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**MINUTES**  
*of the Annual General Meeting*

*of*

**Unit Plan 200029**  
**17 CORMORANT STREET, BAKEWELL**

*held*

*at Whittles Body Corporate Managers*  
*Level 1 Beagle House*  
*38 Mitchell St*  
*Darwin NT 0800*

*on Wednesday, 22 January 2014 at 5:00 PM*

2014 - 2015

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**PRESENT**

**In Person**

Unit 1 Mr M Richardson  
Unit 3 Mr M H & Mrs S M Tomes  
Unit 5 Mr G A & Mrs L E Cadd  
Unit 9 Ms E Wang

**By Proxy**

Not applicable

**By Voting Paper**

Not applicable

**In Attendance**

John Carriere representing Whittles Body Corporate Management Pty Ltd

**Apologies**

Nil

**PROCEEDINGS**

**CHAIRPERSON**

M Richardson, Chairperson presided over the meeting.

The Strata Manager conducted the meeting.

**Quorum**

The Corporation Manager advised that a quorum was not in attendance, with persons being present in person or by proxy, teleconference or voting paper who have the right to vote representing only 401 Unit Entitlement Value of the Plan total UEV 1000.

**Motion 1. Minutes (Interim Resolution)**

A motion is passed by an ordinary resolution if the votes in favour of the motion exceed the votes against the motion, or if the unit entitlements for the votes in favour exceed the unit entitlements for the votes against.

That the minutes of the last Annual General Meeting held on 16th January 2013 and sent to owners be accepted as a true and correct record of the proceedings at that meeting.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

**Motion 2. Statement of Accounts (Interim Resolution)**

That, in accordance with the provisions of the Unit Titles Act 2010 the Statement of Accounts for the financial year ending October 2013, be accepted.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

**Motion 3. Appointment of Manager (Interim Resolution)**

That, in accordance with the provisions of the Unit Titles Act 2010 [Section 50 of the Management Module Standard Plan], the Corporation engage Whittles Body Corporate Management Pty Ltd as its Body Corporate Manager for a term of one year at a rate of \$2,550.00 pa and under the standard form of agreement (a copy of which can be provided by Whittles). That agreement provides for Whittles to supply agreed administrative services for agreed fees and other services that may be reasonably requested by the Corporation for additional fees.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

**Motion 4. Election of Committee**

That, in accordance with the provisions of the Unit Titles Act 2010 [Section 6 of the Management Module Standard Plan], where there are 3 or less members of the Corporation, the committee must consist of all owners. Where there are more than 3 members of the Corporation, the committee must have at least 2 and no more than 7 members. A person can hold one or more positions of Chairperson, Secretary or Treasurer.

Previous committee members and further nominations are:

Chairman	Mr M Richardson	Unit 1	[ ]
Member	Mrs S Tomes	Unit 3	[ ]
Member	Mrs L Cadd	Unit 5	[ ]
Member	Mr D Gerlach	Unit 7	[ ]
Member	Ms E Wang	Unit 9	[ ]

Committee meetings should be conducted in accordance with the Unit Titles Act 2010 Management Module Standard Plans which include requirements that: - meeting notices must be forwarded to all committee members at least 5 working days before the meeting date, - proceedings and decisions at the meeting must be minuted in the Corporations records, - copies of the minutes must be forwarded to all members of the Corporation and to Whittles within 21 days. Pro-forma meeting notices, agendas and minutes are available from Whittles.

**5. Annual Compliance Register**

Whittles has established a register to ensure owners are fully aware of their legislative and reporting requirements for the Body Corporate. Many different areas are subject to annual compliance and the Manager will review at the meeting all Corporation obligations and where necessary, update any compliance reports required to be held on file.

Items to be considered will include asbestos, fire systems, fire safety, sinking fund, balustrades, pool, lifts etc.

It is therefore proposed that all legislative compliance reports be reviewed promptly as required and any maintenance be attended to in accordance with Australian Standards or Industry best practice using qualified and reputable practitioners. To ensure that the Body Corporate obligations are met and maintained during the year, the Compliance Register will be established, and updated throughout the year.

**Motion 6. Primary Duty of Care (Interim Resolution) Compliance Requirement**

That, in accordance with Section 40 of the Work Health and Safety Act 2011, that a contractor be instructed to carry out an inspection of the common property of the Corporation at an estimated cost to be advised and provide a detailed report of any hazard that could be deemed a risk to the health or safety to workers, residents or visitors.

