

**UP 3259 CAPITAL HILL APARTMENTS
EXECUTIVE COMMITTEE MEETING No 62**

Minutes

Venue: Monday, 1st December, 2014, at 6.00 p.m. Apartment 118/23

Present: David Campbell (DC), Chairman, 205/19; Peter Ford (PF), Treasurer; 115/21;
Terry Gassner (TG), 12/19; Rob Northover (RN), 201/17; Horace Saducas
(HS), 118/23

1. WHS Moment. NFS conducted a routine inspection of hoses, extinguishers, etc. on 7th November. The audible alarm was also tested. Failed halogen downlight electronic transformers were investigated and a notice posted on the web site.

2. Treasurer's Report. PF presented his report for the month of November. Funds on hand are: Administrative Fund, 35,562.42; Sinking Fund, \$342,578.77; Total \$378, 141.19. Expenditure is under pro-rata. Six-monthly levies were due on 1st December and have begun to trickle in but two owners remain outstanding with their previous levies (one more than six months), totalling over \$2400. Recovery action has been initiated through our solicitor but the Committee is concerned that the process is taking so long. Interest and costs also need to be recovered. **Action: PF, MA**

The MA advised that through some oversight the tax returns had not been lodged for 2011-12 and 2012-13. It's not expected to cause a problem with the ATO as we have been paying PAYG every quarter with BAS, and the amounts owed are quite small. The returns have since been completed and lodged, together with that for 2013-14.

3. Landscape Report. All Seasons will seed with couch grass, top dress with loam, and fertilise the nature strip; this work has yet to be costed. HS has single-handedly done the weeding and continues to do the watering. The Committee remains concerned that much of the current growing season is being missed and that this can only harm the replanting program, and All Seasons needs to step up the work. Damage to the lawn through a thoughtless ActewAGL contractor on 26th November was only superficial and no remedial work is required. (The same irresponsible contractor, Ecowise, repeated the offence only a day later.)

Work on 28/23's courtyard is discussed in New Business below. 28/23's owners are also concerned at the sparseness of the garden planting behind this courtyard, but the contractor has pointed out that there is only very shallow soil there, being above the concrete ceiling of the basement. In time, what is there will spread. The lawn grates remain blocked, despite the contractor's attention being drawn to the problem last month. **Action: TG, HS**

4. Insurance Update. A comprehensive rebuttal of CGU's position was despatched on 12th November. As previously advised, our argument chiefly relies on the application of Section 54(1) of the Commonwealth's Insurance Contracts Act 1984, and the strength of our case has recently been reinforced by a High Court ruling in *Maxwell v Highway Hauliers Pty Ltd* (2014) HCA 33. Affected owners have been given a copy of the correspondence and a further copy has been placed on the Owners' section of the website. (The narrative on the website has been re-written to assist readers following the audit trail.) On 26th November,

CGU's Decision Review Office acknowledged receipt of our letter and we await further response. Our direct costs associated with pursuing this claim now amount to almost \$44,000. **Action: DC**

5. Correspondence. Correspondence out of the ordinary routine during November was with CGU, CHU, Tridonic, ActewAGL and Telstra. Where of particular interest, the subjects are discussed below.

6. Web Site. Viewer statistics for November: 191 Unique Visitors (209 in October); 257 Visits Altogether (298 October); Owners 41 (26 October). Most Viewed sites: Community Notice Board 73 (82); News 85 (57). There are a couple of encouraging numbers there. New postings during the month were the ExCom Minutes and News items about ActewAGL electricity pole works, the letter to CGU, halogen down-light transformers, Television Retune Day. Some old News items have been archived. **Action: DC**

