

**UP3259 Capital Hill Apartments
Executive Committee Meeting No 113
4th November, 2019, at 4.00pm
at City Strata Offices, 27 Torrens St, Braddon.**

MINUTES

Present: Paul Perkins (PP) 30/23, Chair; Karen Gassner (KG) 12/19, Secretary; Richard Heaney(RH) 28/23, Treasurer; Peter Ford (PF) 115/21; Gaye McDermott (GM) 203/17.

By Invitation: Kelly McMahon, Managing Agent (MA).

Apologies: Horace Saducas(HS) 118/23.

1. Welcome and Introductions.

The chair declared the meeting open at 4pm:

1A. Sinking Fund Teleconference with QIA representative

Resolved:

1. Note and record discussion points covered with Craig Walsh of QIA.
2. Thank QIA for report, commend the model format over that of current 5 Year Sinking Fund, and confirm intent to complete studies of major risk exposures over the next year before finalising the Review for approval by AGM 2020-21.
3. Agreed to meet with Mr Walsh in Canberra to discuss changes future program etc. **Action:** PP, RH.

2. Minutes. (ECM112, 15Sept19, AGM, 29Oct19)

Resolved: Minutes of Executive Committee no 112, 15 Sept 2019, be approved as circulated, with the following exception:

The first line in 4.12.Communications, Policy and Processes.. be changed to read "Serious problems with our website administered via City Strata through a Works Order...". **Action:** MA.

Resolved: Minutes of Annual General Meeting, 29th October, 2019 (reduced quorum basis) be noted for circulation and posting to the Members Portal and Webpage. **Action:**MA.

3A. Committee Membership.

Resolved: Note the AGM agreed the election of Paul Perkins, Gaye McDermott, Richard Heaney, Karen Gassner, Peter Ford, Horace Saducas, and one vacancy. **Action:** KG (update webpage).

3B. Legislated Positions

Peter Ford took the chair for this item and called for individual nominations for the statutory positions of Chair (s.41), Secretary (s.42), and Treasurer (s.43).

Declaration of appointments: Paul Perkins, chair; Karen Gassner, Secretary; Richard Heaney, Treasurer.

3C. Honoraria

Resolved: Honoraria be approved for the 2019-20 year, for immediate direct payment to owners' levy accounts, viz: Chair \$300, Secretary \$200, Treasurer \$200, members (x3) \$100. **Action:** MA.

3D. Governance

UP3259 operates under the Unit Titles(Mgt) Act(2011) with decisions made either by the Owners Corporation (OC) in general meetings (AGM or GM), or by Executive Committee (s.35) meetings (ECM). Most actions and operations are undertaken by 1) the contracted Manager (MA, s.50) and 2) various contracted Service Contractors(s.62).

At ECM 107, 10Dec18, we formally agreed to the following principles of operation:

- Accepting the over-riding presumption that all owners and residents are entitled to “quiet enjoyment” of their apartment and “entitlements”.
- The powers and functions of the executive committee are generally limited to the common property areas and services of the UP. Major decisions all are reserved to the owners in general meeting.
- The executive committee should operate in a collegiate teamwork to encourage wider participation and share authority and responsibility, consistent with the Code of Conduct (Schedule 1 of the Unit Titles (Mgt) Act, 2011.)
- In such an environment, achieving efficiency of operations necessitates simple but rigorous formal systems including procurement, performance assessment etc.
- Accountability demands transparency of decision-making and communications.
- This approach is very different from our past and requires the above to apply equally in our relationships with our contracted managing agent and service providers.

Resolved: The commitments adopted at ECM107, 10 Dec18 be re-affirmed.

3E. Executive Committee Business

Resolved:

1. **Meeting dates and Regularity:** ECM meet bi monthly on 2nd Monday, starting on 9 December 2019.(plus dates agreed for 2020). Extra meetings by agreement (eg. WALAC).
2. **Out-of-session business:** Exceptional issues only. Full written proposals required, all members must agree, report to next meeting for minuting. For urgent matters, up to MA delegation value, Chair, Secretary & Treasurer May agree on action with report to next meeting for minuting.

4. Work Calendar.

Resolved: A new Work Calendar for this year be developed and agreed with the MA for implementation from the next ECM. **Action:** PP, KG, RH, MA

4.4. Works & Landscape Advisory Committee (WALAC)

Resolved:

1. To record the out of session decision of the Executive Committee to pause the work WALAC given issues including the resignation of convener Terry Gassner, delayed estimates from ASHS due to illness, budgetary concerns, and Sinking Fund planning issues.
2. The executive committee consider WALAC matters at extra meetings with WALAC members attending, and accepting governance rules in 3D above.
3. Arrange a special meeting to consider ASHS proposals as soon as possible. **Action:** KG.

