage:	Not Selected
Government Audit Costs:	\$25,000
Appeal Expenses:	\$100,000
Legal Defense Expenses:	\$50,000
Flood	\$Selected
Premium:	\$2,206.30
UW Levy:	\$90.00
Fire ESL:	\$73.56
GST:	\$259.05
Stamp Duty:	\$225.71
Broker Fee:	\$220.63
TOTAL PAID:	\$3,075.25
Distributor Income Received By Change Strata Management:	\$330.95

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- 2.2 RESOLVED that the insurances of the Community Association be extended to include additional optional insurances not selected above.
- 2.3 RESOLVED that Change Strata Management Pty Limited be authorised after discussion with the Executive to seek quotations for the Community Association insurance renewal from appropriate policy providers and forward them to the Executive for approval.

3. APPOINTMENT OF AN AUDITOR:

- 3.1 RESOLVED that Thomas Davis & Co. be appointed as auditors.

4. FINANCIAL STATEMENTS FOR 2019 AND BUDGET FOR 2020:

- 4.1 RESOLVED that the financial statements for the period ending 31 December, 2019 be adopted.
- 4.2 RESOLVED that the estimated budget for the administration and sinking funds be adopted.

5. LEVY CONTRIBUTIONS:

- 5.1 RESOLVED that contributions to the administrative fund are estimated in accordance with Section 20 of the Act and determined in accordance with Clause 13 (1), Schedule 1 of the Act at \$94,000 + GST.
- 5.2 RESOLVED that the administrative fund contributions be paid in instalments being:
- i) Instalment 1 of \$25,000 + GST due and payable on 1 January, 2020 (already raised);
 - ii) Instalment 2 of \$25,000 + GST due and payable on 1 April, 2020; and
 - iii) Instalment 3 of \$25,000 + GST due and payable on 1 July, 2020 and
 - iv) Instalment 4 of \$19,000 + GST due and payable on 1 October, 2020; and

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- v) Instalment 5 of \$23,500 + GST due and payable on 1 January, 2021.
- 5.3 AMENDED & RESOLVED that contributions to the sinking fund are estimated in accordance with Section 20 of the Act and determined in accordance with Clause 13 (2), Schedule 1 of the Act at \$7,500 + GST.
- 5.4 RESOLVED that the sinking fund contributions be paid in instalments being:
- i) Instalment 1 of \$2,500 + GST due and payable on 1 January, 2020 (already raised);
- ii) Instalment 2 of \$2,500 + GST due and payable on 1 April, 2020; and
- iii) Instalment 3 of \$2,500 + GST due and payable on 1 July, 2020; and
- iv) Instalment 4 of \$0.00 + GST due and payable on 1 October, 2020; and
- v) Instalment 5 of \$0.00 + GST due and payable on 1 January, 2021.
- 5.5 RESOLVED that following resolutions 5.2 (v) and 5.4 (v), the administration fund and sinking fund contributions be continued at quarterly intervals until further determined.

6. EXECUTIVE COMMITTEE:

- 6.1 RESOLVED that written and oral nominations were received at this meeting for election to the Executive Committee from:

Ms S Graham	(Lot 5, DP 285909)
Mr K Barker	(Lot 6, SP 80510)
Ms S Stewart	(Lot 16, DP 285908)
Ms S Henderson	(Lot 18, SP 86334)
Mr J Pearson	(Lot 51, SP 86015)
Ms H Nilsen	(Lot 82, SP 81878)
Mr P Wood	(Lot 101, SP 88772)
Mr P McCarthy	(Lot 102, SP 87551)
Mr G Thomas	(Lot 127, SP 85837)

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6.2 RESOLVED that the number of members of the Executive Committee be Nine (9).

6.3 RESOLVED that the members of the Executive Committee be:

Ms S Graham
Mr K Barker
Ms S Stewart
Ms S Henderson
Mr J Pearson
Ms H Nilsen
Mr P Wood
Mr P McCarthy
Mr G Thomas

Please Note: - the owners in attendance gave a VOTE OF THANKS to the outgoing Executive Committee for their hard work and efforts over the past 12 months.

7. TRANSFER OF PRINCE HENRY COMMUNITY WEBSITE:

7.1 RESOLVED that the Prince Henry Community Association establish its own website; that this be by way of transfer from the current owner of "The Prince Henry Community" website.

