



OWNERS CORPORATION 318104R

GORDON PLACE APARTMENTS

24 Little Bourke Street Melbourne

COMMITTEE OF MANAGEMENT MEETING MINUTES

Date Thursday 17 October 2013

Time 6:00 pm

Venue 24 Little Bourke Street Melbourne

OC Manager George Martin welcomed COM members and others in attendance and opened the meeting at 6:05 pm

Minutes Elizabeth Brehaut recorded the minutes.

Attendance **Committee Members**

Daniel Fitt
David Luscombe
Elizabeth Brehaut
James Duff
John Tong
John Xenidis
Ken Shaw
Peter Sweetland
Robert Sumpton
Stewart Clarke
Zekiye Yuksel

Others

Ayhan Yuksel
Catherine Duff (from 6:25pm)
George Martin (Kliger Wood)
John Brehaut
Pam Shaw (from 6:25pm)

Note:

A lot owner has complained that the proxies from Quest to Robert Sumpton, Peter Sweetland and Dan Fitt authorising them to represent Quest on the committee of the Owners Corporation are invalid. This matter is likely to be raised in VCAT Case 2033/2013

Apologies Nil

Proxies A member of the committee who is a lot owner may appoint a proxy for the purpose of the meeting.

Committee Member

Proxy holder

James Xenidis

James Duff

Quorum George Martin advised that, since at least half of the members of the committee were represented, either in person or by proxy, there was a quorum.

Committee OC CHAIRPERSON

BE IT RESOLVED that Jim Duff be appointed OC Chairperson.

YES: 12 NO: 0 ABSTAIN: 0

Jim Duff became the Chairperson of this committee meeting.

OC SECRETARY

BE IT RESOLVED that Elizabeth Brehaut be appointed OC Secretary.

YES: 12 NO: 0 ABSTAIN: 0

Previous Minutes

Whereas the minutes of the previous committee meeting held on 27 March 2013 were circulated to all committee members and tabled at this meeting,

BE IT RESOLVED that the minutes of the previous committee meeting held on 27 March 2013 be accepted as a true and accurate record of that meeting.

YES: 12 NO: 0 ABSTAIN: 0

Financials

Assets:

At 01 Jul 13, OC members assets were \$408,000 comprising \$24,000 in the Administration Fund and \$384,000 in the Maintenance Fund. Assets value will increase after quarterly fees paid and decrease during 3 months period until next quarterly fees paid.

Income:

Approximately \$90,000 is due and payable quarterly on 01 Jan, 01 Apr, 01 Jul and 01 Oct to pay for recurrent expenditure from Administration Fund and Maintenance Fund.

Expenditure:

Recurrent expenditure from Administration Fund and Maintenance Fund may be monitored by viewing OC decisions in minutes of meetings and financial statements.

Money Owed:

Approximately \$4,500.

Recovery of money owed:

The OC Manager will send Fee Notices and charge interest, currently set at 10.5% pa, on any amount payable by a lot owner to the OC that is still outstanding after the due date. The OC Manager will send Final Fee Notices and file VCAT Applications and/or Magistrates Court Complaints to recover any money owed to the OC when instructed to do so by COM resolution.

Disputes VCAT: Case OC2033/2013 – refer Discussion items.

Decisions

OWNERS CORPORATION MANAGER

Whereas Stewart Silver King and Burns (Victoria) P/L (SSKB) has submitted an Owners Corporation management proposal to the Gordon Place Owners Corporation 318104R that is \$14,900 +GST per annum cheaper than Kliger Wood, and

Whereas the SSKB StrataMax website provides all lot owners with daily financial updates, minutes of meetings, etc, and provides committee members with additional information including Invoice Hub which enables delegated committee members to approve all invoices prior to payment by SSKB, and

Whereas Kliger Wood only gave the Owners Corporation Committee of Management and Members 17 days notice of the 2013 Annual General Meeting,

BE IT RESOLVED that

(i) the COM meet again within 14 days to determine when the Owners Corporation existing Management Agreement may be terminated

(ii) Kliger Wood table their proposal for a management and remuneration plan.

YES: 8 NO: 3 ABSTAIN: 1

Note:

George Martin advised the meeting that Kliger Wood had not received any written complaints from the OC. OC members in attendance advised that they had made verbal complaints.

