bright & duggan

australia's strata leader

6 November 2020

UP3259 Owners Corporation
17-23 State Circle
FORREST ACT 2603

Dear Owner

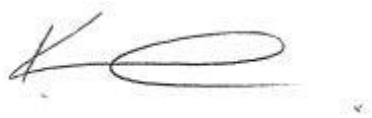
Re: UP3259 Capital Hill Apartments at 17-23 State Circle FORREST ACT 2603
Common seal

Bright & Duggan is your strata managing agent and we write to disclose an error recorded in the AGM Minutes sent to you 05/11/2020.

The incorrect Common Seal was applied to the minutes, the seal should have been for UP3259, not UP1610. Please find enclosed/attached amended AGM Minutes.

Please do not hesitate to contact our office on 02 6156 3305 or via email at customercare@bright-duggan.com.au should you require any further information or assistance in relation to this matter.

Yours sincerely



Kelly McMahon
Strata Manager

customercare@bright-duggan.com.au
bright-duggan.com.au
PO Box 6248, O'Connor ACT 2602
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Unit Titles (Management) Act 2011 – Form 1

NOTICE OF REDUCED QUORUM DECISIONS

Part A Details of reduced quorum decisions[†]

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 - 29 October 2020

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
29 October 2020	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.

06/11/2020

[†] 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—

(i) state the resolution or resolutions to which it applies; and
(ii) 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
(iii) 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:	**29 October 2020**	
Time:	**6:00pm**	
Place:	**Eastlakes, 3 Oxley St, Canberra ACT 2603**	
Present:	T Gassner & K Gassner	Lot 12
	R Bolton	Lot 20
	R Heaney	Lot 28
	P Perkins & J Perkins	Lot 30
	E Archer	Lot 31
	S Chambers	Lot 36
	P Hodge & J Hodge	Lot 39
	B Crowe & Y Crowe	Lot 40
	D Hyslop & J Graham	Lot 42
	P Ford & G Ford	Lot 46
	B Cronk	Lot 48
	H Saducas & A Saducas	Lot 49
	G Bowcock & S Bowcock	Lot 50
	T Frommer	Lot 54
	G McDermott	Lot 56
	Ciao Bella Investments P/d	Lot 57
	D Campbell	Lot 58
	K McMahon	Bright & Duggan (ACT)
	R Yates	Bright & Duggan (ACT)
	A Machado	Bright & Duggan (ACT)
Proxies:	L Wright	Lot 3
	D Drinkwater	Lot 22
	L Morwitch & K Morwitch	Lot 25
	S Sitko & M Tecsy	Lot 32
	W Young & B Young	Lot 51
	E Edward & L Milligan	Lot 52
	A Hughes & P Hughes	Lot 62
	All in favour of the Chair	
Absentee Votes:	None.	
Apologies:	D Drinkwater	Lot 22
	L Morwitch & K Morwitch	Lot 25
	S Sitko & M Tecsy	Lot 32
	W Young & B Young	Lot 51
	E Edward & L Milligan	Lot 52
	A Hughes & P Hughes	Lot 62

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 6:32pm.

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 dated 29 October 2019 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 Chairperson report.

6. **Treasurers 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 2019 to 31 August 2020.*
   CARRIED

8. **Insurance**
   Owners were informed that the existing insurance cover is held through CHU as follows:

Policy No	46244
Renewal Date	05 March 2021
BUILDING	$47,694,150.00
PUBLIC LIABILITY	$20,000,000.00
OFFICE BEARERS	$500,000.00
COMMON AREA CONTENTS	$567,694.00
FIDELITY GUARANTEE	$100,000.00
LOSS OF RENT	$7,154,122.00
CATASTROPHE	$7,154,122.00
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	not selected
FLOOD	selected
STORAGE&EVACUATION	$357,706.00
ESC IN COST OF TEMP	$357,706.00
EXT COVER - RENT/TEM	$1,073,118.00
Excess-Water Damage/Burst Pipe Exploratory Costs	$5,000.00
Excess – Machinery Breakdown	$500.00

