

2010 AGM 221010.doc
DRB:PG

OC Plan No. 318104R
24-38 Little Bourke Street
MELBOURNE VIC 3000

5 November 2010

To All Members
OC Plan No. 318104R
24-38 Little Bourke Street
MELBOURNE VIC 3000

Dear Sir / Madam,

**RE: MINUTES OF THE 2010 ANNUAL GENERAL MEETING
OWNERS CORPORATION PLAN No. 318104R**

The Meeting was held in the office of Kliger Wood Real Estate, Level 3, 250 Queen Street, Melbourne on Friday
22nd October 2010 at 11.00am.

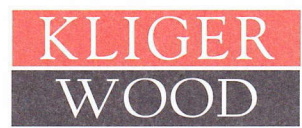
Present:	J Duff	Lot 6
	P Barnes	Lot 21
	D Minett	Lot 22 & 26
	T Yap	Lot 23
	R Carr	Lot 127
	E McDonald	Lots 134 & 141
	M Templeton	Lot 151
	K Shaw	Lot 139

Proxy: Proxies were received from:

D & C Dzur	Lot 7
S Jansen	Lot 17
K Soh & M Yip	Lot 27
R & J Hayes	Lot 29
V Chen	Lot 32
F Merante	Lot 43
W.L Hick	Lot 104
R Wilson	Lot 109
J LaRosa	Lot 111
E & S Sharkey	Lot 113
L Duong	Lot 115
J.D & D. M Nevill	Lot 118
H D'Andrea & L Trotta	Lot 119
M Stewart	Lot 129
K Madden	Lot 130
E & E D'Alessio	Lot 134
JAM McKenzie Superannuation Fund	Lot 138
B Ferguson	Lot 142
all appointing P Barnes as their representative	

OC Plan No. 318104R

Page 1 of 7



Level 3, 250 Queen Street
Melbourne Vic 3000, Australia
Telephone: (613) 9670 7777
Facsimile: (613) 9670 1285
contact@kligerwood.com.au
www.kligerwood.com.au

LICENSED REAL ESTATE AGENTS
OWNERS CORPORATION MANAGERS
PROPERTY MANAGERS
AUCTIONEERS
VALUERS

Oakford Australia Pty Ltd
 appointing D Minett, P Barnes & T Yap as their representatives

Lots 21, 22, 23 and 45

Copellius Pty Ltd	Lot 35
Hall Family Superannuation Fund	Lot 36
Kenneth Nominees Pty Ltd	Lots 39, 106, 107, 108
G L Hoskings Pty Ltd	Lot 121
S Tripodi	Lot 133
J O'Reilly	Lot 143
appointing D Minett as their representative	

In Attendance: D Barton
 Representing Kliger Wood Real Estate – Managing Agent of the Owners Corporation.

Chairperson: Moved that David Barton be appointed to act as chairperson of the meeting.
Moved D Minett
Seconded J Duff
Motion Carried

Quorum: Members were advised in accordance with Division 4 Regulation 77 of the Owners Corporation Act 2006, a quorum was not achieved, there being less than 50% of members or lot entitlement represented. All resolutions set out below are therefore considered interim resolutions. Owners wishing to object to the resolutions made at this meeting have 29 days from the date of the meeting to notify the Managing Agent in writing of their objections. Thereafter all interim resolutions will become resolutions of the Owners Corporation.

Minutes: Moved to receive and adopt the minutes of the 2009 Annual General Meeting held on 19th April 2010 as a true record of those meetings.
Moved M Templeton
Seconded J Duff
Motion Carried

Financial Statement: Moved to receive and accept the financial accounts to 30th June 2010 reflecting a surplus in member's funds of \$15,923.21(maintenance fund) and a surplus of \$295,070.72 (sinking fund) and have the accounts audited in accordance with previous practice.
Moved D Minett
Seconded P Barnes
Motion Carried

Managing Agent: Moved to appoint Kliger Wood as the Managing Agent of the Owners Corporation until the next Annual General Meeting and to delegate to the manager the powers and functions of the Owners Corporation necessary to enable the manager to perform his duties under appointment.
Moved J Duff
Seconded M Templeton
Motion Carried

Insurance:

Members noted the present cover to 1st July 2011 as follows:

Underwriter		CHU Underwriting
Building	\$	28,897,000
Loss Of Rent	\$	4,334.500
Public Liability	\$	20,000,000
Machinery Breakdown	\$	100,000

Members further resolved that the building covers be increased by 5% at the next renewal to cover for inflationary factors.