COM MEETING DATES

BE IT RESOLVED that COM meetings be held at 6:00 pm on the following dates:

30 October 2013

January 2014 (day to be advised)

April 2014 (day to be advised)

June 2014 (day to be advised)

YES: 12 NO: 0 ABSTAIN: 0

PALM TREE

Whereas the cost of preservation of the palm tree located within lot 22 is not included in the Maintenance Plan, and

Whereas it may become necessary to levy OC members in the range \$130,000 to \$400,000 to preserve the palm tree,

BE IT RESOLVED that Robert Sumpton, James Duff and Elizabeth Brehaut meet with Heritage Victoria to discuss the existence/future of the palm tree.

YES: 12 NO: 0 ABSTAIN: 0

Note:

The arboricultural assessment prepared by Robert Sparkes includes advice that the precinct schedule does not have any conditions relating to trees and the building schedule refers to the Heritage Victoria register. The Heritage Victoria register lists the extent of registration as "the courtyard building fronting Little Bourke Street" (Heritage Victoria, 2010a) and makes no particular reference to the Phoenix canariensis. No individual listing of the Phoenix canariensis was found on any of the heritage databases searched, but it is believed to have a heritage listing (P. Grey, pers. Comm).

PATH OF TRAVEL

Whereas the Unilodge owners have not removed their bicycles from the Gordon Place common property as previously instructed and may therefore be guilty of trespass, and

Whereas the bicycles are obstructing an emergency POT which may make the Gordon Place OC liable for breach of essential services and/or OHS legislation,

BE IT RESOLVED that Kliger Wood write to Unilodge to inform them that they have 30 days to remove all their property from Gordon Place common property.

YES: 12 NO: 0 ABSTAIN: 0

Note:

Robert Sumpton will follow up with a verbal request to the Unilodge manager.

TILES

Whereas the existing floor tiles in the common property passageway between lot 1 and 12 are in a poor state of repair, and

Whereas several of the new ceramic tiles in the common property main entry from Little Bourke Street are not colour matched,

BE IT RESOLVED that Robert Sumpton obtain 3 quotes to repair and/or replace the tiling in the common property passageway and main entry.

YES: 12 NO: 0 ABSTAIN: 0

RAMPS

Whereas Kliger Wood tabled a report from Roscon that stated two ramps installed do not comply with current legislation,

BE IT RESOLVED that the non compliant ramps be removed.

YES: 12 NO: 0 ABSTAIN: 0

Note:

The OC accepted the Quest request for 14 days grace to arrange for temporary, removable ramps to be obtained and then Quest would remove the non compliant ramps at their own expense.

Discussion VCAT

VCAT Case OC2033/2013 is an application by a lot owner to revoke the appointment of the OC Manager. The case was heard at an initial Directions Hearing on 19 September 13. VCAT joined the OC and set the proceeding for a 2 day Hearing on 14 November 2013.

A copy of the VCAT Orders was distributed to each member of the COM present.

It was agreed that Jim Duff obtain any further documentation regarding detail of the case and to distribute these to members of the COM. David Luscombe was asked to look at these and to give his opinion whether legal advice is required to be sought and to report back to COM meeting 30 October 2013.

INSURANCE

The OC has taken out Public Liability Insurance to cover any costs associated with any injury or damage that has been sustained as a result of an occurrence or happening in connection with the common property. The OC insurance policy does not cover lot owners contents or lot owners legal liability.

EXTERIOR REPAINT

Painting has progressed, however apartment windows have been sealed closed with paint and cannot be opened causing fresh air ventilation to be obstructed. Works in progress.

ENTRANCE FOYER

Painting has been completed. LED lighting has been installed. The mural has been affixed to the east wall. Broken tiles have been replaced. Letter boxes have not yet been installed. Works in progress.

FRONT CANOPY

The old canopy has been removed and a new green canopy installed. However, it has been reported that the new canopy is too narrow and water leaks onto guests and residents when entering during moderate to heavy rain.

LIGHTING

LED lighting has been installed throughout building. Works complete.

COMMON PROPERTY

Kliger Wood has confirmed that the Ground Level toilet and laundry facilities form part of the common property and are available for the benefit of all lot owners and occupiers.

AIR CONDITIONING COOLING TOWER

Kliger Wood advised COM that the cooling tower recently developed a leak and was shut down and drained to assess repair works required.

A quote from Pacific Heat Transfer was tabled for consideration. It was agreed to obtain another quote from The Cooling Tower Company and to have it ready to table by 30 October 2013. Further discussion regarding this matter will continue next meeting.

AIR CONDITIONING INDIVIDUAL UNITS

Kliger Wood advised COM that a number of privately owned individual aircon units were experiencing problems and may need to be replaced.

Next meeting Date: 30 October 2013
Time: 6:00 pm
Venue: 24 Little Bourke Street Melbourne

Closure There being no further business the Chairperson closed the meeting at 7:50 pm.