MINUTES OF THE ANNUAL GENERAL MEETING (AGM)

FOR THE OWNERS UNITS PLAN 3259

HELD WEDNESDAY 31 October 2012

Manuka Room, Eastlake Football Club, Kingston ACT

The meeting commenced at 6 pm

Attendees:

Shelley Thompson and Iain Duncan	Apartment 101/17
Sue Chambers	Apartment 105/17
Peter and Jenny Hodge	Apartment 108/19
Debra and Rob Northover	Apartment 201/17
Sue and Horace Saducas	Apartment 118/23
Derek Drinkwater	Apartment 22/21
Peter Clarke	Apartment 102/17
Doug and Sue Brooks	Apartment 119/23
Ricky Bolton	Apartment 20/21
David Campbell	Apartment 205/19
Natalie Frostick	Apartment 109/17
Marilyn Jessop and Malcolm Gray	Apartment 203/17
Dr Maurice Mulcahy	Apartment 210/23
Lady Janette Murray	Apartment 111/19
Paul and Mary Nicholl	Apartment 13/19
John Whiting	Blandfordia Real Estate

It was noted that a quorum was not present however the meeting would continue as per Schedule 3, Part 3.9(2) of the Unit Titles (Management) ACT of 2011 i.e. a reduced quorum decision.

1. **Chairperson**

Under Schedule 3, Part 3.13 (1) of the Unit Titles (Management) ACT of 2011, the chairman of the executive committee is the chairperson of the general meeting and as such Mr Horace Saducas is the chairperson of the AGM.

2. **Proxies**

Resolved to accept the following proxies

Gunner Sirel	28/23	For	Chairperson
Mr AT Pearson	110/19	For	Chairperson
Dr Phil Rylands	209/23	For	Chairperson
Gaye McDermott	207/21	For	Sue Chambers
Peter and Trius Ford	115/21	For	Chairperson

Proposed Sue Chambers. Seconded Peter Hodge. **Carried**

3. Minutes of the previous Annual General Meeting

Resolved that the minutes of the previous Annual General Meeting be accepted. Proposed Deb Northover. Seconded Peter Hodge**. Carried.**

4. Chairman's Report.

It is interesting that this past year turned out equally as busy as the previous years for the committee.

As foreshadowed at our last year's Annual General Meeting legislative changes were enacted with the repeal of the ***Unit Titles Act 2001*** and its replacement by the ***Unit Titles (Management) Act 2011*** resulting in the committee having to review and amend the Articles of the Capital Hill Apartments which now are titled Rules of the Capital Hill Apartments.

A motion to approve the Rules will follow.

Another legislative imposition has been the enactment of the ***Work Health & Safety Act 2011***. Under this act all owners' corporations are responsible for the health and safety of all workers or contractors that are engaged to do work on the common property.

The committee under the act has also a specific duty to exercise due diligence to ensure that the Owners' Corporation meets its obligations. This was achieved by

- Carrying out a physical review of the common areas to identify any safety or potential risk issues. To this day no significant safety issues have been identified. A Safety Report specific to the complex's common areas has been compiled.

- Setting up an ongoing reporting process with incidents, hazards or risks notification forms made available by the Managing Agent.

- Requesting that all service providers and contractors sign a Safe Working Agreement. To this day most have complied with the exception of large organisations like Becton, Telstra and ActewAGL.

- Compiling a Manual listing the resources and processes to be used to maintain a safe environment in the common areas and the procedures for the notification of any incidents, hazards and risks.

The Manual and the Safety Report is to be kept at the Managing Agent's office and all committee members will receive electronic copies of the documents.

It is expected that the Work Health & Safety legislation will impose a significant ongoing burden on the administration of the Capital Hill Apartments since annual reviews have to be conducted and reports issued and tabled at the AGMs.

The committee has also been involved in reviewing the Apartment Manual with the latest version now available on the web site.

Other work activities of the committee had to do with recurrent building maintenance and ground issues. A recent major incident was the failure of a part of one of the HWS pumps

which resulted in flooding the basement. As this could potentially reoccur the faulty parts have now been replaced on all pumps.

The committee has also renewed the supply of electricity contract with ActewAGL for another three years on satisfactory terms.

We still have outstanding issues with Becton which remain unresolved and it is envisaged that the new committee may have to investigate in taking legal action.

In August a burglar accessed the basement through an exit door and proceeded in breaking into a cage and removing two expensive bicycles. The whole incident was captured by the CCTV cameras and was recorded on a disc which given to the police was found useful in identifying the culprit who was subsequently charged.

Unfortunately the committee late this year was faced with a number of resignations.

In June Gaye McDermott resigned due to increased challenges associated with her study commitments. We were fortunate that another owner Peter Ford was willing to join the committee and was welcomed particularly since he was bringing considerable legal expertise.

In August the committee was confronted with the resignation of the Chairman David Campbell and the secretary Deb Northover ostensibly for personal reasons.

This has been a great blow even though David had warned that there was a limit of his commitment to the Owner's Corporation and that considerations should be given in setting up a succession program. This will be one of the tasks of the new committee.

Gunnar Sirel had advised me that as from tonight's AGM he will also resign for personal reasons. I hope that when we move to elect the committee some of the owners present would nominate to join.

Finally I take this opportunity to thank the current and the departing members of the executive committee for their involvement and unstinted efforts and support in managing the affairs of the Owner's Corporation.

Special thanks go to David for the monumental work he has done as chairman over the last four years.