Excess – All other claims	$1,500.00
Last valuation date	19/06/2017
Last valuation amount	$42,000,000.00 (Inc GST)

Motion 3**:** *That the Owners Corporation obtains an insurance valuation and the level of insurance be adjusted upon renewal to the figure as suggested by the valuation and 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. Sinking Fund Forecast

Motion 4: *That the Owners Corporation obtains an updated Sinking Fund Forecast Report after completion of current investigations into major risk issues that will enable the major Five Year Review to be approved at the next AGM.*

CARRIED

10. **Expenditure**

Motion 5: *That the proposed Administrative Fund Expenditure Budget of $250,040.00 plus GST for the period 01 September 2020 to 31 August 2021 be accepted.*

CARRIED

Motion 6: *That the proposed Sinking Fund Expenditure Budget of $86,590.00 plus GST (amended from $46,590.00*) for the period 01 September 2020 to 31 August 2021 be accepted.*

CARRIED

***The owners present at the meeting resolved that the Executive Committee be authorised to contract for re-roofing works upgrade to be completed in tandem with the insurance repairs as outlined in Quote discussed to the value of $50,000.00, funded from Sinking Fund.**

11. Contributions

Motion 7: *That the Owners Corporation determines an Administrative Fund Contribution of $254,545.00 plus GST for the 2020/2021 year, to be contributed in accordance with unit entitlements. Payments to be made over four periods paid in advance on 1November 2020, 1 February 2021, 1 May 2021, and 1 August 2021.*

CARRIED

Motion 8: *That the Owners Corporation determines a Sinking Fund Contribution of $143,310.00 plus GST for the 2020/2021 year, to be contributed in accordance with unit entitlements. Payments to be made*

over four periods paid in advance on 1 November 2020, 1 February 2021, 1 May 2021, and 1 August 2021.

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.

12. 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 9: 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
H Saducas
P Ford
G McDermott
R Bolton

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, Richard Heaney was thanked for his contributions as Treasurer over past years, also to the Executive Committee for their contributions to the Owners Corporation, over the past year.

13. General Business

There being no further business the meeting concluded at 7:20pm.

Units Plan No. 3259

PROPOSED ANNUAL BUDGET

	ACTUAL 01/09/19-31/08/20	BUDGET 01/09/19-31/08/20	BUDGET 01/09/20-31/08/21
ADMINISTRATIVE FUND			
INCOME			
Levies - Administrative Fund	230,000.00	230,000.00	254,545.00
Insurance - Claims Refunds	5,172.73	0.00	0.00
Interest On Overdue Levies	1,040.77	0.00	0.00
TOTAL ADMIN. FUND INCOME	**236,213.50**	**230,000.00**	**254,545.00**
EXPENDITURE - ADMIN. FUND			
Bank Charges	207.07	40.00	250.00
Bas - Preparation Fee	545.44	550.00	550.00
Storage	909.09	0.00	910.00
Cleaning - General	32,314.70	35,470.00	30,330.00
Cleaning - Gutters/Roof	0.00	950.00	860.00
Cleaning - Windows	8,060.00	8,580.00	8,480.00
Cleaning - Carpets	1,600.00	1,030.00	1,600.00
Cleaning - Car Park	480.00	0.00	440.00
Consultancy	11,654.08	950.00	5,450.00
Dues & Subscriptions	146.00	160.00	140.00
Electricity	10,215.96	8,480.00	10,210.00
Fire Protection	4,130.00	1,870.00	1,820.00
Fire Protection - Contract	2,756.25	3,850.00	3,670.00
Fire Protection - Monitoring	1,945.80	0.00	2,000.00
Gardening - Plants	1,409.09	480.00	910.00
Honoraria	909.09	950.00	910.00
Insurance - Premium	0.00	28,640.00	40,000.00
Insurance - Claims	9,549.33	0.00	3,640.00
Roof - Roofing	0.00	1,640.00	450.00
Roof - Height Safety	1,400.00	0.00	1,400.00
Access Device	(2,332.73)	0.00	1,820.00
R & M - Air Conditioning	480.00	1,010.00	960.00
R & M - Building	1,727.88	7,050.00	11,450.00
R & M - Doors & Locks	862.73	950.00	330.00
R & M - Electrical	5,094.11	3,440.00	4,910.00
R & M - Intercom	0.00	950.00	910.00
R & M - Garage Doors	681.81	2,250.00	910.00
R & M - Gardens & Grounds	16,561.07	17,850.00	17,000.00
R & M - General	953.05	11,450.00	1,090.00