**MOTION NOT CARRIED**

**YES 0 / NO 4 / ABSTAIN 0**

**Motion 7. Sinking Fund Plan (Interim Resolution) Compliance Requirement**

That, a contractor be instructed to inspect the property and prepare a sinking fund projection for the next ten years for the Corporation, at an estimated cost to be advised, for consideration of all owners at the next General Meeting. The cost of this analysis is to be from the Administration Fund/Sinking Fund.

**MOTION NOT CARRIED**

**YES 0 / NO 4 / ABSTAIN 0**

**Motion 8. Whittles Maintenance Service Appointment (Interim Resolution)**

Following review of the various National and State WH&S legislation, Whittles has revised its policy for instructing contractors, on behalf of the Corporation, to carry out work onsite. With effect from 1/01/13 Whittles policy will be that contractors must be registered as an accredited contractor with Whittles.

It is therefore resolved that only contractors registered as an accredited contractor with Whittles be instructed to carry out work at the Corporation.

That accreditation be confirmed by Whittles as current to allow the issue of the work instructions, and that the Body Corporate pay a fee to Whittles of \$110 and \$22 per work order to maintain and oversee this accreditation process.

It is understood that Whittles will not issue work instructions to any contractor not satisfying this accreditation process.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

Should the Corporation owners decide that they would not avail themselves of the benefits of Whittles contractor accreditation process and that the Management Committee would attend to all maintenance requirements, including obtaining quotes and instructing contractors to proceed. It is acknowledged that Whittles cannot be involved in this process in any way. On completion of the work, the Corporation Chairman or a person authorised by the Corporation will sign off on the invoice and then forward it to Whittles for payment from the Corporations funds. Whittles cannot be involved in any dispute or negotiation with the contractor and will not coordinate, supervise or oversee the work.

**Motion 9. Insurance (Interim Resolution)**

That, in accordance with the provision of the Unit Titles Act 2010 [Section 80], the current insurance coverage be reviewed and added to and/or adjusted according to the decision of this meeting.

It was agreed that Whittles arrange quotes and/or renewal of the Corporations insurance with the authorised representative of MGA Insurance Brokers Pty Ltd, who have an association with Whittles and Millennium Underwriting Agencies Pty Ltd

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

A Financial Services Guide in relation to the insurances is available from Whittles.

Underwriting Agency	Millennium Underwriting Agencies Pty Ltd		
Underwriter	Territory Insurance Office		
Broker	Elders Insurance (Underwriting Agency) Pty Limited		
Policy Number	DNSTT6525858		
Expiry Date	29/03/2014		
Building / Common Property Cover	\$4,600,000	Excess	See notes
Legal Liability	\$20,000,000	Excess	See notes
Office Bearer's Liability	Not Held		
Catastrophe Cover	Not Held		
Flood Cover	Not Held		
Machinery Breakdown	Fusion only to 4kW	Excess	See notes
Notes	Excess of \$250 on building cover Disaster cover included		

Notes:

Whittles recommends taking additional insurance for office bearers liability, flood, catastrophe, electrical, surge, loss of rent and machinery breakdown.

Any insurance claims excess must be paid by the relevant owner.

Owners should also arrange adequate insurance for their lot (whether or not it is occupied by the owner or tenants) covering public liability and damage to the following items:

- Curtains, blinds and other internal window coverings
- Carpets and loose floor covering
- Mobile dishwashers, clothes dryers or other electrical or gas appliance that are not wired or plumbed in
- Fixtures which the tenant can remove

This insurance is necessary since the Corporations insurance applies primarily to common property and does not cover these risks and items in the lots.

Owners must also advise Whittles of any change in use of their lot since it may affect the Corporations insurance premium and/or void the policy if the underwriter is not advised immediately.

John Carriere advised that disaster cover and catastrophe cover were the same. Flood cover was not applicable to 17 Cormorant Street as it relates to the overflowing of a river's banks and flooding in low lying areas.

**Motion 10. Insurance Valuation (Interim Resolution)**

That, in accordance with the provisions of the Unit Titles Act 2010 [Section 80], a licensed valuer be engaged to provide an Insurance Valuation Report of the building/s and that the Insurance Valuation Report shall be adopted on receipt. The estimated cost of the Insurance Valuation Report is \$594.00.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

Note:

There is no record of any previous Insurance Valuation Report.

