

14/05/2024

COMMITTEE MEETING

**BODY CORPORATE FOR KIRRA GARDENS
COMMUNITY TITLES SCHEME 11527
22 MARINE PARADE, KIRRA**

Dear Owner

Please find enclosed the **minutes** of the recently held committee meeting for KIRRA GARDENS CTS 11527.

We ask that you read the minutes carefully as the matters considered impact the running of your Body Corporate and may include decisions that affect your lot.

Please also visit the Community Hub website in order to have 24/7 access to valuable resources relating to your scheme including your levy contribution information, community documents, insurance details and financial information. Please visit www.picagroup.com.au/services/communityhub/ for more information.

If you require any further information or assistance in relation to the meeting outcomes, you are welcome to contact our office.

Regards

Nathan Langham
Strata Manager

MINUTES – COMMITTEE MEETING

BODY CORPORATE FOR KIRRA GARDENS
CTS 11527
22 MARINE PARADE, KIRRA, QLD, 4225

THESE ARE THE MINUTES OF THE BUDGET COMMITTEE MEETING FOR THE BODY CORPORATE FOR KIRRA GARDENS CTS 11527 HELD BODY CORPORATE SERVICES, SHOP 5, 25-33 WHARF STREET, TWEED HEADS, NSW, 2485; VIDEO CONFERENCE: [HTTPS://MEET.BCSSM.COM.AU/178904845](https://meet.bcsm.com.au/178904845) COMMENCING AT 09:00 AM (QLD TIME) ON WEDNESDAY, 08 MAY 2024.

Present in Person

Committee Voting Members

Chairperson	Gary McDonald
Secretary	Wendy McDonald
Treasurer	Arna Yorston
Ordinary Members	Robert Green, Luke Smith

Committee Non Voting Members

Strata Manager	Nathan Langham
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In Attendance

With Notice

Lot no 26	Norm Yorston
Lot no 23	Janet Furlong representative of Owner of Lot 23

Without Notice

Nil

Apologies

Larry Maybee	Ordinary Member / Lot no 12
Victoria Harris	Ordinary Member / Lot No 24

Proxies

Larry Maybee represented by proxy to Arna Yorston

MOTION That the committee approve the appointment of Arna Yorston to act as proxy for the Ordinary Member.

RESOLVED that the motion be **carried** Yes 4 No 0 Abstain 0

Chairperson of Meeting

Gary McDonald chaired the meeting.

Quorum

The Chairperson confirmed that a quorum was represented and the meeting was declared open at 9:00 AM.

1. Confirmation of Committee Meeting Minutes

MOTION That the minutes of the committee meeting held on 22/09/2023 be confirmed as a true and correct record of the proceedings of that meeting.

RESOLVED that the motion be **carried** Yes 5 No 0 Abstain 0

2. Business Arising from Previous Meetings

2.1 Sinking Fund Forecast

Further discussions were held, and the Sinking Fund Forecast Report dates have now been correct.

MOTION That the Committee accept the Sinking Fund Forecast Report as provided by Olive Tree Consulting.

RESOLVED that the motion be **carried** Yes 5 No 0 Abstain 0

ACTION No further action, remove from agenda

Robert Green joined the meeting at 9:02 AM

2.2 Workplace Health & Safety Report

Further discussions were held, and there are several items from the Report that are to be reviewed.

MOTION That the Committee agree that the Strata Manager is to re-circulate to the Committee, the Common Property Safety Report as provided by Olive Tree Consulting, to review and confirm that all items have been addressed.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Strata Manager / Committee

2.3 Lift Upgrade

Further discussions were held, and the motor and gearbox has been ordered, however, is pending delivery from overseas. The lift will be out of order for seven (7) days to install the motor and gearbox. This expenditure has been budgeted in the Sinking Fund.

MOTION That the Committee agree that this matter is ongoing and is to remain on the agenda.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Norm Yorston

2.4 Grande Corniche / Kirra Gardens Easement Lodgement Update

Further discussions were held, and the matter has been resolved, however, it was raised that Grande Corniche's insurance policy should cover the easement area, not Kirra Gardens.

MOTION That the Committee agree that the Strata Manager is to query with the Insurer, to confirm if Grande Corniche's insurance would cover any incidents on the easement land.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Strata Manager

2.5 Garden Maintenance & BBQ Area Upgrade

Further discussions were held, and the retaining wall vegetation has been removed and new plants have been installed. The retaining wall area garden is now being regularly maintained by D'Tree Regen and this has been budgeted for in the Administrative Fund.

It was raised that the BBQ area does not have a BBQ and should be referred to as the "leisure area" and further, it requires an upgrade. However, there are timber sleepers that must be first removed from the ground.