Units Plan No. 3259

PROPOSED ANNUAL BUDGET

	ACTUAL 01/09/19-31/08/20	BUDGET 01/09/19-31/08/20	BUDGET 01/09/20-31/08/21
R & M - Lift Contract	18,268.74	17,550.00	21,470.00
R & M - Plumbing	3,227.28	5,650.00	4,360.00
R & M - Pumps	3,040.00	1,630.00	2,400.00
Security	5,205.30	2,100.00	4,050.00
Meeting Room Hire	200.00	0.00	180.00
Sinking Fund Report	0.00	0.00	1,360.00
Pest Control	1,527.88	1,560.00	1,550.00
Strata Management	18,900.00	18,900.00	18,900.00
Tax - Return Lodgement	454.55	480.00	450.00
Telephone	1,420.43	1,630.00	0.00
Water Usage	33,414.39	37,220.00	39,650.00
Website	1,234.95	1,720.00	1,190.00
Internet	698.40	0.00	1,080.00
Payg Installment Tax	312.00	0.00	0.00
TOTAL ADMIN. EXPENDITURE	**200,163.74**	**227,030.00**	**250,040.00**
SURPLUS / DEFICIT	**$ 36,049.76**	**$ 2,970.00**	**$ 4,505.00**
Opening Admin. Balance	37,785.61	37,785.61	73,835.37
ADMINISTRATIVE FUND BALANCE	**$ 73,835.37**	**$ 40,755.61**	**$ 78,340.37**
NUMBER OF UNITS OF ENTITLEMENT:		10,000	10,000
AMOUNT PER UNIT OF ENTITLEMENT:		$ 23.0000	$ 25.4545

Units Plan No. 3259

PROPOSED ANNUAL BUDGET

	ACTUAL 01/09/19-31/08/20	BUDGET 01/09/19-31/08/20	BUDGET 01/09/20-31/08/21
SINKING FUND			
INCOME			
Levies - Sinking Fund	108,179.94	108,180.00	143,310.00
Interest On Investment	2,596.17	2,060.00	910.00
Interest On Overdue Levies	493.14	0.00	0.00
TOTAL SINKING FUND INCOME	**111,269.25**	**110,240.00**	**144,220.00**
EXPENDITURE - SINKING FUND			
Capital Repairs & Replacement	15,953.18	28,640.00	36,360.00
Exhaust System - Fan	4,420.00	0.00	0.00
Plant & Equipment	6,809.09	0.00	0.00
Plumbing	2,865.45	0.00	0.00
Roof	0.00	0.00	40,000.00
Security	11,075.00	0.00	10,230.00
TOTAL SINK. FUND EXPENDITURE	**41,122.72**	**28,640.00**	**86,590.00**
SURPLUS / DEFICIT	**$ 70,146.53**	**$ 81,600.00**	**$ 57,630.00**
Opening Sinking Fund Balance	263,290.07	263,290.07	333,436.60
SINKING FUND BALANCE	**$ 333,436.60**	**$ 344,890.07**	**$ 391,066.60**
NUMBER OF UNITS OF ENTITLEMENT:		10,000	10,000
AMOUNT PER UNIT OF ENTITLEMENT:		$ 10.8180	$ 14.3310

Units Plan No. 3259

LOT BUDGET SUMMARY

31/08/2021

If the foregoing budget is adopted levies (including GST) for the specified period payable quarterly will be as follows:

