

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

**DATE, PLACE &
TIME OF MEETING:**

An Executive Committee Meeting of The Prince Henry Community Association, Deposited Plan No. 270427, was held on Tuesday, 11 June 2019 in the Hibiscus Room, Coast Centre for Seniors at Curie Avenue, Little Bay. The meeting commenced at 6:00pm.

PRESENT:

Mr. P Wood
Mr. K Barker
Ms. S Graham
Ms. L A Pickett
Ms. C Davison
Mr. J Pearson

APOLOGIES:

Ms. H Nilsen
Ms. L Silberman

IN ATTENDANCE:

Mr. C Hanson
Mr. C Cummins
Ms. M Ugarte
Mrs. L Woods
Mr. R Mbae (Building Manager – Lot 48)
Mr. S Cummins
Mr. M McIntosh
Mr. B Fox
Mr. P Bone (Change Strata Management Pty Limited)
Ms K Milne (Change Strata Management Pty Limited)

CHAIRPERSON:

Ms. S Graham

SECRETARY:

Ms. C Davison

TREASURER:

Mr. K Barker

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

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 recorded a conflict of interest to be raised within the agenda below.

Meeting Note: Ms. S Graham declared a conflict in relation to Item 4.1.9 Upgrade to Website.

3. MINUTES:

- 3.1 RESOLVED that the minutes of the last executive committee meeting held on Tuesday, 9th April 2019 were confirmed as a true record of the proceedings at that meeting.

Meeting Note: Ms. C Davison opposed this motion.

4. OUTSTANDING MATTERS FROM PREVIOUS MEETING:

- 4.1 RESOLVED that the executive committee reviewed, discussed and resolved actions on the outstanding matters from the previous meeting(s) nominated below:

4.1.1 Lap and Cap Fence at SP – 87551, 19 – 21 Lister, Avenue

The meeting noted that the PHCA Managing Agent, Mr. K Barker and Ms. S Graham will be meeting with the PHCA Managing Agent of the subsidiary body post the subsidiary scheme annual general meeting to be held in early-July 2019 with a view to determine when the non-

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

complying fence will be attended to as per Section 96 modified development consent as approved by Council.

4.1.2 Sub-division for 4 Meyler Close, DA 410 / 2017

The meeting noted that Randwick City Council legal counsel has advised that the judgement of Commissioner Bish with regards to proceedings before the Land and Environment Court was approved subject to conditions of consent. Further that Randwick City Council legal counsel advised that the only basis for an appeal is on a question of law (error of law) therefore all avenues have been exhausted.

The meeting noted that this item is now CLOSED

4.1.3 Circulation of the Amended Community Management Statement

The meeting noted PHCA Managing Agent undertook now that registration is complete to circulate with the document with a covering letter that refers to all common community breaches, concerns and other important information such as the communication protocol.

4.1.4 Summary of Easements

The meeting noted that PHCA Managing Agent had commenced work on this large item which will take some time.

4.1.5 Approval Letter for 2 Murra Murra Place Application for Solar and Painting

The meeting noted that the PHCA Managing Agent undertook to action and issue the letter of approval to NA DP285944 representing Lot 36 of which the owner of the above property is a member.

Explanatory Note: - - the standard process for requests for approval from PHCA is an application must be accompanied by a copy of the subsidiary body's minutes containing its approval to the application along with full details of the proposed works before consideration by PHCA Executive Committee.

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

4.1.6 Banning of Spearfishing in Little Bay

The meeting noted that the PHCA Managing Agent had as yet to draft a supporting letter for review by the Executive Committee before it goes to RCC supporting the submission made by Mr. N Morris seeking the banning of spearfishing in Little Bay. The PHCA Managing Agent undertook to have this attended to asap.

4.1.7 Manta Bin Issue

The meeting noted that this issue has now been resolved and this item is now CLOSED.

4.1.8 Alaris Bin Issue

The meeting noted that post the correspondence issued no change has eventuated, and the issue is ongoing.

The meeting requested that the PHCA Managing Agent to seek information from the Managing Agent as to collection dates for businesses, advise the Managing Agent that the operators have not improved their garbage disposal practices, reiterate that garbage bins are not to be placed or left on the grass verge in Jenner St after collection of garbage has been completed and to repair the damaged verge where the grass has died.

4.1.9 Upgrade to Website

The meeting noted that PHCA Managing Agent had obtained advice from the CA's lawyer, JS Mueller & Co, that the Executive Committee could determine the website matter, and re-affirmed the advice previously provided to the Executive Committee.

The meeting then determined to put this to a vote which resolved to proceed to the next step being a review of the best option for operating the website be it indirectly or directly.

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

The PHCA Managing Agent suggested a sub-committee carry out the review and report to the Executive Committee which the Treasurer offered to take the lead on this item.