7. Business Arising from Previous Minutes

- a. Rain water heads. Six Star Plumbing continues to search for a replacement sub-contractor willing to complete the current work of fitting the boxes with mesh to prevent falling leaves blocking the downpipes. **Action: HS.**
- b. CCTV Alarm. Blitz Security is still testing the device before installing it. **Action: HS**
- c. Lift Notices. Notices about speed limits in the basement, TV Retune Day and the Christmas Party were posted during the month. It was agreed to post a new notice drawing residents' attention to the wealth of useful information to be found on our web site. **Action: PF, DC**
- d. Technical Drawings. The task of indexing the mass of drawings has commenced. A windfall gift of two 4-drawer filing cabinets will help in the storage of these drawings and other Owners Corporation records. **Action: HS**
- e. Visitor Parking. HS reported his progress in monitoring use and abuse of the visitors' parking places. Further serial offenders have been identified and infringement notices served. The campaign continues to be largely successful with more spaces becoming available for legitimate users. **Action: HS**
- f. Solar Power. HS met with ActewAGL's solar energy marketing staff to progress our understanding of the many issues involved. Our focus is narrowing to a requirement for 3-phase 10 kW installations per building, which is a very significant installation with very significant costs (and potential savings). The selection of inverters (transformer type or transformerless, and their location) are but two of the complexities. **Action: HS**
- g. Bird Droppings. DC met with Jim Woods, Director Australian Pest Bird, on site on 12th November about extending the contract for poison paste to include the window sills. Unfortunately, this is not a legal solution. The offending birds are chiefly Brown Honeyeaters (*Lichmera indistincta*) and, being Australian natives, are not allowed to be poisoned. The honeyeaters are attracted to spiders and residents should remove the webs wherever they can be reached. The other main culprits are the Magpie-larks (*Galina cyanoleuca*), commonly known as peewees, and the same restriction applies.

They're attracted by their reflections in windows. So it seems there is nothing to be done by way of prevention. Tinting windows is ineffective. It is impractical and fiendishly expensive to put bird control spikes on every horizontal ledge, rail, pipe, balcony and awning. Painting over the mess from time to time is perhaps all that can be done to keep up appearances, and that's not cheap either.

- h. Unruly Behaviour. The relevant owner has been billed \$511.50 for the removal of the graffiti and replacement of the damaged ceiling foil. Payment has yet to be received. Scuff marks on the western wall of Building # 23 have yet to be removed. **Action: MA**
- i. Screening Plants, 10 Somers Crescent. DC met the construction foreman of Somerville Court on 12th November to ascertain details of the development's landscaping plan. Apparently this is still under consideration but there is intention to plant some form of hedging along the boundary fence. That sounds less than adequate for any effective screening. More details to follow in time. **Action: DC**
- j. Skirting Boards. On 17th November, SealMasters water-tested the recent sealing of 12/19 with good results. The repair will continue to be monitored for a time to learn if it is a permanent fix. On 7th November, terrace pavers on 205/19 were also sealed. This is a possible source of leaking into 109/19. A letter was despatched on 26th November to CHU, our Strata Insurance Plan provider, advising them of details of the situation and giving forewarning that a claim may follow. **Action: TG**

8. New Business

- a. Residents' Endorsement of Tradesmen. The Committee was pleased to note that the Community Notice Board was able to be used to post a resident's recommendation of a plumber. This was the first occasion anything had been posted for twelve months, The Community Notice Board is a much under-utilised facility.
- b. Canberra Television Retune Day. Residents were unable to tune into digital ABC and SBS after the Retune Day on 20th November. For the technically minded, the fault was found to lie with the UHF single channel amplifiers that boost and filter the TV signals received through the MATV head-end systems. Full service was restored on 26th-27th November. The cost was \$1859, which will be charged against the Sinking Fund. The Committee were pleased to note the performance of our contractor in effecting the repairs, Mirek Kilimnik of Telight - Antel Pty Ltd, and will include his contact details in the list of recommended contractors in the Apartment Manual. **Action: DC**
- c. ActewAGL. Recent letters to residents from ActewAGL about impending work on electricity poles on properties behind ours on Somers Crescent have done nothing but cause alarm. The letters are so poorly written that some residents believed they would have to stay home all day to allow access to ActewAGL. One resident called the organisation and was told that was indeed the case and also that her power would probably be cut off for the day. On 24th November, a firm letter was sent to ActewAGL about this nonsense but so far there has not even been the courtesy of an acknowledgement.

- d. Parking on State Circle. The present arrangements, which suit us well, were submitted by the NCA's Planning Officer and approved by TAMS in August 2013, all at our instigation. Now, press reports have it that the NCA is considering changing things again - and not necessarily to our liking. The Committee agreed to write to NCA and argue that if any change is to be made, it should be to restrict parking to two hours between 0730 and 1700 Monday to Friday. This would provide better access to our evening and week-end visitors and at the same time ensure good day-time access to our service providers, other tradesmen and removalists. **Action: DC**
- e. 28/23 Courtyard. The owners continue to be troubled by water ingress from the garden irrigation system. All Seasons have again been tasked to solve the problem. **Action: TG**

9. Next Meeting

Monday, 2nd February, 2015, at 6.00 p.m. in 205/19.

Approved

D.J. Campbell

Chairman

2nd December, 2014