Lot No	Unit No	Entitlement	ADMINISTRATIVE FUND	SINKING FUND	Net Total
00001	1	153	1,071.00	602.98	1,673.98
00002	2	102	714.00	401.98	1,115.98
00003	3	148	1,036.00	583.27	1,619.27
00004	4	136	952.00	535.98	1,487.98
00005	5	91	637.00	358.63	995.63
00006	6	136	952.00	535.98	1,487.98
00007	7	91	637.00	358.63	995.63
00008	8	91	637.00	358.63	995.63
00009	9	148	1,036.00	583.27	1,619.27
00010	10	102	714.00	401.98	1,115.98
00011	11	153	1,071.00	602.98	1,673.98
00012	12	136	952.00	535.98	1,487.98
00013	13	91	637.00	358.63	995.63
00014	14	136	952.00	535.98	1,487.98
00015	15	91	637.00	358.63	995.63
00016	16	91	637.00	358.63	995.63
00017	17	153	1,071.00	602.98	1,673.98
00018	18	102	714.00	401.98	1,115.98
00019	19	148	1,036.00	583.27	1,619.27
00020	20	136	952.00	535.98	1,487.98
00021	21	91	637.00	358.63	995.63
00022	22	136	952.00	535.98	1,487.98
00023	23	91	637.00	358.63	995.63
00024	24	91	637.00	358.63	995.63
00025	25	148	1,036.00	583.27	1,619.27
00026	26	102	714.00	401.98	1,115.98
00027	27	153	1,071.00	602.98	1,673.98
00028	28	136	952.00	535.98	1,487.98
00029	29	91	637.00	358.63	995.63
00030	30	136	952.00	535.98	1,487.98
00031	31	91	637.00	358.63	995.63
00032	101	191	1,337.00	752.74	2,089.74
00033	102	200	1,400.00	788.20	2,188.20
00034	103	155	1,085.00	610.86	1,695.86
00035	104	94	658.00	370.46	1,028.46
00036	105	155	1,085.00	610.86	1,695.86
00037	106	150	1,050.00	591.15	1,641.15
00038	107	105	735.00	413.81	1,148.81
00039	108	157	1,099.00	618.74	1,717.74
00040	109	155	1,085.00	610.86	1,695.86
00041	110	94	658.00	370.46	1,028.46
00042	111	155	1,085.00	610.86	1,695.86
00043	112	157	1,099.00	618.74	1,717.74
00044	113	105	735.00	413.81	1,148.81
00045	114	150	1,050.00	591.15	1,641.15
00046	115	155	1,085.00	610.86	1,695.86
00047	116	94	658.00	370.46	1,028.46
00048	117	155	1,085.00	610.86	1,695.86
00049	118	200	1,400.00	788.20	2,188.20
00050	119	191	1,337.00	752.74	2,089.74

Units Plan No. 3259

LOT BUDGET SUMMARY

31/08/2021

If the foregoing budget is adopted levies (including GST) for the specified period payable quarterly will be as follows:

Lot No	Unit No	Entitlement	ADMINISTRATIVE FUND	SINKING FUND	Net Total
00051	120	155	1,085.00	610.86	1,695.86
00052	121	94	658.00	370.46	1,028.46
00053	122	155	1,085.00	610.86	1,695.86
00054	201	280	1,960.00	1,103.49	3,063.49
00055	202	188	1,316.00	740.91	2,056.91
00056	203	301	2,107.00	1,186.25	3,293.25
00057	204	390	2,730.00	1,537.00	4,267.00
00058	205	390	2,730.00	1,537.00	4,267.00
00059	206	280	1,960.00	1,103.49	3,063.49
00060	207	188	1,316.00	740.91	2,056.91
00061	208	280	1,960.00	1,103.49	3,063.49
00062	209	390	2,730.00	1,537.00	4,267.00
00063	210	390	2,730.00	1,537.00	4,267.00
Total		**10,000**	**$70,000.00**	**$39,410.23**	**$109,410.23**