Meeting Note: Ms. S Graham declared a conflict in relation to item and abstained from voting on this motion.

Meeting Note: Ms. C Davison opposed this motion.

4.1.10 Request for Solar Panels for 14 Lister Avenue

The meeting noted that the PHCA Managing Agent undertook to action and issue the letter of approval to NA DP285944 representing Lot 36 of which the owner of the above property is a member.

Explanatory Note: - the standard process for requests for approval from PHCA is an application must be accompanied by a copy of the subsidiary body's minutes containing its approval to the application along with full details of the proposed works before consideration by PHCA Executive Committee.

4.1.11 Shutters Installed to Apartment B008, Coastal Quarter

The meeting noted that the Strata Scheme Managing Agent provided copies of the letter issued to Apartment B008 about the illegal installation of the shutters. He advised that this had not been successful and was seeking assistance from the CA.

The meeting requested that the PHCA Managing Agent issue a breach letter to the Strata Scheme for the illegal installation of the shutters and also include advice that the storage of items on the balcony is not permitted.

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

5. FINANCIALS:

- 5.1 RESOLVED that the accounts for the period ending 11 June 2019 be tabled and adopted.

Meeting Note: Mr. K Barker and Ms. C Davison queried the lack of information about budgeted items and the need to clarify the item under consultancies.

6. RANDWICK CITY COUNCIL (RCC) MATTERS:

- 6.1 RESOLVED that the executive committee reviewed, discussed and resolved an action on the Randwick City Council matters nominated below:

6.1.1 Handover of Electricity Accounts to RCC and Reimbursement of Electricity Charges by RCC

The meeting noted that PHCA Managing Agent had completed the summary of invoices, this has been provided to Mr. K Barker and Ms. S Graham for review and once finalised the PHCA Managing Agent will liaise with RCC to arrange reimbursement.

6.1.2 a) Objection Letter to Development Applications for 11 Jenner Street

The meeting noted the conciliation for the above matter was adjourned and no amended plans have been lodged to RCC.

6.1.2 b) Objection Letter to Development Applications for 27 Jenner Street

The meeting noted the application above has been withdrawn and that this item is now CLOSED.

7. SITE MONITORING:

- 7.1 RESOLVED that the executive committee reviewed, discussed and resolved an action on the outstanding site monitoring matters from the previous meeting(s) nominated below:

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

7.1.1 Antenna on the Roof of 4 Meyler Close

The meeting noted the matter is on the agenda of the upcoming annual general meeting of the subsidiary body, with the managing agent to advise the outcome.

7.1.2 Antenna on the Roof of 8 Meyler Close

The meeting noted the matter is on the agenda of the upcoming annual general meeting of the subsidiary body, with the managing agent to advise the outcome.

7.1.3 Undeveloped Lot at 1 Murra Murra Place

The meeting noted the overgrown vegetation on the block had been attended to and the matter is now CLOSED.

7.1.4 Landscaping at 9 Meyler Close

The meeting noted the matter is on the agenda of the upcoming annual general meeting of the subsidiary body, with the managing agent to advise the outcome.

7.1.5 Porch Collapsing at 9 Meyler Close

The meeting noted the matter is on the agenda of the annual general meeting of the subsidiary body, with the managing agent to advise the outcome.

7.1.6 Maintenance of 6 and 8 McMaster Place

The meeting noted the matter is on the agenda of the upcoming annual general meeting of the subsidiary body, with the managing agent to advise the outcome.

7.1.7 Harvey Street Parking Breaches

The meeting noted that PHCA Managing Agent will issue breach of the CMS notice to the subsidiary body of which the owner of the illegally

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

parked dog trailer is a resident – this is a longstanding breach with many requests for removal having been ignored.

7.1.8 Flowers Wards – Various Breaches

The meeting noted that PHCA Managing Agent will issue breach of the CMS notice noted that PHCA Managing Agent will issue a breach of the CMS notice to the subsidiary body for the on-going issues with bamboo screening, laundry drying and storage of items not permitted on balconies.

7.1.9 6 Lister Avenue Street Paving with Possible Wrong Concrete Mix

The meeting noted that the PHCA Managing Agent had followed up the Neighbourhood Association seeking the above matter be rectified promptly.

The meeting noted that the Council has subsequently advised that it's clearly not the correct concrete mix and is investigating.

7.1.10 Coast Centre for Seniors

The meeting noted that no further action is required at this time and this item is now CLOSED.

8. TELECOMMUNICATIONS:

8.1 RESOLVED that the executive committee reviewed, discussed and resolved an action on the outstanding telecommunications matters from the previous meeting(s) nominated below:

8.1.1 Contract Review requested by PIVIT

The meeting noted the verbal update provided by Ms. S Graham on developments since the last update was provided to EC members, read aloud an email received from Landcom expressing its commitment to continue working with the CA to resolve the ongoing telecoms issues at Prince Henry by achieving a long-term telecoms solution for Prince Henry owners, businesses and residents, and undertook to provide a

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

detailed summary of recent development to EC members in the coming weeks.

