

# Unit Titles (Management) Act 2011 – Form 1

## NOTICE OF REDUCED QUORUM DECISIONS

### Part A Details of reduced quorum decisions<sup>†</sup>

#### A1 The Owners - Units Plan No 3259

#### A2 Annual General Meeting

Date (or dates) of the Annual General Meeting at which the reduced quorum decision (or decisions) was made -

*Tick applicable box, or both boxes if applicable:*

**Regularly convened**

The general meeting was regularly convened (not following any adjournment under UTMA s 3.9(3) or (6)(a), part 3.1, schedule 3).

**Convened after adjournment**

The general meeting was convened following an adjournment or adjournments (under UTMA s 3.9(3) or (6)(a), part 3.1, schedule 3).

#### A3 Reduced quorum decisions

*[If there is insufficient space here, tick  and attach details to the notice]*

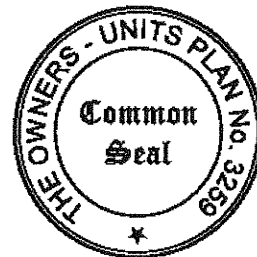
Date of decision	Full text of reduced quorum decision
30/10/2019	Annual General Minutes attached/enclosed

#### A4 Owners Corporation declaration

The information in this notice has been recorded on the following date from details shown in the records of the Owners Corporation.



30/10/2019



<sup>†</sup> In this notice, UTMA means the Unit Titles (Management) Act 2011.

# NOTICE OF REDUCED QUORUM DECISIONS

## Part B      General Information

### *B1      What is a reduced quorum decision?*

- *A reduced quorum decision is a decision of a general meeting of the Owners Corporation made while a quorum (a reduced quorum) smaller than a standard quorum was present.*
- *A standard quorum is those people entitled to vote (on the motion) in relation to not less than ½ the total number of units (see UTMA s 3.9 (1) (a), part 3.1, schedule 3).*

*There are 2 types of reduced quorum decision, requiring different reduced quorums.*

*Reduced quorum decisions made at regularly-convened general meetings*

- *If, within ½ an hour after a motion arises for consideration at a general meeting that has been regularly convened, a standard quorum for the motion (see above) is not present a reduced quorum decision may be made if a reduced quorum (see next point) is then present for consideration of the motion (UTMA s 3.9 (2), part 3.1, schedule 3).*
- *At a regularly-convened general meeting, a reduced quorum means 2 or more people present at the meeting and entitled to vote on the motion (UTMA s 3.9 (2), part 3.1, schedule 3).*
- *A reduced quorum is also sufficient to make decisions on any later motions arising at the meeting. Any such later decisions made while only a reduced quorum was present are also reduced quorum decisions (UTMA s 3.9 (2), part 3.1, schedule 3).*

*Reduced quorum decisions—adjournment following quorum trouble*

- *If, within ½ an hour after a motion arises for consideration at a general meeting that has been regularly convened, neither a standard quorum for the motion (see above) nor a reduced quorum (see above) is present, the meeting is adjourned to the following week at the same place and time (UTMA s 3.9 (3), part 3.1, schedule 3). The meeting may also decide to adjourn even if a reduced quorum is present (UTMA s 3.9 (5), part 3.1, schedule 3).*
- *If, within ½ an hour after a motion arises for consideration at a general meeting convened following such an adjournment, a standard quorum for the motion is not present, a reduced quorum decision may be made if there is a reduced quorum made up by anyone then present and entitled to vote (even if that is only a single voter) (UTMA s 3.9 (6) (a), part 3.1, schedule 3).*

*Such a reduced quorum (of anyone present and entitled to vote) is also sufficient to make decisions on any later motions arising at the meeting. Any such later decisions made while only a reduced quorum was present are also reduced quorum decisions (UTA s 3.9 (6) (a), part 3.1, schedule 3).*

### *B2      When does a reduced quorum decision take effect?*

- *A reduced-quorum decision takes effect 28 days after the date of the decision (the decision's date of effect) (UTMA s 3.11 (1), part 3.1, schedule 3).*
- *However, this does not apply if the decision is disallowed, confirmed by a standard quorum general meeting or revoked (see below) (UTMA s 3.11 (3) – (5), part 3.1, schedule 3)*

### *B3      How may reduced quorum decisions be disallowed?*

*Reduced quorum decisions may be disallowed by petition (UTMA, s 3.11 (3), part 3.1, schedule 3). The petition must—*