Moved D Minett

Seconded T Yap

Motion carried

Insurances are placed according to a valuation undertaken by Roscon in 2009. Members were advised Under Section 3.43 of the Owners Corporation Act 2006, Owners Corporations are required to undertake a Building Valuation at least every 5 years to ensure the building is covered for the correct amount of replacement and reinstatement value.

Note to Minutes

The Owners Corporation effects insurance on the building and public liability in the common areas only. The cover does not extend to privately owned fixtures and fittings, e.g., carpets, drapes, light fittings, etc. or public liability within the unit. To ensure you are fully covered it is suggested you take out a policy to cover the above items.

NB: Kliger Wood may receive a commission from the underwriter for placement of Owners Corporation Insurance for which Kliger Wood assist with the processing and overseeing of insurance claims. The commission does not add to the cost of the premium paid by the Owners Corporation.

Committee:

The following nominations were received to act on the Committee of Management:

J Duff	Lot 6
P Barnes	Lot 21
D Minett	Lot 22
T Yap	Lot 23
K Shaw	Lot 139

There being no objections to any of the above nominations, all Members nominated were elected to the Committee of Management.

Moved R Carr

Seconded M Templeton

Motion carried

P Barnes was elected as chairperson of the Committee of Management.

Maintenance Fund:

Members discussed the proposed budget to 30th June 2011. In view of the recent payment to the Owners Corporation from WIN Energy for the implementation of the imbedded electricity system of \$41,738.80, Members resolved to offset this amount against the proposed increase of \$10,000.10 over the previous year's budget.

Members resolved accept the budget to 30th June 2011 in accordance with Section 23 (1) (A.D) Owners Corporation Act 2006 of \$385,000.00 (GST Inclusive) as follows:

Accounting Fees	\$	2,500.00
Air Conditioning – Water Treatment	\$	5,100.00
Air Conditioning – Cooling Tower Registration & Audit	\$	850.00
Air Conditioning – Repairs	\$	1,000.00
Air Conditioning – Maintenance	\$	1,750.00
Anchor Testing – Windows	\$	600.00
Caretaking	\$	17,500.00
Cleaning & Supplies	\$	40,000.00
Cleaning – Windows	\$	3,000.00
Electricity	\$	50,000.00
Fire – Emergency Lighting	\$	1,390.00
Fire – Equipment Maintenance	\$	2,200.00
Fire – Essential Service Audit	\$	800.00
Fire – MFB Alarm Fee	\$	1,600.00
Fire – Telstra Line Fee	\$	500.00
Garden – Maintenance & Repairs	\$	1,000.00
Gas	\$	17,000.00
Globes	\$	500.00
Insurance – Building	\$	28,000.00
Lift – Maintenance	\$	8,700.00
Management Fees	\$	40,000.00
Management Fees – Other	\$	1,200.00
Pest Control	\$	1,200.00
Plants – Lease & Maintenance	\$	3,000.00
Postage & Stationery	\$	1,000.00
Recreation – Pool, Sauna & Spa	\$	7,500.00
Repairs & Maintenance - General	\$	5,565.00
Repairs & Maintenance - Plumbing	\$	2,000.00
Sub-Total	\$	245,455.00
Plus Sinking Fund	\$	113,636.00
Plus GST	\$	35,909.10
Less WinEnergy Offset	\$	10,000.10
TOTAL	\$	385,000.00
Moved K Shaw		
Seconded R Carr		
Motion Carried		

The above budget being accepted contributions will remain unchanged and be due and payable on the first day of January, April, July and October as follows:

Lot	Units of Liability	Contributions Per Quarter	Contributions Per Annum
Ascott	12124	\$ 58,230.29	\$ 232,921.16
3	188	\$ 902.94	\$ 3,611.78
4, 6, 21, 12	135	\$ 648.39	\$ 2,593.56
8	96	\$ 149.70	\$ 598.80
9, 22, 112	243	\$ 378.93	\$ 1,515.72
10	80	\$ 124.75	\$ 499.00
23	109	\$ 523.52	\$ 2,094.06
24	163	\$ 254.18	\$ 1,016.71
26	48	\$ 230.54	\$ 922.16
28	105	\$ 504.30	\$ 2,017.22
37	50	\$ 240.14	\$ 960.58
40	64	\$ 307.39	\$ 1,229.54
101	207	\$ 994.20	\$ 3,976.80
102, 117, 125	235	\$ 1,128.68	\$ 4,514.72
103	233	\$ 1,119.07	\$ 4,476.30
105, 140	190	\$ 912.55	\$ 3,650.20
114	201	\$ 965.38	\$ 3,861.53
116	210	\$ 1,008.61	\$ 4,034.43
120	191	\$ 917.35	\$ 3,669.41
126	239	\$ 1,147.89	\$ 4,591.57
128	249	\$ 1,195.92	\$ 4,783.68
136	337	\$ 1,618.58	\$ 6,474.30
139, 151	265	\$ 1,272.77	\$ 5,091.07
145	270	\$ 1,296.78	\$ 5,187.13
146	194	\$ 931.76	\$ 3,727.05
148	281	\$ 1,349.61	\$ 5,398.45
149	368	\$ 1,767.47	\$ 7,069.86
153	286	\$ 1,373.63	\$ 5,494.51
154	198	\$ 950.97	\$ 3,803.89
156	294	\$ 1,412.05	\$ 5,648.20
158	371	\$ 1,781.87	\$ 7,127.50

Maintenance:

Pool Refurbishment

Members were advised that the pool refurbishment works have been completed.

Window Painting

Members were advised these works have been essentially completed although there is one window outstanding due to the need for it to be replaced which will be completed by Higgins Coatings Pty Ltd.

General Business:

Palm Tree

Members were advised that Geoff O'Neill, a building engineer, had been requested to provide an assessment on works required for the preservation of the Heritage listed palm tree. He provided verbal advice on the day however indicating the works were

beyond his scope of expertise and will be recommending an order of works as follows:

- a) Introduction of a qualified arborist to determine when works will be required to preserve the tree
- b) Engaging an architect who is qualified to provide a proposal which will prevent the atrium having to be removed and rebuilt which would be extremely expensive.

Members resolved the Managing Agent is to obtain the above information with indicative costs, if possible, and the issue is to be referred to the Committee of Management. Members noted, due to the expected high cost, progress past this point would require a Special General Meeting with all Owners to be fully involved in the works required.

Bird Proofing

There are a substantial number of pigeons which are roosting under the eaves of the property creating an ongoing Occupational Health and Safety issue. A quotation had been received for the implementation of bird proofing at approximately \$7,500 and the Managing Agent is to seek additional submissions to minimise the cost to all owners. The contractors are to arrange to meet with P Barnes on site to receive a specific instructions.

Building

Members requested P Barnes monitor the condition of cleaning to the front of the building which he has agreed to address.

Restaurant Condition

Members noted the ongoing problems of bird droppings in the restaurant area which is not only unsightly but is creating a health hazard. The Owner has been requested previously to maintain the area and whilst this has been undertaken on an ad hoc basis it is not satisfactory as daily cleaning is required.

A motion was moved for the Owner to implement daily cleaning of the restaurant area in accordance with health requirements. Failure to maintain the area will result in the Owners Corporation undertaking daily cleaning with the cost charged back to the Owners account as the present conditions detract from the appearance of the building and represents a health hazard.

Arrears

Members were advised that arrangements had been made with the Owner of Lot 153 for the recovery of arrears however he had not complied with the requirements of the VCAT orders and an order for payment has now been received. If necessary the matter is to be referred to the Magistrates Court and thereafter further legal action will be considered by the Committee of Management.

Interest

Members resolved that penalty interest would apply to outstanding arrears as determined from time to time under the Penalty Interest Act.

VCAT

Members moved that a representative of Klinger Wood be appointed to act on behalf of the Owners Corporation to represent them at all VCAT Hearings.

Recovery of Costs

Members noted that the Managing Agent charges costs for appearance at VCAT Hearings and resolved that the charges incurred will be debited to the relevant Owners account as they should not be borne by other owners.

There being no further business, the meeting concluded at 11.40am.