2.5.1 MOTION That the Committee ratify the invoice from D'Tree Regen, in the amount of \$14,625.00 including GST, to carry out vegetation clearing from the retaining wall areas, with such costs paid from the Sinking Fund.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

2.5.2 MOTION That the Committee ratify the invoice from D'Tree Regen, in the amount of \$5,756.85 including GST, to carry out replanting of the retaining wall areas, with such costs paid from the Sinking Fund.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

2.5.3 MOTION That the Committee agree that the Treasurer is to obtain quotes for the timber in the leisure area to be removed and cracker dust installed.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Treasurer

2.6 Replacement of Fire Doors to Eastside Emergency Exit Level 3 & Unit 17

MOTION That the Committee ratify the invoice from Gold Coast Fire Door Services, in the amount of \$3,906.76 including GST, to carry out fire door replacements, with such costs paid from the Sinking Fund.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

2.7 Garage Doors

Further discussions were held, and it was raised that tampering of both P1 and P2 garage doors is continuing to occur weekly. Due to the difficulty in access and viewing the Body Corporate's CCTV footage, the perpetrators have not yet been identified. Norm Yorston raised that the CCTV footage can be accessed remotely by the Committee, however, the CCTV server would require internet access via Wi-Fi. Once the internet Wi-Fi has been setup, it will enable the Committee to view the footage with ease and identify the perpetrator/s. Internet costs has been budgeted for in the Administrative Fund.

MOTION That the Committee agree that Norm Yorston is to arrange Wi-Fi internet, solely for the purpose to enable the CCTV footage to be accessed remotely by the Committee.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Norm Yorston

2.8 Correspondence from Lot 15 – Construction Noise

Further discussions were held, and the Strata Manager confirmed that the letter was sent to Lot 15 on 10/10/2023 and the Owner did not respond.

MOTION That the Committee agree that this matter has been resolved.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

2.9 Waterproofing Podium Levels / Lot Improvement Policy

Further discussions were held, and the Strata Manager had provided examples of Lot Improvement Polices to the Committee on 10/10/2023. The Committee will need to decide on the colour scheme for tiles, to then be implemented into a policy. Furthermore, where waterproofing membranes are required to be installed, a Form 43 that certifies the membrane is compliant, must be produced by the contractor and filed as part of body corporate record.

It was also raised if there have been any further water leaks. There was a recent leak from Lot 19 down into Lot 14, this was caused by a pipe within Lot 19 and was owner responsibility. It is to be noted that these matters must be addressed on a case by case basis.

MOTION That the Committee agree that the Strata Manager is to re-circulate the Lot Improvement Policy examples to the Committee for consideration.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Strata Manager / Committee

2.10 Lockbox on P2

Further discussions were held, and the Strata Manager confirmed that the circular was distributed to Lot Owners and Residents on 13/10/2023. The Committee confirmed that the lockbox has now been removed.

MOTION That the Committee agree that this matter has been resolved.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

2.11 Storage in P2

Further discussions were held, and the bike rack has been installed in the carpark. However, it was raised that the Tenant of Lot 29 is storing a paddle board on common property in the carpark.

2.11.1 MOTION That the Committee agree that the Strata Manager is to prepare and distribute a letter to Lot 29, advising that the paddle board being stored on the common property must be removed.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Strata Manager

2.11.2 MOTION That the Committee ratify the invoice from Moodie Outdoor Products, in the amount of \$2,283.60 including GST, to supply a 10-bike bike rack, with such costs paid from the Sinking Fund.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

3. Confirmation of Correspondence, Report & Notices

MOTION That the incoming correspondence, reports and notices be noted and the outgoing correspondence be confirmed.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

4. Finance

4.1 Statement of Accounts

MOTION That the Statement of Accounts as at 30/04/2024, which shows balances as follows, be accepted and presented to Owners for adoption at the upcoming annual general meeting:

Administrative Fund	\$29,700.44
Sinking Fund	<u>\$154,918.69</u>
Total Owners' funds	<u>\$184,649.13</u>

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

4.2 Administrative Fund Budget and Contributions

It was raised that the windows were not cleaned well enough when the last building washdown was complete, this is due to the security screens. An alternative contractor may need to be engaged, to ensure the windows are cleaned thoroughly. The only way is to remove the security screens, however, this can only be done from inside the Lot.

4.2.1 MOTION That the Committee agree that Norm Yorston is to obtain quotes for a building window clean.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Norm Yorston

It was noted that the last insurance renewal had an increase of over 19% and further, in pursuant of section 200 of the Body Corporate and Community Management (Standard Module) Regulation 2020, an independent insurance valuation is required this year, which may result in a further increase to the insurance premium.