- state the resolution or resolutions to which it applies; and*
- be signed by a majority of persons entitled to vote at a general meeting of the Owners Corporation (a person may sign whether or not he or she attended the meeting); and*
- be given to the Owners Corporation before the decision's date of effect (see B2 above).*

### *B4      How may reduced quorum decisions be confirmed?*

- *A reduced-quorum decision may be confirmed by a general meeting of the Owners Corporation held before the decision's date of effect (see B2 above).*
- *For the confirmation to be valid, a standard quorum must be present when the confirmation motion is considered at the later general meeting (see B1 above).*
- *If a decision is confirmed, it takes effect from the date of the later general meeting whether or not a petition is given to the Owners (UTMA s 3.11 (4), part 3.1, schedule 3).*

### *B5      How may reduced quorum decisions be revoked?*

- *A reduced-quorum decision may be revoked by a general meeting of the Owners Corporation held at any time, whether or not the decision has earlier been confirmed.*
- *A revocation is valid whether a standard quorum or a reduced quorum is present when the revocation motion is considered (see B1 above; UTMA s 3.11 (5), part 3.1, schedule 3).*

# To the Owners of Units Plan 3259 Capital Hill Apartments

17-23 State Circle FORREST ACT 2603

## MINUTES OF THE ANNUAL GENERAL MEETING

**Held:** Tuesday, 29 October 2019

**Time:** 6:00pm

**Place:** The MacDonalds Room at Eastlakes, Manuka

<b>Present:</b>	L Wright	Lot 3	Unit 3
	D Miller	Lot 11	Unit 11
	T Gassner & K Gassner	Lot 12	Unit 12
	S Phokos	Lot 18	Unit 18
	D Drinkwater	Lot 22	Unit 22
	R Heaney & J Heaney	Lot 28	Unit 28
	P Perkins & J Perkins	Lot 30	Unit 30
	E Archer & K Probst (guest)	Lot 31	Unit 31
	I Campbell	Lot 33	Unit 102
	R Kirk-Lauritsen & A Kirk- Lauritsen	Lot 34	Unit 103
	S Chambers	Lot 36	Unit 105
	P Hodge & J Hodge	Lot 39	Unit 108
	B Crowe & Y Crowe	Lot 40	Unit 109
	D Hyslop & J Graham	Lot 42	Unit 111
	D Sergi	Lot 43	Unit 112
	P Ford & G Ford	Lot 46	Unit 115
	H Saducas	Lot 49	Unit 118
	G Bowcock & S Bowcock	Lot 50	Unit 119
	S Phokos	Lot 53	Unit 122
	T Frommer	Lot 54	Unit 201
	G McDermott	Lot 56	Unit 203
	K McMahon		City Strata Management
	R Yates		City Strata Management
<b>Proxies:</b>	R Bolton	Lot 20	Unit 20
	L Morwitch & K Morwitch	Lot 25	Unit 25
	M Tecsny & S Sitko	Lot 32	Unit 101
	W Young & B Young	Lot 51	Unit 120
	D Campbell	Lot 58	Unit 205
	A Hughes & P Hughes	Lot 62	Unit 209
			All in favour of the Chair

<b>Absentees:</b>	D Timbes	Lot 44	Unit 113
<b>Apologies:</b>	R Bolton	Lot 20	Unit 20
	L Morwitch & K Morwitch	Lot 25	Unit 25
	M Tecszy & S Sitko	Lot 32	Unit 101
	D Timbes	Lot 44	Unit 113
	W Young & B Young	Lot 51	Unit 120
	D Campbell	Lot 58	Unit 205
	A Hughes & P Hughes	Lot 62	Unit 209

**As a quorum was not present the meeting proceeded with a Reduced Quorum.**

*Owners are advised that under Schedule 3 (3.11 (1) & (3)) of the Unit Titles (Management) Act 2011, Reduced Quorum Decisions take effect 28 days after the date of this meeting. A reduced quorum decision is only disallowed if within 28 days after the decision was made, the Owners Corporation is given a petition requiring that the decision be disallowed signed by a majority of people entitled to vote.*

The meeting opened at 6:10pm.

1. **P Perkins chaired the meeting.**
2. **Acceptance of Proxies/Absentee Votes was noted and confirmed.**
3. **Minutes of Previous Annual General Meeting**

*Motion 1: That the minutes of the previous Annual General Meeting are confirmed.*

**CARRIED**

4. **Matters arising from those minutes.**

There were no matters arising from the Minutes.

