

**Capital Hill Apartments  
Executive Committee Meeting 01 of 2009**

Held at 6:00 PM 17 February 2009 in Apartment 205/19

**Attendees:** David Campbell (205/19), Horace Saducas (118/23), Debra Northover (201/17), Marilyn Jessop (203/17), Monica Davidson (22/21), Gavan McArdle (2/17),

**Apologies:** Glenn Ashe (5/17), Gaye McDermott (207/21).

**Minutes:** Rob Northover (201/17)

**Agenda**

**Duties and responsibilities of the Ex Com**

David provided an overview of the responsibilities of the Executive Committee (ExCom), which has the power and responsibility to administer and maintain all those parts of the property, which have common ownership. In addition, the Committee ensures that the affairs of the development are conducted in accordance with the Articles (set out in accordance with the Unit Titles Act) which be altered by the Committee.

David highlighted that the Managing Agent (MA) is engaged to serve the Owners and stressed the need to establish a balance between duties of the Committee and MA, together with the essentiality of sustaining a good working relationship between the two bodies.

***A modus operandi for the Ex Com's work.***

It was decided to conduct Committee meetings monthly (second Tuesday of every month) at a venue to be determined at the preceding meeting. Clearly, work would need to be progressed between meetings. Progress would be reviewed at each meeting. It was acknowledged that *ad hoc* meetings may need to be convened as circumstances direct. It was recognised that the first year would have a little of the 'trial and error' to it and that procedures and processes would take time to be developed.

General discussion regarding communication with owners established the need to capture contact details for all owners and tenants. Horace tabled a draft Owners Register and Questionnaire which was considered to be a good idea. The draft would need reviewing to remove any ambiguities and the Committee should be able to source further owner/tenant details from the MA.

Communication by notice board was considered and it was agreed that notice boards be placed external to each of the elevators in the basement/carpark. To be investigated; no action yet assigned.

Monica emphasised that the existing budget should not be utilised for warranty and latent defect items, which would require monitoring by the Committee.

Joint maintenance contracts (beyond warranty) for all owners for items such as A/C units should possibly be considered for cost effectiveness. Marilyn expressed concern with the overhead associated with the Committee managing this activity and all agreed that this required ongoing consideration. The ExCom should aim for efficiency and effectiveness, and should be careful not to burden itself unnecessarily with too much detail and trivia.

The first communication to owners and tenants would be distributed via letterbox and a list of owners (non-resident) sourced from MA to receive letters by mail. It is anticipated that the majority of future correspondence could be distributed via e-mail, acknowledging that not everyone has access to e-mail.

### **Election of a Chairperson and other Office Bearers**

Chairman – With no willing volunteers, David Campbell reluctantly accepted the role (pro tem) explaining that he was frequently out of town. He reminded the Committee that each member was effectively a deputy chairperson and could assume the role in his absence.

Treasurer – Monica Davidson accepted the position, acknowledging the important role of being the “watchdog” of the budget and scrutinising all transactions and effectively conducting a running audit of accounts.

Secretary – After initial debate on whether this position was required, it was decided that a Secretary was indeed needed and that a key role would be in maintaining all Capital Hill Records. Debra Northover accepted the position.

### **Allocation of particular areas of interest, eg Gardens & Landscape**

It was identified that the Chairperson would require subject matter expertise (SME) support in the role and called for volunteers to fill the following positions:

Technical Liaison (Electrical, Mechanical, Security etc.) - Horace Saducas.

Landscaping Liaison (Gardens, Lawns etc.) - Marilyn Jessop.

Structural Liaison (Building defects) - Gavan McArdle.

### **Matters Arising from the AGM**

The Chairperson will monitor the actions of the Managing Agent with assistance from the SMEs:

- a. Forwarding of Insurance Policy details to owners. (Monica had a copy of the “Unit Titles Certificate” and a “Certificate of Currency of Insurance” which she undertook to provide a copy to David.)
- b. Referring watering issue to Becton
- c. Referring security lighting issue to Becton
- d. Fitting of security plates to basement doors (In progress; possibly complete)
- e. Requesting removal of signage by Becton
- f. Referring lift door damage to Becton
- g. Investigate laying of carpet tiles in lifts
- h. Steam cleaning corridor carpets
- i. Covering exposed electrical circuits (Horace to provide specific evidence/information on exposed electrical conduits)
- j. Enforcement of garbage collection routine

David expressed concern on the O H & S issues associated with the malfunctioning Emergency Exit lighting and highlighted the attendant legal obligation to remedy the problem and assess serviceability on a regular basis. David will check with MA after Horace provides a list of unserviceable units.

- a. Investigate provision of electricity. The \$19,000 identified in the budget for this was considered potentially excessive but it was acknowledged that this was only an estimate and more accurate budgeting would be realised on the receipt of “actuals”.
- b. Change Articles etc to reflect preferred name of Capital Hill Apartments instead of Capital Residences. Identified potential issues which may impact on this suggested change being Intellectual Property (IP) rights on the name & Logo and whether National Capital Authority (NCA) approval would be required.
- c. Pathway finishes. The current pathway issue was discussed regarding the five access pathways with three different finishes (Tiled, Painted and unfinished bare concrete). Several options were considered (Painting, Tiling, Stencilling) however it was decided to pursue Becton for them to provide options and seek their intentions for rectification of this issue.
- d. Possible installation of pavers on nature strip. The unsightly appearance of the nature strip was discussed and it was identified that issues may arise with modifications to the nature strip because it is not common property. Marilyn to investigate options with NCA.
- e. Key to Communications Closet (See item h. below)