7.2 RESOLVED that on transfer of ownership of The Prince Henry Community website an upgrade of the operating software be undertaken, subject to approval of the budget 2020, refer item 4.2.

7.3 RESOLVED that at future Annual General Meeting the Executive Committee will provide a report as to the websites operations, activities and actual costs compared to annual budget.

7.1 RESOLVED that the Executive Committee implement a website management plan and, appoint a web site development consultant via a tender process review the websites operations, content, activities, and costs regularly during the coming year.

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8. APPOINTMENT OF MANAGING AGENT:

- 8.1 AMENDED & RESOLVED that Pursuant to section 50 of the Community Land Management Act 1989 that Change Strata Management Pty Limited (herein called “the agent”) be appointed as Managing Agent of DP 270427 for a term 1 year from 18 August, 2020 based on the management fee of \$26,400.00 pa (GST inclusive);
- 8.2 RESOLVED that the association delegate to the agent all of the functions of:
- (i) the association (other than those listed in section 50(2) of the Community Land Management Act 1989); and
 - (ii) its chairperson, treasurer, secretary, and executive committee necessary to enable the agent to carry out the ‘*agreed services*’ and the ‘*additional services*’ as defined in and subject to the conditions and limitations in the agency agreement.
- 8.3 RESOLVED that the common seal of the association be affixed pursuant to section 8 of the Community Land Management Act 1989 to the agency agreement tabled at this meeting and signed by two persons nominated by the association (being owners of lots or members of the committee) which incorporates instruments appointing the agent and delegating all the powers, authorities, duties and functions referred to therein.

9. POLICIES AND PROCEDURES:

- 9.1 RESOLVED that the Prince Henry Community Association policy and procedure documents below be adopted and uploaded to the Prince Henry Community website.
- Executive Committee Code of Conduct as updated; and
 - Communication Plan as updated; and
 - Breach of By-laws as added

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10. NEXT ANNUAL GENERAL MEETING DATE:

- 10.1 RESOLVED that the Annual General Meeting date for the coming year be set for Tuesday, 13 April, 2021.

CLOSURE: There being no further business, the Chairperson declared the meeting closed at 6:25pm.

Chairperson

Date

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PRESENT: Ms S Graham
Mr K Barker
Ms S Stewart
Ms S Henderson
Ms H Nilsen
Mr P Wood
Mr P McCarthy

APOLOGIES: Mr G Thomas
Mr J Pearson

IN ATTENDANCE: Mr P Byrnes (DP 285146)
Mr M McIntosh (DP 285944)
Mr. L Neale (SP 86078)
Mr M Domazetovski (Change Strata Management Pty Limited)
Ms K Milne (Change Strata Management Pty Limited)

CHAIRPERSON: Ms S Graham

SECRETARY: Ms K Milne (under delegation)

TREASURER: Mr. K Barker

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The agenda for the meeting was:

1. WELCOME & APOLOGIES:

- 1.1 RESOLVED that the Chairperson welcome all in attendance and that the Secretary record any apologies.

Please Note: - committee members present, those in attendance and apologies are nominated above.

2. CONFLICTS OF INTEREST:

- 2.1 RESOLVED that the Secretary record any conflicts of interest to be raised within the agenda below.

Meeting Note: Ms. S Graham declared a conflict in relation to Transfer of .PH Community Website, item 6.1.2.

3. MINUTES:

- 3.1 RESOLVED that the minutes of the last executive committee meeting held on Tuesday, 7th July 2020 be confirmed as a true record of the proceedings at that meeting.

4. OFFICE BEARERS:

- 4.1 RESOLVED that the Chairperson, Secretary and Treasurer of the Executive Committee be determined.

Chairperson - Ms S Graham

Secretary - Mr P Wood

Treasurer - Mr K Barker

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5. FINANCIALS:

- 5.1 RESOLVED that the accounts for the period ending 18 August, 2020 be tabled and adopted.

Meeting Note: that the Strata Manager circulate the latest accounts with budget added to committee.

6. OUTSTANDING MATTERS FROM PREVIOUS MEETING:

- 6.1 RESOLVED that the executive committee reviews, discusses and resolves actions on the outstanding matters from the previous meeting(s) nominated below:

6.1.1 Lap and Cap Fence at SP87551, 19 – 21 Lister, Avenue

The meeting noted that PHCA Managing Agent had received advice that the works are completed and written confirmation from SP87551 Strata Manager has been received.

