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 -

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
19/10/2021	Minutes following.

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.

22/10/2021

† 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: **Tuesday 19 October 2021**

Time: **3:00pm**

Zoom: https://us02web.zoom.us/j/84188324902?pwd=YTJ5MkdyVnBMMG5hK2ZzYVVMOE1lZz09
Zoom Meeting ID: 841 8832 4902
Zoom Passcode: 288500

Present:	L Wright	Lot 3 Left the meeting at 4:00pm
	T Gassner & K Gassner	Lot 12
	R Bolton	Lot 20
	R Heaney & J Heaney	Lot 28
	P Perkins	Lot 30
	J Hurst	Lot 31
	I Campbell	Lot 33
	S Chambers	Lot 36
	P Hodge & J Hodge	Lot 39
	B Crowe & Y Crowe	Lot 40 Joined the meeting 5:35pm
	P Ford & T Ford	Lot 46
	H Saducas	Lot 49 Left the meeting at 5:05pm
	G W Bowcock	Lot 50
	G McDermott	Lot 56
	Ciao Bella Investments P/L	Lot 57 represented by D Casey & L Casey
	D Campbell	Lot 58
	R Jayarajan & I Richards	Lot 61
	E Cutts	representing Bright & Duggan (ACT)
	A Clifford	representing Bright & Duggan (ACT)
	K McMahon	representing Bright & Duggan (ACT)
Proxies:	S Phokos & C Phokos	Lot 18
	L Morwitch & K Morwitch	Lot 25
	T Bourne	Lot 26
	E Archer	Lot 31
	G Bowcock	Lot 50
	Y Young & B Young	Lot 51
	S Phokos & C Phokos	Lot 53
	T Frommer & J Frommer	Lot 54
	A Hughes & P Hughes	Lot 62

The above (9) were all in favour of the Chair, P Perkins Lot 30.

	D Hyslop & J Graham	Lot 42

The above (1) was in favour of D Casey Lot 57

Absentee		
Votes:	D Drinkwater	Lot 22
Apologies:	S Phokos & C Phokos	Lot 18
	D Drinkwater	Lot 22
	L Morwitch & K Morwitch	Lot 25
	T Bourne	Lot 26
	E Archer	Lot 31
	G Bowcock	Lot 50
	Y Young & B Young	Lot 51
	S Phokos & C Phokos	Lot 53
	T Frommer & J Frommer	Lot 54
	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 5:15pm.

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

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

   CARRIED

   Chair foreshadowed that the Minutes of Special General Meeting, held on 25 March 2021 and circulated to owners, would be submitted for confirmation at next occurring General Meeting of Members.

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

   There were no matters arising from the Minutes.

5. **Chairperson and Treasurer Report**

   Noted with thanks.

   Vote of thanks to fellow Executive Committee members & contractor's such as plumbers and electricians.

6. **Financial report**

   Motion 2**:** *That the financial statements be accepted as presented for the period 01 September 2020 to 31 August 2021.*

   CARRIED

7. Audit

Motion 3: *That the Owners Corporation arrange for the financial records for UP3259 for the 2021/2022 financial year to be audited and presented at the next Annual General Meeting. Executive Committee to approve appointment and Audit work plan.*

CARRIED

8. Strata Management Contract

Motion 4: Ordinary Resolution: *That the Owners Corporation for Units Plan 3259 agrees to reappoint Bright & Duggan (ACT) Pty Ltd as the Owners Corporation Manager for the next one year, in accordance with the terms as set out in the contract.*

CARRIED

9. Building Manager

Motion 5: *That the Owners Corporation for Units Plan 3259 agrees to the Executive Committee seeking quotes and appointing a suitable as the Owners Corporation Building/Property Manager for the next one year.*