4.2.2 MOTION That the administrative fund budget and contributions for the period ending 30/04/2025 be presented to owners for approval at the forthcoming annual general meeting as follows:

- **\$136,408.05 including GST**, levied in accordance with the contribution entitlements schedule.
- Interim levies be issued for the following financial year.
- *Subject to 10% settlement discount for payment on or before the due date.*

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

4.3 Sinking Fund Budget and Contributions

MOTION That the sinking fund budget and contributions for the period ending 30/04/2025 be presented to owners for approval at the forthcoming annual general meeting as follows:

- **\$119,765.80 including GST**, levied in accordance with the contribution entitlements schedule.
- Interim levies be issued for the following financial year.
- *Subject to 10% settlement discount for payment on or before the due date.*

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

4.4 Payment and Recovery of Body Corporate Debts

The Strata Manager tabled a report as at 07 May 2024 recording Nil owing by lot owners for non-payment of body corporate debts.

MOTION That in accordance with the *Body Corporate and Community Management* legislation, the body corporate bring proceedings to recover a liquidated debt and associated recovery costs, against the owners for each of the following amounts which have not been paid by the due date:

- (a) the amount of the contribution or instalment;
- (b) any penalty for not paying the contribution or instalment;
- (c) any costs incurred by the body corporate in recovering the amount;

All costs incurred in recovering the debt will be charged to the defaulting lot owner.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

4.5 Term Deposits

MOTION That the Committee confirms that term deposits are to be reviewed by the Treasurer and that the Treasurer be empowered to provide instructions to the Strata Manager regarding rollover and cancellation of existing term deposits along with opening of new term deposits.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

5. Insurance

5.1 Ratification of Insurance Renewal

MOTION That the Body Corporate Committee ratifies approval for Body Corporate Services to renew the insurances for the period 30/06/2023 to 30/06/2024 with CHU/QBE COMMUNITYSURE at a cost of \$26,126.53 as per the Insurance Renewal Notice from Body Corporate Brokers Pty Ltd (QLD).

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

5.2 Confirmation of Insurance

MOTION That the current insurances be presented to owners for confirmation at the forthcoming annual general meeting and a recommendation be made that Body Corporate Services obtain quotations prior to the next renewal of the insurance policy and to renew the policy with current insurer unless instructed to the contrary by the committee.

RESOLVED that the motion be **carried** Yes 0 No 0 Abstain 0

5.3 No Changes to Building

MOTION That the Committee confirm that there have been no changes to the building that need to be disclosed to Body Corporate Brokers Pty Ltd (QLD) for the upcoming insurance renewal.

RESOLVED that the motion be **carried** Yes 0 No 0 Abstain 0

6. Annual General Meeting (AGM)

6.1 Date, Time and Location of AGM

MOTION That the annual general meeting be convened as follows:

Date: Wednesday, 10 July 2024

Time: 9:00 AM

Location: Body Corporate Services, Shop 5, 25-33 Wharf Street, Tweed Heads, NSW, 2485

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

6.2 Nominations Received

MOTION That the Committee notes the following nominations received by the due date AND where the nominations exceed the positions available, a ballot be conducted in accordance with the method approved by the Body Corporate.

Chairperson

Vacant

Secretary

Larry Maybee Lot 12

Treasurer

Arna Yorston Lot 26

Ordinary Members

Robert Green Lot 6

Victoria Harris Lot 24

~~Larry Maybee Lot 12~~ – Withdrawn due to nominating for Secretary

~~Arna Yorston Lot 26~~ – Withdrawn due to nominating for Treasurer

Luke Smith Lot 28

Vacant

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

6.3 AGM Motions

Body Corporate Services Pty Ltd, in conjunction with the Chairperson and/or Secretary, will formulate the wording of the motions and explanatory wording for the statutory and committee motions to be included on the agenda for the forthcoming annual general meeting, to comply with the requirements of the BCCM Act 1997 and the relevant regulations.

Owner submitted motions are included as submitted, including any typographical errors.

The Strata Manager raised that the Lift Maintenance Agreement with TKE is due to expire 28/11/2024, and as per clause 7.3 of the Agreement, no less than ninety (90) days written notice must be provided if the agreement is to be terminated. Additionally, as per clause 7.2 of the Agreement, it will automatically renew for a further five (5) year period, giving the Body Corporate until 30/08/2024 to consider tendering to alternative contractors.

MOTION

That the following motions be included on the agenda at the forthcoming annual general meeting:

Statutory

- Confirmation of Minutes
- Approval of Statement of Accounts
- No Audit
- Appointment of Auditor - Guardian Body Corporate Auditor
- Adoption of Administrative Fund Budget and Fixing of Contributions
- Adoption of Sinking Fund Budget and Fixing of Contributions
- Confirmation of Insurance

Submitted by the Committee

- Engagement of Contractors
- Debt Management
- Major Spending Limit - \$30,000 total

Submitted by Owners

- Nil Received

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

6.4 Appointment of Returning Officer

The upcoming Annual General Meeting does not require a secret ballot.