- f. Compiling the list of all the defects of the common areas to submit to Becton for rectification.  
Horace and Gavan to action.
- g. Request that Becton provide the Owners' Corporation all structural, architectural, electrical, comms, intercom, fire-protection, mechanical, plumbing, drainage, etc, drawings and any instruction manuals.  
David shall pursue these items through the MA in the first instance and hand over to Horace to maintain and progress acquisition of the "Technical Pack".
- h. Installing a key safe in the comms room where the intercom computer is situated and to obtain keys of the complex to the Executive Committee. The issues associated with the MA being the sole guardian of the keys to the Comms, Intercom and comms services closets (each floor) were discussed with the idea that all "critical" keys be maintained in a key safe (in intercom closet) with access available by the MA and a single resident from each block. David highlighted that these keys may require stringent control because of potential legal ramifications and undertook to check with the MA on key "ownership" and the feasibility of the idea.
- i. Erecting speed and no smoking signs in the garage. It was agreed that these signs are required and Marilyn suggested that these warnings/alerts also be included in the Articles. These signs were probably commercially available from Blackwoods etc and it would be cost effective to have self adhesive signs appropriately mounted.  
Monica to investigate Petty Cash provisions before progressing these acquisitions.
- j. Sending a circular to all residents (owners and tenants) informing them that they should familiarise themselves with the Articles issued to them as they are required by law to abide by them as it will ensure a harmonious relationship with each other.
- k. Arrange to include the name of the complex on each one of the four address signboards. This activity on hold until the outcomes of actions at Item b. above.

Actions arising from these items are at Table 1, attached

### **Amendments to the Units Act**

David gave a brief historical overview of the issues which have lead to the Amendments to the Units Act (effective 1 March) identifying, amongst other factors, the potential for Owners' Corporations to be in receivership due to lack of funds to conduct essential long term maintenance. The impact on us was the real likelihood of significant increase in Sinking Fund levies, perhaps in the order of the order of 20-30%. Whilst we currently have a Sinking Fund, the amendments to the Act require the Committee to develop and maintain a costed 10 year rolling program, to be presented at an AGM for approval, and then implemented. These are significant

changes to the law and we will therefore need to be attentive with regard to the configuration management and through-life maintenance of the buildings and grounds. Other effects of the new legislation were touched upon, eg further guidelines for Managing Agents.

The issues of pet ownership and clotheslines were touched on briefly with the main message from David being that the Committee needs to demonstrate leadership and to address such matters before they develop into serious matters with untidy precedents, sooner rather than later.

### **Other Business**

Marilyn raised the issue of lift security (i.e. accessibility to any of the ground floors from the basement/carpark, thus giving potential undesirables access to any apartment throughout the complex) and that she had little response from Becton over the matter. Discussion ensued as to whether or not Becton had fulfilled its security obligations from a contractual perspective. David indicated we may be entering into moral debate rather than a legal dispute. Marilyn explained that Becton may have contravened the Fair Trading Act by providing deceptive and misleading information in the pursuit of a sale. Marilyn will monitor and advise.

Monica, with support, suggested that the Committee consider removing the “visitor” park from the entry to the car wash bay in the carpark. Horace indicated that this may not be possible because specific car park space allocation was an integral part of the approved “Units Plan”. It was suggested that a sign, with words to the effect of “Please keep clear”, would be more acceptable and discourage people parking in front of the wash bay. For consideration.

### **Date, time and place of next meeting.**

Given that the second Monday of March (9 March) was a public holiday, it was decided to convene the next meeting on Monday 16 March 2009 at Horace’s Apartment (118/23)

The Meeting concluded at 9:00 PM

Approved

David Campbell  
Chairman (pro tem)

18 February, 2009

**Table 1. Summary of Actions**

<b>I.D</b>	<b>Action</b>	<b>By</b>	<b>Due</b>	<b>Status</b>
001/01	Provision of a copy of the “Unit Titles Certificate” and a “Certificate of Currency of Insurance” to Chairman.	Monica	First Available Opportunity (FAO)	Open
001/02	Provision of specific evidence/information on exposed electrical conduits to Chairman.	Horace	ASAP	Open
001/03	Provision of a list of unserviceable Emergency Exit light units	Horace	ASAP	Open
001/04	Check with managing agent on remedial action and ongoing periodical maintenance/inspection plan.	David	18 Feb. 09	Open
001/05	Monitor electricity accounts and investigate alternate electricity service provider if considered excessive.	Monica/Horace	Ongoing	Open
001/06	Investigate change requirements to change complex name from Capital Residences to Capital Hill Apartments.	David	FAO	Open
001/07	Request Becton provide options and seek their intentions for rectification of incomplete pathway issue.	David	FAO	Open
001/08	Investigate options and constraints with NCA to make improvements to the nature strip.	Marilyn	FAO	Open
001/09	Compile the list of all the defects of the common areas to submit to Becton for rectification.	Horace/Gavan	ASAP	Open
001/10	Request through the MA that Becton provide the Owners’ Corporation all structural, architectural, electrical, comms, intercom, fire-protection, mechanical, plumbing, drainage, etc, drawings and any instruction	David	FAO	Open

	manuals.			
001/11	Check with the MA on “ownership” of the keys to essential services and the feasibility of several nominated personnel having duplicate keys.	David	FAO	Open
001/12	Investigate availability of Petty Cash through MA	Monica	FAO	Open