CARRIED

10. Insurance

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

Policy No	**46244**
Renewal Date	**05 March 2022**
BUILDING	$47,694,150.00
PUBLIC LIABILITY	$20,000,000.00
OFFICE BEARERS	$500,000.00
COMMON AREA CONTENTS	$476,941.00
FIDELITY GUARANTEE	$100,000.00
LOSS OF RENT	$7,154,122.00
CATASTROPHE	$7,154,122.00
VOLUNTARY WORKERS	$200,000.00/$2,000.00
WORKERS COMPENSATION	Insured
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
FLOOD	Insured
STORAGE&EVACUATION	$357,706.00
ESC IN COST OF TEMP	$357,706.00
EXT COVER - RENT/TEM	$1,073,118.00
Excess	$2,500 all claims / $5,000 Water Damage / $5,000 Storm / $5,000 Burt Pipes
Last valuation date	19/06/2017
Last valuation amount	$42,000,000.00 (Inc GST)

Motion 6**:** *That the Owners Corporation obtains an updated insurance valuation from QIA 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.

11. Insurance Claims

At the time of this notice the Owners Corporation of Units Plan 3259 have one new or outstanding Insurance Claims.

- A claim for damages received from the catastrophic hailstorm January 2020.

12. Maintenance Issues

At the time of this notice the Owners Corporation of UP3259 have no new or outstanding maintenance issues that have not been actioned. However, various actions in planning are presently delayed by Covid restrictions.

13. Maintenance Plan

Amendments to the Unit Titles (Management) Act 2011 which came into force on 1 November 2020 require that the Owners Corporation obtain a Maintenance Plan. Executive Committee has contracted QIA Group to assist in development of initial plan, utilising a simple template for integrating and building on our existing contract and asset compliance controls, during 2021-22 year.

14. Sinking Fund Forecast

Motion 7: *That the Owners Corporation accepts the updated Sinking Fund Plan Version 2, dated 25 August 2021, covering the 15-year period commencing 1 September 2021.*

CARRIED

15. Expenditure

Motion 8: *That the proposed Administrative Fund Expenditure Budget of $355,450.00 plus GST for the period 01 September 2021 to 31 August 2022 be accepted.*

CARRIED

Motion 9: *That the proposed Sinking Fund Expenditure Budget of $496,000.00 plus GST for the period 01 September 2021 to 31 August 2022 be accepted.*

CARRIED

16. Contributions

Motion 10: *That the Owners Corporation determines an Administrative Fund Contribution of $386,000.00 plus GST for the 2021/2022 year, to be contributed in accordance with unit entitlements. Payments to be made over four periods paid in advance on 1 November 2021, 1 February 2022, 1 May 2022, and 1 August 2022.*

CARRIED

Motion 11: *That the Owners Corporation determines a Sinking Fund Contribution of $150,300.00 plus GST for the 2021/2022 year, to be contributed in accordance with unit entitlements. Payments to be made over four periods paid in advance on 1 November 2021, 1 February 2022, 1 May 2022, and 1 August 2022.*

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.

Meeting agreed to commend voluntary pre-payment of contributions to members, given the current liquidity situation in the Administrative Fund.

17. 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 20: *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:

K Gassner	Lot 12
P Perkins	Lot 30
P Ford	Lot 46
H Saducas	Lot 49
G McDermott	Lot 56
D Casey & L Casey	Lot 57 representing Ciao Bella Investments P/L

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

18. Meeting and Alternative Voting Methods

Motion 13: *Pursuant to Schedule 3, Section 3.31A (1) of the Unit Titles (Management) Act 2011, the Owners Corporation authorises that votes by eligible owners at general Meetings & Executive Committee meetings may be held in accordance with Section 10 of the Unit Titles (Management) Regulations 2011, which allows voting at the meeting using a digital means, such as teleconference, videoconference, email or other electronic means.*

CARRIED

19. General Business

a. **Website:** https://capitalhillapartments.com.au/ needs updating and the incoming Executive Committee will follow this up.

Vote of thanks to Executive Committee Chair for a difficult job done well in the past 12-months

Vote of thanks to Executive Committee members, Kelly McMahon & Bright & Duggan staff, and contractors including Cleaners, Gardeners, Electrician, Security System Provider and Plumber for contributions under difficult COVID conditions.

There being no further business the meeting concluded at 5:09pm.