Resolved that the Chairman's report be accepted. Proposed Jenny Hodge. Seconded Sue Chambers. **Carried**

5. **Treasurer's Report**

In this financial year, the Executive Committee has focused on increasing the accuracy of budget estimates, upgrading our monthly reporting to provide greater visibility and containing our expenses.

This is our first (complete) reporting period with our Managing Agent, Blandfordia. During this period they have provided us with detailed MYOB reports in a timely manner and communicated regularly with a number of committee members which has facilitated an improvement in the efficiency and accuracy of our financial reporting.

The income for the period was $257,690 and the expenses were $211,467.

The cash balance at the end of the reporting period was $220,788 of which $69,610 was in the Administration fund and the remainder in the Sinking Fund ($151,178).

Key financial notes:

- An accumulated surplus enabled the cost of the CCTV purchase and installation to be borne by the Administration fund at the start of the 2012 financial year, instead of the Sinking Fund (this was documented at the 2011 AGM).
- Electricity costs have increased by approximately 17% starting 1st July 2012. We have negotiated a new three year contract with ACTEW Electricity in August 2012 which we hope will minimise further increases.
- Water rates increased by 18% on the 1st July 2011.
- The cleaning contract has increased by 4%, the first increase since 2008.
- Interest earned from invested funds has been used to supplement the Administration and Sinking Fund income.
- Recurring maintenance contracts are in place for cleaning, electricity, fire services, gardening, lifts, window cleaning, bird control, security (CCTV).
- We have had a number of unforeseen general maintenance costs including tractor repairs (for transportation of rubbish bins), garage door repairs, paving and path repairs, painting of rubbish bins (to prevent rust) and hinges & closers on the front doors.

I would like to take this opportunity to thank Deb Northover for her support and assistance with the financial reports during my first year in the role of treasurer.

I am pleased to report that our financial position is strong and we look forward to the new financial year with every confidence.

Resolved that the Treasurer's Report be accepted. Proposed Deb Northover. Seconded Sue Chambers. **Carried.**

6. Managing Agent's Work Health Safety Report

The Managing agent reported that two WHS matters had been reported in the 2011/2012 year namely a potential trip hazard due to a broken title (repaired) and concern over safety whilst the tractor is pulling rubbish bins up the entrance ramp (safety sign purchased and erected at entrance way). There was no information from the floor on WHS incidents, hazards and risks.

Resolved that the Managing Agent's report be accepted. Proposed Sue Chambers. Deb Northover. **Carried.**

7. Insurance

The building insurance of the Owners Corporation has been renewed with CHU. The details of the cover were included in the agenda and as stated the premium has been based on the "2012 replacement cost valuation" provided by Donald Cant Watts Corke Pty Ltd. This valuation was considerably lower that the one proposed by CHU and resulted in a lower renewal premium

8. Financial Statements

The financial attached were included with the agenda.

Resolved That the financial statements be accepted as presented. Proposed Deb Northover. Seconded Sue Cambers. **Carried.**

9. Expenditure Budget for 2012/2013

Resolved that the previously disseminated Administrative Budget of $209,240 and Sinking Fund Budget of $77,983 for a total budget of $287,229 for 2012/2013 be accepted. Proposed Deb Northover, Seconded Peter Hodge. **Carried.**

10. Levies

Resolved that the previously disseminated Administrative Fund levies of $206,640 and Sinking fund levies of $70,983 for 2012/2013 be accepted. Levies to be contributed by all owners in accordance with their unit entitlements. Payments to be made in two instalments and become due on 1 December 2012 and 1 June 2013. Proposed Deb Northover. Seconded Sue Chambers. **Carried**

11. Adoption of amended rules

Resolved that the Owners Corporation by special resolution amend its rules by replacing the " Articles of Capital Hill Apartments Units Plan 3259" drawn up under the Unit Titles Act of 2001 with the attached" Rules of Capital Hill Apartments Unit Plan 3259" dated 12 September 2012. Proposed Sue Chambers. Seconded Deb Northover. **Carried**

12. Election of Executive Committee

Nominations for the incoming executive committee were called for and the following members of the executive offer who have stood down offer themselves for re-election; H Saducas, S Thomson, S Chambers, P Hodge, P Ford and G Ashe.

Resolved that the members offering re-election be accepted. Proposed Jenny Hodge. Seconded Deb Northover. **Carried**

The following owners have offered to fill the vacant positions on the executive committee; Sue Brooks, Peter Clarke.

Resolved that the new owners be accepted. Proposed Shelley Thompson. Seconded Sue Chambers. **Carried**

13. General Business

Mr Derek Drinkwater outlined the continuing problems he is experienced with the door slamming outside his apartment. This is in spite of numerous adjustments by various tradespeople and the owners corporation investing in new heavy duty hinges and new heavy duty closers recently in an attempt to fix the problem. A general discussion ensued. The executive committee will investigate solutions as a matter of priority and report back to Mr Drinkwater.

Dr Maurice Mulcahy asked several questions including

- Whether the owners corporation had a defects log specifically in relation to recent water leak problems? The answer was that there is no specific log but that the executive committee members have been in contact with Becton over a long list of defects and that this water leak problem had been specifically reported to Becton. Becton had advised that they would not fix until the gutters has been cleaned (done 9 October). Owners were asked to contact the Managing Agent if any more instances occur.
- What options were available for owners to line their storage cages? The Executive committee asked for a proposal from Dr Mulcahy.
- Whether glass panel could be erected to stairwells to enhance security and reduce fire risk? The executive committee stated that this matter have come before it previously and had been declined.

The chairperson thanked those present for their attendance and there being no further business the meeting closed at 6.50pm