**Motion 11. Administrative Fund Budget (Interim Resolution)**

That, in accordance with the provisions of the Unit Titles Act 2010 [Section 36], the attached administrative fund budget be approved and adopted. This budget is an increase from the previous budget with total contributions of \$30,200.00 for the financial year ending 31/10/14. The annual Administration Fund contribution payable by each Unit holder is to be paid by UEV quarterly instalments, as from 01/11/13, each always in advance of the due date. Changes may be made to the budget at the meeting provided these changes do not increase contributions by more than 10% from the proposed budget.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

**Motion 12. Shortfall of Administrative Funds (Interim Resolution)**

That, in accordance with the provisions of the Unit Titles Act 2010 [Section 36], if a shortfall in administrative funds occurs during the financial year, additional funds required to meet that shortfall will be raised by a further contribution to the administrative fund to be authorised by Whittles after consultation with the Chairperson.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

**Motion 13. Sinking Fund Budget (Interim Resolution)**

That, in accordance with the provisions of the Unit Titles Act 2010 [Section 36], the attached sinking fund budget be approved and adopted. This budget is the same as the previous budget with total contributions of \$0.00 for the financial year ending 31/10/14. The annual Sinking Fund contribution payable by each Unit holder is to be paid by UEV quarterly instalments, as from 01/11/13, each always in advance of the due date. Changes may be made to the budget at the meeting provided these changes do not increase contributions by more than 10% from the proposed budget.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

**Motion 14. Recovery of Overdue Contributions (Interim Resolution)**

That, in accordance with the provisions of the Unit Titles Act 2010 [Section 36], Whittles is authorised to take all necessary action (including initiating legal proceedings) against owners when they are in arrears to recover overdue contribution levies, penalties and recovery costs incurred. Whittles charges an \$132.00 fee to the debtor when arranging a debt recovery agent.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

**Motion 15. Penalties for Late Contribution Payments (Interim Resolution)**

That the Corporation will apply penalty interest of 15% per annum on contributions, calculated daily, if payment of a contribution levy or an installment of a contribution levy is not received within 30 days of the due date. The Committee is authorised to forgive penalty interest charges in extenuating circumstances in its absolute discretion.

**MOTION CARRIED**

**YES 4 / NO 0 / ABSTAIN 0**

## **16. General Discussion**

At the end of the meeting owners may discuss other matters about the building. However, no binding decisions can be made and no expenditure can be authorised without a further meeting of the Committee or Corporation.

### **INSURANCE**

Discussion regarding what coverage is held under the policy. It was agreed to obtain a quotation for office bearers liability cover and that the committee decide about adding this cover to the policy.

**PERIMETER FENCING** Discussion as to who is responsible for fencing repairs as Unit 3's fencing is a OH&S issue. As previous attempts to obtain a special resolution to permit the fencing to proceed were unsuccessful due to an insufficient number of owners attending the meetings, it was agreed that owners attend to their section of the perimeter fencing and that the type of fencing must be approved by the committee so it will be a uniform standard.

**WALL DAMAGE** Damage to the hard wall between Unit 3 and 4. This is an owner's responsibility.

**FOUNDATION CRACKS** Assessment of cracks in the foundation of Unit 3. This is an owner's responsibility.

**HARD WALL UNIT 3 DAMAGE** Guttering was installed to lessen the water flow but the initial damage has never been fixed. This is an owner's responsibility.

**PALM TREE ROOTS** Roots from Unit 2 intruding into Unit 3. This is the responsibility of the owners of Unit 2. A letter will be sent to them in this regard.

### **Requests for approval for installations or animals**

Should an owner wish to apply to the corporation for an approval of any kind, other than at a Annual General Meeting, the requesting owner will be responsible for the payment of the prescribed meeting fee for the conduct of an Extraordinary General Meeting as well as postage and photo-copying costs.

## **NEXT ANNUAL GENERAL MEETING**

There was general agreement that next year's meeting should be held at Whittles Body Corporate Management Pty Ltd offices.

## **CLOSURE**

The meeting closed at 6:15 p.m.

### **Did you know owners can access & update their details on the internet?**

To access your account simply go to [www.whittles.com.au](http://www.whittles.com.au) and enter the following details:

- Account code
- Plan number (leaving out the slash)
- Unit number
- PIN (if first time log in leave pin blank as you will be prompted for a pin)

**\*Please note that we encourage owners to receive all correspondence/invoices via email. This ensures for timely delivery of documents and to help in reducing printing and postage cost to your corporation.**