4.5. Owners Advisory Group (OAG)

Co-chaired by Chair and immediate past Chair.

Resolved: To hold the “Christmas gathering under the Spreading Oak”, function, date to be finalised on co-chair’s return from holiday. **Action:** KG, PP.

4.7. Corporate Register

Changes are maintained by the Secretary and coordinates with MA held Register. Since last meeting welcome letters have been sent to 103/17 and 15/19.

Resolved:Note KGs report of ownership changes, Welcome letters & contact address changes.

4.12. Communications, Policy & Processes (and See 15-18 below)

Recommendation: Consider KG report on out of session progress (in conjunction with 15-18 below).

4.13a, 13b, 14. Access, Security & Keys

Delays in Security Rebuild Audit discussed with MA., now over 5 months late. Mentioned at our meeting last month with suggestion we should reframe terms of reference before any further action could be taken. Intercom System (garage door) servicing re 1) pinpad and 2) delayed lift access requires maintenance inspection.

Recommendations:

1. Richard H and PJP rewrite brief for "Security Rebuild Audit" and MA seek EoI from two possible suppliers including Blitz. **Action:** PP, RH.
- 1 MA issue WO on Intune TV for intercom system inspection & Mtnc. **Action:** MA

4.15-18. Privacy, Risk, WH&S, Emergency Response (Consider with 12 above).

Delays in reviewing were discussed with potential to rely on MA's City Strata policies in the future.

Resolved: KG lead a working group to review current Webpage inclusions, transfer to Owners Portal, etc, for sign-off by ECM by 30 May 2020, in close liaison with MA. **Action:** KG, ECM, MA

5. Monthly Status Report/ Treasurer's Report

Monthly Status Reports for September and October (?) have been circulated separately. Summary of financial position is provided in a separate document.

Resolved:

1. Accept the Treasurers Report.
2. Note the September and October Monthly Status Reports.

6. Contractors and Service Providers

6A. Complaints, Claims, Allegations & Offences

Current status, actions taken and proposed for all new and pending matters were presented (in table form) for discussion and MA advice:

Resolved: (with Register numbers)

- 1) **Water Damage claim:** Agreed MA proposal to expedite by using alt handyman contractor Darryl Temple (?), approve quote/ estimate (?) out of session and again arrange Insurance claim. **Action:** MA
- 2) **Balcony Garden box:** MA to write again requesting owner action and offering referral to contractor at Owners cost and asking for meeting with Chair and MA. **Action:** MA, PP.
- 3) **Closed.**
- 4) **Dog Droppings:** Continuing problem Periodic Lift Notice. **Action:** KG
- 5) **Website Privacy Breach:** Closed. (and see 4.12 above).
- 6) **Storage Cage Damage Claim:** MA to expedite quotes. ECM Approve Out-of-session. **Action:** MA.
- 7) **Rubbish disposal:** Closed.
- 8) **Water leak damage:** Closed. **8A) Engineering leak review:** Mal Wilson review pending. **Action:** PP, MA
- 9) **Ceiling leak damage:** Blackett reviewed. Closed.
- 10) **Missing Delivery:** Closed
- 11) **Window Cleaning:** Closed.

12) Closed

13) **Foyer Carpet stains:**Closed. Stainbusters new contractor.

14) **Garbage Room Door Seals:** Awaiting WO new Handyman?**Action:** MA

15) **Basement Parking:** MA advice accepted. 1) Lift Notice. 2) Letter to complainant. **Action:** MA, KG

16) **Balcony Garden dry:** Closed.

17) **Basement car theft:** Investigate then M A letter, **Action:** KG,RH, MA

18) **Water damage Claim:** Refer to MA. **Action:** MA, PP.

6.4.Lift Services. Schlindler

Resolved:

- 1) MA to complete execution of renegotiated 3 year contract. **Action:**MA
- 2) L.21 intermittently not responding at Basement level. **Action:**MA WO to Schlindler.

6.9.HVAC SEDA

MA's response to Brief re outstandings discussed. with MA (email forwarded to members on 21Oct19) discussed.

