

2 May 2013

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

Dear Sir / Madam,

**RE: MINUTES OF THE 2012 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 Monday 29th April 2013 at 4:00pm.

1. Attendance

The following Members were present:

Mr Z & Ms A Yuksel	Lots 3 & 4
Mr J Duff	Lot 6
Mr K Landawi representing Real Estate Pty Ltd	Lot 14
Mr P Sweetland representing Quest Apartments Pty Ltd	Lot 21
Mr D Fitt representing Quest Apartments Pty Ltd	Lot 22
Mr R Sumpton representing Quest Apartments Pty Ltd	Lots 23 & 45
Ms E McDonald	Lots 34 & 141
Ms M Kelly & Ms C Sundblom	Lot 41
Mr B Halls	Lot 112
Mr S Clarke	Lot 146

Proxies were received from:

Mr J Xenidis	Lots 28 & 105
Mr K & Ms P Shaw	Lot 139
All appointing Mr J Duff as their representative	
Mr G Williams & Ms L Brophy	Lot 33
Coppelius Pty Ltd	Lot 35
Mr R Wilson	Lot 109
All appointing Mr D Barton as their representative	

An apology was received from:

Mr G O'Brien	Lot 42
For being unable to attend the meeting	

In attendance:

Mr D Barton representing Kliger Wood Real Estate – Managing Agent of the Owners Corporation.

Members were advised in accordance with Section 77 and 78 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.

2. Chairperson

Mr D Barton was appointed as chairperson of the meeting.

3. Previous Minutes

Members resolved to adopt the Minutes of the 2011 Annual General Meeting held on 8th December 2011, a copy of which were attached to the Notice, as a true record of that meeting.

4. Financial Accounts

Members resolved to accept the financial accounts to 30th June 2012 reflecting a surplus in members' funds of \$58,191.22 in the maintenance fund and \$347,846.25 within the sinking fund as attached to the Notice of Meeting.

5. Insurance

Members noted the insurance coverage currently in effect to 1st July 2013 as follows:

Underwriter		CHU Underwriting Pty Ltd
Policy No.		29372
Contact Details:	Whitbread Insurance Brokers 8646 0222	
Building	\$	37,318,000
Loss Of Rent	\$	5,597,000
Public Liability	\$	20,000,000
Machinery Breakdown	\$	100,000

Members resolved that the current levels of cover were satisfactory.

The Managing Agent confirmed that Under Section 65 of the Owners Corporation Act 2006, prescribed 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. Insurances are placed according to a valuation undertaken by Roscon Property Services dated 2009 and a new Building Valuation would have to be undertaken to comply with the act for cover to 1st July 2015.

FUNDING OF PREMIUM

Members resolved not to raise a levy to provide sufficient funds for the payment of the insurance premium, resolving the premium is to be paid out of the maintenance fund when it falls due on 1st July 2013.

Note to Owners

Under Section 54 of the Owners Corporation Act 2006, the Owners Corporation effects insurance on the building and public liability in the common areas only. Cover does not extend to privately owned fixtures and fittings, e.g., carpets, drapes, light fittings, temporary floors, wall coverings etc. or public liability within the unit. To ensure you are fully covered it is suggested you take out either Owner or Landlord insurance for those items not covered by the Owners Corporation policy. You can contact the underwriter directly to confirm what personal insurances are required.

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.

6. Committee of Management

Members resolved the following members be appointed to act as the Committee of Management until the next Annual General Meeting assigning them powers of the Owners Corporation under Section 11 of the Owners Corporation Act 2006:

Ms Z Yuksel	Lot 3
Mr J Duff	Lot 6
Mr P Sweetland	Lot 21
Mr D Fitt	Lot 22
Mr R Sumpton	Lot 23
Mr B Halls	Lot 112
Mr K Shaw	Lot 139
Mr S Clarke	Lot 146

The Chairperson is to be appointed at the first Committee of Management Meeting.

Members further resolved the email addresses of each Committee Member be forwarded, with the Minutes of this Meeting, to all Committee Members to enable them to be in contact with each other.

7. Accepted Budget

Members resolved to adopt the proposed budget to 30th June 2013 in accordance with Section 23 of the Owners Corporation Act 2006 of \$425,900.20 (GST Inclusive) as follows:

Accounting Fees	\$	2,520.00
Air Conditioning – Cooling Tower Registration & Audit	\$	1,200.00
Air Conditioning – Maintenance Contract	\$	1,950.00
Air Conditioning – Repairs	\$	1,000.00
Air Conditioning – Water Treatment Contract	\$	4,800.00
Anchor Testing – Windows	\$	800.00
Caretaking	\$	17,500.00
Cleaning & Supplies	\$	42,000.00
Cleaning – Windows	\$	8,000.00
Electricity	\$	50,000.00
Fire – Alarm Fee	\$	1,500.00
Fire – Emergency Lighting	\$	1,500.00
Fire – Equipment Repairs & Maintenance	\$	2,500.00
Fire – Essential Service Audit	\$	800.00
Fire – Phone Line	\$	500.00
Gas	\$	15,000.00
Insurance – Building	\$	40,000.00
Lift – Maintenance Contract	\$	9,200.00
Management Fees	\$	42,000.00
Management Fees – Other	\$	1,300.00
Painting – Common Areas	\$	10,000.00
Pest Control	\$	1,400.00
Postage & Stationery	\$	1,500.00
Recreation – Pool, Sauna & Spa	\$	9,000.00
Repairs & Maintenance – General	\$	5,576.00