# BUDGET

PROP.UNITS PLAN 2000/29  
17 CORMORANT STREET, BAKEWELL

Year ending October 2014

## ADMINISTRATION FUND

	Nov-Jan 14	Feb-Apr 14	May-Jul 14	Aug-Oct 14	Annual Total
<b>INCOME</b>					
Contributions	7,550.00	7,550.00	7,550.00	7,550.00	<b>\$30,200.00</b>
Arrears	44.00	0.00	0.00	0.00	<b>\$44.00</b>
Advances	-4,229.00	-0.00	-0.00	-0.00	<b>-\$4,229.00</b>
<b>Total</b>	<b>3,365.00</b>	<b>7,550.00</b>	<b>7,550.00</b>	<b>7,550.00</b>	<b>\$26,015.00</b>
<b>EXPENDITURE</b>					
Account Transaction Charges	66.25	66.25	66.25	66.25	<b>\$265.00</b>
Body corp administration	637.50	637.50	637.50	637.50	<b>\$2,550.00</b>
Common property - Repairs	500.00	500.00	500.00	500.00	<b>\$2,000.00</b>
Contingencies	25.00	25.00	25.00	25.00	<b>\$100.00</b>
Disbursements	41.25	41.25	41.25	41.25	<b>\$165.00</b>
Grounds - Irrigation repairs	125.00	125.00	125.00	125.00	<b>\$500.00</b>
Insurance	0.00	11,000.00	0.00	0.00	<b>\$11,000.00</b>
Meeting fee	154.00	0.00	0.00	0.00	<b>\$154.00</b>
Pest control	125.00	125.00	125.00	125.00	<b>\$500.00</b>
Photocopies	31.25	31.25	31.25	31.25	<b>\$125.00</b>
Postage	25.00	25.00	25.00	25.00	<b>\$100.00</b>
Taxation - Accountants fee	250.00	0.00	0.00	0.00	<b>\$250.00</b>
Utilities - Sewerage	1,800.00	1,800.00	1,800.00	1,800.00	<b>\$7,200.00</b>
Utilities - Water	1,275.00	1,275.00	1,275.00	1,275.00	<b>\$5,100.00</b>
Workplace health & safety compliance	27.50	27.50	27.50	27.50	<b>\$110.00</b>
<b>Total</b>	<b>5,082.75</b>	<b>15,678.75</b>	<b>4,678.75</b>	<b>4,678.75</b>	<b>\$30,119.00</b>

## SINKING FUND

	Nov-Jan 14	Feb-Apr 14	May-Jul 14	Aug-Oct 14	Annual Total
<b>INCOME</b>					
Contributions	0.00	0.00	0.00	0.00	<b>\$0.00</b>
Arrears	0.00	0.00	0.00	0.00	<b>\$0.00</b>
Advances	-0.00	-0.00	-0.00	-0.00	<b>-\$0.00</b>
Interest	175.00	175.00	175.00	175.00	<b>\$700.00</b>
<b>Total</b>	<b>175.00</b>	<b>175.00</b>	<b>175.00</b>	<b>175.00</b>	<b>\$700.00</b>



## CASH FLOW SUMMARY

	Nov-Jan 14	Feb-Apr 14	May-Jul 14	Aug-Oct 14	Annual Total
<b><u>ADMINISTRATION FUND</u></b>					
Opening Balance	10,732.22	9,014.47	885.72	3,756.97	<b>\$10,732.22</b>
Add: Contributions	7,550.00	7,550.00	7,550.00	7,550.00	<b>\$30,200.00</b>
Add: Arrears	44.00	0.00	0.00	0.00	<b>\$44.00</b>
Minus: Advances	4,229.00	0.00	0.00	0.00	<b>\$4,229.00</b>
Minus: Expenditures	5,082.75	15,678.75	4,678.75	4,678.75	<b>\$30,119.00</b>
CLOSING BALANCE	9,014.47	885.72	3,756.97	6,628.22	<b>\$6,628.22</b>
 <b><u>SINKING FUND</u></b>					
Opening Balance	11,991.90	12,166.90	12,341.90	12,516.90	<b>\$11,991.90</b>
Add: Contributions	0.00	0.00	0.00	0.00	<b>\$0.00</b>
Add: Interest	175.00	175.00	175.00	175.00	<b>\$700.00</b>
Add: Arrears	0.00	0.00	0.00	0.00	<b>\$0.00</b>
Minus: Advances	0.00	0.00	0.00	0.00	<b>\$0.00</b>
Minus: Expenditures	0.00	0.00	0.00	0.00	<b>\$0.00</b>
CLOSING BALANCE	12,166.90	12,341.90	12,516.90	12,691.90	<b>\$12,691.90</b>

## CALCULATION OF CONTRIBUTIONS

Total Unit Entitlement    1000  
 Number of Units            10

	— Effective from 01/11/13 —	
Unit Number	UEV	ADMIN Fund
1	103	\$778
2	98	\$740
3	100	\$755
4	100	\$755
5	100	\$755
6	100	\$755
7	100	\$755
8	98	\$740
9	98	\$740
10	103	\$778
 <b>QUARTERLY TOTAL</b>		<b>\$7,551.00</b>