The meeting noted that this item is CLOSED.

6.1.2 Transfer of PH Community Website

The meeting noted that approved at the preceding PHCA general meeting and to progress this item it was agreed to form a web site sub-committee to undertake a tender process for the software upgrade/transfer to include:

- Ms S Graham
- Mr K Barker
- Ms S Stewart
- Ms S Henderson
- Mr G Thomas

Upon completion of the website transfer it was agreed that an editorial team comprising two or three sub-committee members would be formed.

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The meeting noted that the website subcommittee will report at executive committee meetings and that this item is on-going.

6.1.3 Little Bay Cove – Meriton’s Proposed Development

Objection Letter to RCC – 29.10.19

Email to PH Community – 31.10.19

Rejection by Randwick Planning Panel 10.6.20

Rejection by Randwick Council 23.06.20

Sydney Eastern City Planning Council asked to review the proposal
25.06.20

The meeting noted that PHCA Managing Agent to re-address the letter sent to Sydney Eastern City Planning Panel and send to Randwick Council to ensure the PHCA objections are on record with Randwick Council, who have been invited to speak at the meeting.

The meeting noted that this item is on-going.

6.1.4 Yarra Bay Cruise Ship Terminal

The meeting noted that NSW Government decision on this matter has been delayed for 18 months.

The meeting noted that this item is on-going.

6.1.5 Telstra Mobile Phone Tower, Mark Moran at Little Bay

The meeting noted that Telstra had indicated the mobile phone tower is scheduled to be installed early 2020 however Mark Moran has not provided an update on timing.

The meeting noted that this item is on-going.

6.1.6 Lot 81 (DP286146) – 18 Jenner Street DA/598/2019

The meeting noted that additional DA application information was received from the Neighbourhood Association seeking CA approval and DA application documentation was scheduled for consideration by the Randwick Local Planning Panel 9 July 2020.

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The meeting noted that PHCA Managing Agent with committee approval requested Rob May, May & Swann Architects, to review the additional information. PHCA consultant found no grounds for further objection.

The meeting noted the recommendations of PHCA consultant to obtain a copy of the dilapidation report and a copy of the construction certificate. PHCA Managing Agent included recommendations of PHCA consultant in the provisional letter of approval to the Neighbourhood Association/owner of 18 Jenner Street.

The meeting noted that this item is on-going.

6.1.7 Heritage Maintenance Plan (Crown Lands)

Nurses Interdenominational War Memorial Chapel, a DA has been lodged with Council which has been approved to dismantle the stone cross and either repair the existing cross or, if repairing the cross wasn't viable, then the stone would be repurposed.

The meeting noted that Crown Lands has advised that a consultation process would take place with PH Trained Nurses Association, neighbours and PHCA to determine how to repurpose the stone.

The meeting noted that this item is on-going.

Henry's Trading Post, scheduled for maintenance during 2020, including to the external façade.

The meeting noted that external façade is falling apart and PHCA Managing Agent to follow-up with Crown Lands.

Retaining Wall (adjacent to Pine Avenue and Lot 25), scheduled for repair during 2020.

The meeting noted that this item is on-going.

6.1.8 Lot 75 (NA286017) – 4 Meyler Close Subdivision

The meeting noted that PHCA Managing Agent has requested from the NA Managing Agent a copy of the updated registered plans.

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The meeting noted that this item is on-going.

7. RANDWICK CITY COUNCIL (RCC) MATTERS:

7.1 RESOLVED that the executive committee reviews, discusses and resolves any action(s) (if required) on the Randwick City Council matter(s) nominated below:

- 7.1.1 Wrong Concrete Mix Used & to be rectified with other concrete works.
- Murra Murra footpath repairs
 - Lister Avenue footpath repair
 - 6 Lister Avenue driveway/footpath
 - Pine Avenue footpath repairs

The meeting noted that Randwick City Council intends to undertake the works in August/September 2020.

The meeting noted that this item is on-going.

8. SITE MONITORING:

8.1 RESOLVED that the executive committee reviews, discusses and resolves any action on the outstanding site monitoring matters from the previous meeting(s) nominated below:

The meeting noted that the new Executive Committee agreed to adopting zones to monitor breaches. EC members agreed to carry out regular monitoring of their zones. EC members to report concerns with address and photos to PH Managing Agent to action accordingly and/or seek EC members instructions if necessary.