Repairs & Maintenance – Plumbing
Sub-Total
Plus Sinking Fund
Plus GST
TOTAL

\$ 2,000.00
 \$ 273,546.00
 \$ 113,636.00
 \$ 38,718.20
 \$ 425,900.20

The above budget being accepted contributions would increase however Members resolved the contributions would remain unchanged to 30th June 2013 with the increase to take effect from 1st July 2013. Thereafter contributions would be payable on the first day of July, October, January and April as follows:

Lot	Units of Liability	Contributions Per Quarter \$	Contributions Per Annum \$
Quest Leased	11987	63,688.45	254,753.80
3	188	998.85	3,995.40
4, 6, 12, 21	135	717.25	2,869.00
8	96	510.05	2,040.20
9, 22, 112	243	1,291.10	5,164.40
10	80	425.05	1,700.20
23	109	579.10	2,316.40
24	163	866.05	3,464.20
26	48	255.05	1,020.20
28	105	557.90	2,231.60
36	137	727.90	2,911.60
37	50	265.65	1,062.60
40	64	340.05	1,360.20
101	207	1,099.85	4,399.40
102, 117, 125	235	1,248.60	4,994.40
103	233	1,238.00	4,952.00
105, 140	190	1,009.50	4,038.00
114	201	1,067.95	4,271.80
116	210	1,115.75	4,463.00
120	191	1,014.80	4,059.20
126	239	1,269.85	5,079.40
128	249	1,323.00	5,292.00
136	337	1,790.50	7,162.00
139, 151	265	1,408.00	5,632.00
145	270	1,434.55	5,738.20
146	194	1,030.75	4,123.00
148	281	1,493.00	5,972.00
149	368	1,955.25	7,821.00
153	286	1,519.55	6,078.20
154	198	1,052.00	4,208.00
156	294	1,562.05	6,248.20
158	371	1,971.20	7,884.80

8. Maintenance

Members determined the following in relation to items of maintenance:

a) Painting

Members resolved to accept the quotation from Programmed Maintenance with the cost for the current year to be funded out of the Administration Fund.

There was some discussion in relation to whether the cost was an Administration or Sinking Fund expense and further advice is to be obtained in time for the next Annual General Meeting to determine what fund future expenses will be budgeted.

b) **Entrance Foyer**

Members discussed the proposal which had been submitted for upgrading of the entrance foyer and resolved to accept the proposal with the exclusion of the installation of carpets over the front entrance tiling.

Members requested that investigations be undertaken to determine if the tiled floor can be brought up to a more satisfactory standard which would enhance the overall appearance of the entrance to the building.

The cost, excluding the carpet finishing, is \$9,601. In addition, the architect has been requested to install letterboxes to match in with the colour/design of the foyer.

c) **Front Canopy**

Members resolved to accept the quotation for the replacement of the front canopy at \$1,809. It was noted that Quest would have no advertising included on the awning.

d) **Lighting**

Members resolved to accept the quotation from Volker Haug Pty Ltd for the installation of LED lights throughout the property at the quoted cost of \$21,730.28.

e) **Palm Tree Pruning**

Members accepted the quotation from Climb Access for \$1,110 to provide an access system to the palm tree enabling the top fronds to be pruned.

f) **Rear Area**

Members noted the poor appearance of the rear area due to the unauthorised use and accumulation of bicycles which Unilodge, the adjoining neighbour, has permitted their students to store.

Pending confirmation as to whether the open air area is on the title of Gordon Place, it is only an emergency egress for Unilodge with access required to be available at all times. However they would not be entitled to use the area for any other purposes.

Members resolved the bike racks and bicycles are to be removed and Unilodge advised the area is not permitted for their use except as egress in the event of an emergency or for the servicing of their Essential Safety Equipment.

g) **Cleaning**

An onsite owner complained about the standard of cleaning being undertaken by Quest which was disputed.

The Managing Agent recommended that the Committee of Management undertake ad hoc inspections prior to their next Committee of Management Meeting to enable them to assess the standard of cleaning and make a resolution as to specifications or directions are to be issued to Quest who currently undertake the cleaning.

9. **General Business**

Members determined the following in relation to items of general business including:

a) **Managing Agent**

Kliger Wood were appointed as the Managing Agent of the Owners Corporation.

NB: Kliger Wood Real Estate holds Professional Indemnity Insurance of \$10,000,000

b) **Penalty Interest**

Members confirmed the charging of penalty interest on arrears at the maximum rate payable under the Penalty Interest Rates Act 1983 and accepted that a fee of \$10 + GST is payable to Kliger Wood for the issuing of follow up arrears notices, together with the charging of penalty interest with the amount to be debited to the individual Owners account.

c) **VCAT**

Members approved the appointment of a representative of Kliger Wood to act on behalf of the Owners Corporation to represent them at all VCAT hearings.

There being no further business, the meeting concluded at 5:25pm.