5. **Chairperson Report**

P Perkins spoke to the Chairpersons report.

6. **Treasurer Report**

R Heaney spoke to the Treasurers report.

7. **Financial report**

*Motion 2: That the financial statements be accepted as presented for the period 01 September 2018 to 31 August 2019.*

**CARRIED**

8. **Insurance**

Owners were informed that the existing insurance cover is held through CHU as follows:

<b>Policy No</b>	<b>46244</b>
<b>Renewal Date</b>	<b>05 September 2020</b>
BUILDING	\$45,423,000.00
PUBLIC LIABILITY	\$20,000,000.00
OFFICE BEARERS	\$500,000.00
COMMON AREA CONTENTS	\$540,661.00
FIDELITY GUARANTEE	\$100,000.00
LOSS OF RENT	\$6,813,450.00
CATASTROPHE	\$6,813,450.00

VOLUNTARY WORKERS	\$200,000/\$2,000
WORKERS COMPENSATION	SELECTED
GOV. AUDIT COSTS	\$25,000.00
LOT OWNERS FIXTURES	\$250,000.00
MACHINERY BREAKDOWN	\$100,000.00
WH&S BREACHES	\$100,000.00
LEGAL DEFENCE EXP.	\$50,000.00
PAINT BENEFIT	INCLUDED
FLOOD	INCLUDED
STORAGE&EVACUATION	\$340,672.00
ESC IN COST OF TEMP	\$340,672.00
EXT COVER - RENT/TEM	\$1,022,017.00
Excess	\$500 each claim & as per policy wording
Last valuation date	19/06/2017
Last valuation amount	\$42,000,000 (Inc GST)

***Motion 3:** That the level of insurance be adjusted upon renewal in consultation with the Executive Committee.*

**CARRIED**

The Managing Agent advises that the Owners Corporation's insurance only covers the building and public liability claims that occur on the common property. The Owners Corporation's insurance does not cover contents items such as carpet, curtains and light fittings within the individual unit entitlement. All Owners may wish to consider having their own contents insurance as well as public liability insurance within their own unit entitlement.

#### **9. Expenditure**

***Motion 4:** That the proposed Administrative Fund Expenditure Budget of \$227,030 plus GST for the period 01 September 2019 to 31 August 2020 be accepted.*

**CARRIED**

***Motion 5:** That the proposed Sinking Fund Expenditure Budget of \$28,640 plus GST for the period 01 September 2019 to 31 August 2020 be accepted.*

**CARRIED**

#### **10. Contributions**

***Motion 6:** That the Owners Corporation determines an Administrative Fund Contribution of \$230,000 plus GST for the 2019/2020 year, to be contributed in accordance with unit entitlements. Payment to be made over two periods paid in advance on 01 December 2019 and 01 June 2020.*

**CARRIED**

***Motion 7:** That the Owners Corporation determines a Sinking Fund Contribution of \$108,180 plus GST for the 2019/2020 year, to be contributed in accordance with unit entitlements. Payment to be made over two periods paid in advance on 01 December 2019 and 01 June 2020.*

**CARRIED**

All Levy Payments must be received within 28 days of the due date. If payment is not received within 28 days of the due date, interest charges will accrue from the due date of the applicable period.

## 11. Executive Committee

Under the Unit Titles (Management) Act 2011, it is legislated that the Executive Committee has a Chair, Secretary and Treasurer for the 12-month period, with the position of Chair having casting voting rights. These positions are elected at the first formal meeting of the Executive Committee following the Annual General Meeting.

*Motion 8: That the Owners Corporation of Units Plan 3259 agrees to appoint 3-7 Owners to form the Executive Committee until the next Annual General Meeting, with election of those members to take place at this meeting.*

**CARRIED**

Nomination of Executive Committee members were then called for:

P Perkins  
K Gassner  
R Heaney  
H Saducas  
P Ford  
G McDermott  
1x Vacany

The above Owners were then elected, with no objections received, to be the Executive Committee members for Capital Hill Apartments, until the next AGM.

**By acclamations from the floor, T Gassner was thanked for his contributions over past 6-years, also to the Executive Committee for their contributions to the Owners Corporation, over the past year.**

## 12. General Business

**There being no further business the meeting concluded at 6:35pm.**