- 8.1.1 Lot 75 (NA286017) – Appearance of Lot Breaches
- 3 Meyler Close, Landscaping
 - 4 Meyler Close, Antennas on the Roof
 - 5 Meyler Close, Landscaping
 - 9 Meyler Close, Landscaping

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The meeting noted PHCA Managing Agent issued notice on the 13.08.20 including an invitation to the NA Managing Agent/Committee to meet on-site with a committee member to discuss the full extent of the breaches and should this not occur within 21 days the PHCA to engage a contractor to undertake the works with costs being on-charged to the lot.

- 6 & 8 McMaster Place Noxious Plants

The meeting noted that RCC has undertaken to treatment/removal of the Bitou Bushes after being contacted by EC member (SG).

The meeting noted that these items are on-going.

8.1.2 Lot 52 (SP86466) Flowers Ward – Appearance of Lot Breaches

- Laundry on balconies U7 & U8 of 8 Brodie Ave
- Bamboo screening
- Storage of items on balconies

The meeting noted PHCA Managing Agent sent an email on the 13.08.20 now the COVID restrictions have eased to arrange a meeting with the Strata Committee to discuss the full extent of the re-occurring breaches.

The meeting noted that this item is on-going.

8.1.3 Lot 13 (SP84782) Manta - Appearance of Lot Breach

- Signage

The meeting noted that the PHCA Managing Agent on 12.08.20 contacted NG Farah directly to have the two large signs removed within 5 days, EC member (SG) to monitor and advise if follow-up is necessary.

The meeting noted that this item is on-going.

8.1.4 Lot 5 (NA285909) - Appearance of Lot Breach

- Antenna on the Roof of 41 Gubbutteh Rd

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The meeting noted EC member (SG) and to recheck, follow-up with the NA Managing Agent, the NA Executive Committee are facilitating the antenna on the roof's removal.

The meeting noted that this item is on-going.

**8.1.5 Lot 79 (SP78510) Coperture - Appearance of Lot Breach
- Satellite Dish on Roof (Foxtel)**

The meeting noted PHCA Managing Agent issued another notice on the 13.08.20 to the Strata Manager requesting the satellite dish removal and should this not occur within 21 days the PHCA to engage a contractor to undertake the works with costs being on-charged to the lot.

The meeting noted that this item is on-going.

**8.1.6 Lot 9 (SP90272) Rockpool - Appearance of Lot Breach
- Telecom Equip/Dish on Roof - awaiting confirmation rectified**

The meeting noted PHCA Managing Agent sent another email on the 13.08.20 to the Strata Manager requesting LBNCo telecom equipment be relocated as it needs to be not visible from the street or other properties.

**Lot 9 (SP90272) Rockpool - Appearance of Lot Breach
- Signage**

The meeting noted EC member (KB) to recheck and advise PHCA Managing Agent if the sign has been removed. Should the sign not have been removed PHCA Managing Agent to action accordingly.

The meeting noted that this item is on-going

**8.1.7 Lot 48 – Moran's Nursing Home- Appearance of Lot Breaches
Unkempt Nature Strips and grass encroaching on pathway, edging to be rectified.**

The meeting noted EC member (JP) to recheck and advise PHCA Managing Agent PHCA Managing Agent to action accordingly.

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The meeting noted that this item is on-going.

**8.1.8 Lot 102 (SP87551) Seaside Pavilions– Appearance of Lot Breach
- Fencing additions/screening**

The meeting noted that PHCA Managing Agent received correspondence from the Strata Manager that the Unit 10 of SP87551 will be seeking to change the fencing subject to approval of SP87551, PHCA and Randwick Council.

The meeting noted that the fence in question is likely to be a common property fence, be subject to heritage and design guidelines. PHCA Managing Agent to discuss with the Unit 10 owner to prevent any unnecessary expenditure and investment of the owner’s time.

The meeting noted that this item is on-going.

**8.1.9 Lot 103, 2 Newton St – Appearance of Lot and Vehicle/Watercraft Breaches
- Storing of items in driveway and on front porch
- Boat with trailer parked in street.**

The meeting noted PHCA Managing Agent sent another email on 11.08.20 to the Property Manager requesting they issue a breach notice to the tenant. PHCA Managing Agent to follow-up with Property Manager as necessary.