MOTION That the Committee agree that a Returning Officer is not required for the upcoming Annual General Meeting.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

7. General Business

7.1 Registers

MOTION That the Committee reviews the following registers and instructs the Strata Manager to update as discussed at the meeting.

- Register of Engagements and Authorisations
- Register of Improvements to Lots
- Asset Register

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

7.2 Compliance Items

The following list is to enable the Body Corporate to track a number of reoccurring items for review and discussion by the Committee.

Lift Registration	- Expires 31/01/2025
Sinking Fund Forecast	- Issued 21/08/2023
Insurance Valuation	- Issued 30/07/2020
Safety Audit Report	- Issued 22/08/2023
Fire Safety Report	- <i>No records on file</i>

The Strata Manager raised that there is no Fire Safety Audit Report on file, and that the report would assist the Body Corporate in ensuring that all fire compliance is being met. The Strata Manager raised when the last annual fire evacuation drill was completed and if there was an "Assistance Register" for those occupants that require assistance during an emergency.

7.2.1 MOTION That the Committee agree that Norm Yorston is to arrange for Intelligent Building Technology to undertake a fire evacuation drill for the Scheme.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Norm Yorston

7.2.2 MOTION That the Committee agree that the Strata Manager is to prepare a circular to Lot Owners and Residents, requesting the Body Corporate to be advised if they require assistance in an emergency.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Strata Manager

7.3 Tree/Plant Works - Ratification

MOTION That the Committee ratify the invoice from D'Tree Regen, in the amount of \$4,875.00 including GST, to remove the "African Tulip" from the courtyard, with such costs paid from the Sinking Fund.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

7.4 Invoicing Payments and Caretaking Contract

The Committee discussed the correspondence from the Cleaning Contractor, Robert Kennedy, with the request for his invoices to be "whitelisted" and not require Committee approval via the Community Hub. It was also raised that Robert's costs have increased by 25% and his scope of works have changed. This will need to be discussed further with the Contractor.

MOTION That the Committee agree that invoices from Robert Kennedy are **not** to be 'whitelisted' and still require committee approval on the Community Hub.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION No further action, remove from agenda

7.5 Review Bylaws

The Body Corporate and Community Management Legislation Amendment Bill 2023, was put into effect 1 May 2024. The amendment included changes to pets and smoking, and as result, the Strata Manager advised that there may be some By-laws for Kirra Gardens that are no longer valid / enforceable. Three (3) body corporate solicitor quotes were tabled at the meeting for consideration, to carry out a by-law review.

MOTION That the Committee agree to engage Mahoneys, approving expenditure of up to \$3,600.00 excluding GST, to carry out a full review of the By-laws, with such costs to be paid from the Administrative Fund.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Treasurer

7.6 P1 and P2 garage cleaning walls, floors and garage doors and repair of non-slip walkway

The Committee discussed the cleanliness of the carpark walls, as black grim has built up from several factors, including car fumes, break dust and the salt air. It is to be noted that Lot Owners individual garages are an owner's responsibility to clean and maintain.

MOTION That the Committee agree that the Treasurer is to obtain quotes for a carpark washdown;

AND FURTHER THAT the Treasurer arrange for the necessary repairs of the non-slip walkway.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Treasurer

7.7 WIFI connection to security cameras

Refer to Item 2.7

7.8 Repair/waterproof of water spitter on balcony Unit 26 dripping on Unit 21 balustrade

Norm Yorston has made some temporary repairs to the spitter, however, a professional contractor will need to be engaged.

MOTION That the Committee agree that Norm Yorston is to arrange for a contractor to attend and fix the spitter.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

ACTION Norm Yorston

7.9 City of Gold Coast Matters

It was raised whether City of Gold Coast ("GCCC") have responded with respect to the front garden area. It has been advised that Kirra Gardens would need to engage a landscaper to alter the garden. The Treasurer confirmed that the tap under the tree has been removed, as the public were constantly parking too close and damaging the tap, causing leaks. Furthermore, GCCC have still not installed rocks to prevent the public from parking on the grass.

8. Next Scheduled Meeting(s)

MOTION That the next meeting(s) be scheduled to be held on or about:

- Annual General Meeting - Wednesday, 10 July 2024 at 9:00 AM to be held Body Corporate Services, Shop 5, 25-33 Wharf Street, Tweed Heads, NSW, 2485

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

9. Closure

MOTION There being no further business the Chairperson declared the meeting closed at 11:13 AM.

RESOLVED that the motion be **carried** Yes 6 No 0 Abstain 0

Attachments

- Nil

Secretary

Please forward correspondence to:

Secretary of the Body Corporate

C/- Body Corporate Services Pty Ltd

Post Reply Paid 769, Tweed Heads NSW 2485

Email bcs_coolangatta@bcsm.com.au

Phone (07)55898100