Explanatory Notes: - that Pivit had advised the CA in the latter part of 2018 that it had been discussing with LBNCo the potential for that company to replace Pivit as the provider of telecommunications services at Prince Henry at Little Bay.

That following a meeting with Landcom and subsequent disappointing communications, the EC determined that the only way to achieve an appropriate long-term solution for all Prince Henry owners and residents was to hire a specialist telecoms lawyer to assist with the complexities of telecommunications law. The CA received a recommendation from its lawyer, JS Mueller and Co, and subsequently appointed Maddocks, placing a cap on fees of \$20,000.

That Ms. S Graham and Mr. M McIntosh agreed to represent the CA in subsequent negotiations with Landcom and potentially NBN Co. Confidentiality has been essential to avoid unintended consequences of details leaking, perhaps being misinterpreted and/or becoming available to parties not involved in the negotiations.

9. MOTIONS REQUESTED BY MS. C DAVISON:

- 9.1 NOT RESOLVED as a matter of principle the EC not expend any levies on legal advice and /or action without the authorisation of a full meeting of the CA unless it is legally entitled to recover those costs from the Lot owner.
- 9.2 NOT RESOLVED as a matter of principle the EC not expend any levies on landscaping without the authorisation of a full meeting of the CA unless it is legally entitled to recover those costs from the Lot owner.
- 9.3 AMENDED & RESOLVED that the EC clarifies its process for the identification and rectification of breaches of by-laws in the updated Community Management Statement.

The meeting noted that the PHCA Managing Agent undertook to review and update the current process, communication plan and any other related process if necessary, send a draft to Secretary for any input and

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

finalised draft to be circulated to the Executive Committee for amendment/approval. When finalised the PHCA Managing Agent to distribute to all lots of Prince Henry Community.

- 9.4 NOT RESOLVED as a matter of principle the EC give their approval to any Neighbourhood Association which wishes to amalgamate with the CA.

The meeting agreed that it is a subsidiary body's responsibility to make all investigations and present its detailed case for amalgamation to Executive Committee for consideration.

Meeting Note: Mr. C Hanson (lot 10, SP85837) sought leave of the chairperson to address the meeting which was granted.

Mr. C Hanson thanked the Executive Committee for all of the work they'd undertaken on behalf of Prince Henry Community and confirmed his support for the guidance that the Executive Committee provides.

Further that Mr. C Hanson wished it known that:

- 1) The reason he had bought into the Prince Henry development was because it was a planned development under the control of a "governing body" that would continue to uphold the original design guidelines developed by Landcom; and
- 2) That he was extremely concerned that should the motions outlined in item 9 on the agenda be adopted then the ability of the Executive Committee to make decisions on behalf of the Prince Henry development as a whole would be hindered and this would degrade the current "chain of command" between the Community Association Executive Committee and the subsidiary schemes and individual owners at Prince Henry.

Meeting Note: that at the end of Mr. C Hanson's address a majority of those present applauded to support the comments made.

Meeting Note: that the chairperson thanked Mr. C Hanson for his words of support and the PHCA Managing Agent asked and received permission to record a summary of the address in the minutes.

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

10. OTHER MATTERS:

10.1 RESOLVED that the Executive Committee reviewed, discussed and resolved an action on the following matters nominated below:

10.1.1 Next Executive Committee Meeting to be held on Tuesday, 13 August 2019 at 6:00pm

Meeting Note: please refer to the below schedule of meetings and relevant deadlines.

10.1.2 Landscaping at 62 Gubbuteh Road

The meeting noted that the Chair advised that this matter has been dealt with, no further action required and this item is now CLOSED.

CLOSURE: There being no further business, the Chairperson declared the meeting closed at 8:00pm.

Chairperson

Date

**MINUTES OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS – DEPOSITED PLAN NO. 270427**

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

SCHEDULE OF FUTURE MEETINGS & DEADLINES		
Meeting Date.	Items to be included in next meeting agenda Due Date.	Notice of Meeting Circulation Date.
ECM 13 August 2019, from 6pm	30 July 2019	6 August 2019
ECM 8 October 2019, from 6pm	24 September 2019	1 October 2019
ECM 10 December 2019, from 6pm	26 November 2019	3 December 2019
ECM 11 February 2020, from 6pm	28 January 2020	4 February 2020
AGM 14 April 2020, from 6pm	18 March 2020	24 March 2020
ECM 14 April 2020, immediately following the AGM	18 March 2020	24 March 2020
ECM 9 June 2020, from 6pm	26 May 2020	2 June 2020