The meeting noted that the tenants may be vacating in the near future. However should this not occur a motion to issue a “Notice to Comply” be included on the next meeting agenda.

The meeting noted that EC Member (SG) is liaising with council to have a No Stopping Sign installed to prevent dangerous parking of vehicles close to the corner of Newton Street and Millard Drive.

The meeting noted that this item is on-going.

**8.1.10 Lot 36 (NA285944) – Appearance of Lot Breach
- Signage 6 Lister Avenue,**

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The meeting noted an EC member (SG) to recheck the signage and advise PHCA Managing Agent who is to follow-up if necessary.

The meeting noted that this item is on-going.

8.1.11 Lot 11 (SP85999) Alaris, 2 – 4 Pine Ave — Appearance of Lot Breach
- Signage

The meeting noted the sign has been removed and this item is **CLOSED**.

8.1.12 Laneway Gubbuteh Rd & Millard Ave - Vehicle/Watercraft
- Large boat permanently parked over past many months

The meeting noted that clarification required as to laneway maybe on title of the adjoining lot/lots. PHCA Managing Agent to review and provide clarification to the EC members.

The meeting noted that this item is on-going.

9. TELECOMMUNICATIONS:

9.1 RESOLVED that the executive committee reviews, discusses and resolves action on the outstanding telecommunications matters from the previous meeting(s) nominated below:

9.1.1 Prince Henry Telecommunications – Network MSA

The meeting noted that EC member (SG) and Michael McIntosh would draft a submission to NSW Ombudsman in respect of Landcom's poor management of its Network Management Services Agreement with Pivit and the subsequent sub-standard outcome for Prince Henry owners and residents.

The meeting noted that this item is on-going.

9.1.2 LBNCo Unapproved Use of Lot 1

The meeting noted that PHCA Managing Agent has been in contact with Mr Malcolm Wallace of LBNCo who confirmed LBNCo is using the facility.

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The meeting noted that PHCA Managing Agent is to seek copies of LBNCo's insurances etc. in the interim until an agreement is established.

The meeting noted that PHCA Managing Agent is to seek a fee proposal from Adrian Mueller of J.S Mueller's (PHCA Lawyer) to draft a lease agreement to include but not limited to responsibilities for maintenance of the lot (building and grounds), reimbursement of all related outgoings such as insurance, electricity, gardeners etc.

The meeting noted that this item is on-going.

10. OTHER MATTERS:

10.1 RESOLVED that the Executive Committee reviews, discusses and resolves an action on the following matters nominated below:

10.1.1 Other matters (if any)

a) La Perouse/Kurnell Wharves and Catamaran-style Ferry Services

The meeting noted that NSW Government are considering building wharves at La Perouse and Kurnell and reinstating the Botany Bay Ferry services/route which operated 50 years ago, further studies are being undertaken. The EC members to monitor and action yet to be determined.

The meeting noted that this item is on-going.

b) Landcom Prince Henry Sign – Damaged

The meeting noted that this was reported to council and they are investigating who is responsible for maintenance of the damaged sign.

The meeting noted that this item is on-going.

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10.1.2 Next Meetings confirmed being the Executive Committee Meeting to be held on Tuesday, 13 October 2020 at 6:00pm

CLOSURE: There being no further business, the Chairperson declared the meeting closed 7:43pm.

Chairperson

Date

SCHEDULE OF FUTURE MEETINGS & DEADLINES

Meeting Date.	Items to be included in next meeting agenda Due Date.	Notice of Meeting Circulation Date.
ECM 13 October 2020, from 6pm	29 September 2020	6 October 2020
ECM 8 December 2020, from 6pm	24 November 2020	1 December 2020
ECM 9 February 2021, from 6pm	26 January 2021	2 February 2021
AGM & ECM 13 April 2021, from 6pm	30 March 2021	6 April 2021
ECM 15 June 2021, from 6pm	1 June 2021	8 June 2021
ECM 10 August 2021, from 6pm	27 July 2021	3 August 2021
ECM 12 October 2021, from 6 pm	28 September 2021	5 October 2021
ECM 14 December 2021, from 6pm	30 November 2021	7 December 2021