Resolved:

1. **MA seek reimbursement of \$1056,**
2. MA seek assurance that requested checks for June 19 but not done. Be done in Dec19 with report to EC for review.
3. Approve replacement of Basement CO monitors as quoted by Seda (20 Sept19), viz \$4420+gst. To be funded from Sinking Fund.
4. MA arrange modification to Seda agreement to ensure compliance testing whilst they hold the HVAC contract for UP3259

Action: MA, PP.

6.11a.Cleaning. R&M Woodrow

Chair's verbal report on recent issues with tractor replacement, bin repairs and cleaning standards noted.

Resolved:Authorised Chair and MA to finalise changed contract arrangements covering new responsibilities re tractor use, garbage bins and maintenance, Periodic Work Schedule re cleaning,with report back to next meeting. **Action:** PP, MA

6.11b. Carpet Cleaning. Stainbusters - David Pennell.

Out of session we had to find a new contractor due to Encore ceasing business. Successfully done and outstanding lobby and stairs clean completed with a number of complimentary reports.

Resolved:

1. Note completion of work by new contractor David Pennell-Stainbusters.
2. MA to record supplier change and 6 monthly cleans. **Action:** MA.

6.12.General Mtnce.

Resolved:

1. Note long standing contractor Dave Le Ruez can no longer able to take our work,
2. Note MA's continuing efforts to arrange new WOs for 1) Basement cage re-org and 2) Garbage room and exit door floor painting, 3) Garbage room door seals 4) Storage cage water protection, 5) insurance repairs, etc. **Action:**MA
3. Authorise discussions with MA re feasibility of appointment of part time building maintenance person. **Action:** PP, MA

18.Gardening & Irrigation. ASHS Luke Oldfield.

Discussed late paper separately circulated.

Resolved:

1. Chair and MA reissue simple agreement to ASHS. **Action:** MA, PP.
2. Hold special ECM re ASHS priority estimates with WALAC members attending. **Action:** KG, PP, MA.

6.19. Telecommunications (Next Telecom/ Highrise -in liquidation?)

Discussed Failure of NEXT Telecom and HighRise services to deliver on requests and crisis now presented by Highrise' being placed in liquidation, disconnection of existing services for non-payment, and Telstra's apparent refusal to re-connect landline services due to pending NBN cut-over deadline discussed with MA. Issue now compounded by Highrise (?) request for payment of "outstanding phone bills".

Actions consequent on those agreed last meeting (ECM112) need advice from MA, viz: 1) Schlindler installation of emergency phone facilities in all four lifts as per Proposal dated 21 May 2019 for \$14,740 (incl. gst) as Sinking Fund Expenditure as recommended by MA, 2) ADT for automated fire alarm monitoring backup, as well as outstanding phone/ on-line data access for 1) Gas metering and 2a) solar energy system and 2b) security/camera system.

Resolved: Note MA advice of pending investigations and intention to report and advise more fully shortly.
Action: MA

6.23. Website Service. Technowand

(See 4.12 and 6A.5 above)

Resolved: Meet with MA and Technowand as required to carefully record current contractual arrangements, contacts, responsibilities etc. MA to continue to forward Minutes to Technowand for inclusion in protected owners section of Website. **Action:** KG, RH, PP, MA

7.1 Works Orders since ECM 112 15 Sep19

Resolved: To minute WOs approved out-of-session since the last ECM:

1. Purchase of replacement **Husqvanna tractor**, from ACT Small Engine Specialists after an exhaustive procurement process. The purchase was financed x sinking fund, \$7500. Admin costs of \$900 for transitional arrangement and support from R&M Cleaning and ASHS were also incurred.
2. Central HWS emergency repairs (Pinhole leaks x2) were also necessary.

7.2 Proposal for HWS Upgrade by 6 Star Plumbing.

A Late paper was tabled proposing upgrades to the central HWS.

Resolved: Note the briefing and 6 Star Plumbing Proposal, and

1. Ask contractor to review THCS report and current operation of system against 1) mfgs instructions and 2) current best practise and 3) seek QMax advice re automatic thermostatic control addition, before
2. Resubmitting written proposal with assurances as to compliant/ optimising functional performance in terms of all of the complex and conflicting objective criteria included., including recommended individual apartment equipment specifications. Proposal to include sufficient specifications for ongoing operational management including periodic calibration of auto settings etc by the contractor, guides/rules for manual adjustments and reporting same for accountability. UP3259 will consider Cost implications of increased requirements and vary existing contractual arrangements accordingly on negotiation.

8. Meeting closed by 5.30pm

Paul J Perkins, Chair

Karen Gassner, Secretary