

**MINUTES OF EXTRAORDINARY GENERAL MEETING OF "CATHEDRAL PLACE"  
COMMUNITY BODY CORPORATE HELD IN THE OFFICE OF STEWART SILVER KING &  
BURNS (BRISBANE) PTY LTD, 2/77 HOPE STREET, SOUTH BRISBANE ON MONDAY 20<sup>TH</sup>  
MARCH 2000 AT 10.00AM**

**Present**

The Proprietors Oxford & Cambridge represented by its nominee Bill Ritchie  
The Proprietors Notre Dame represented by its nominee Bill Ritchie  
The Proprietors Canterbury & Westminster represented by its nominee Bill Ritchie  
The Proprietors Duhig represented by its nominee Bill Ritchie  
The Proprietors Kensington & Sandringham represented by its nominee Bill Ritchie  
The Proprietors Cathedral Village represented by its nominee Bill Ritchie

---

**In Attendance**

Don Caslick of Stewart Silver King & Burns (Brisbane) Pty Ltd.  
Scott Watson of Nicol Robinson Halletts, Solicitors.

---

**Chairman**

Bill Ritchie.

---

**Quorum**

The Chairman noted that as he was the only person entitled to vote at the meeting, the requirements for a quorum had been met.

---

**Confirmation of Previous Minutes**

**Resolved by Ordinary Resolution** that the minutes of the last general meeting held 17<sup>th</sup> February 2000 be confirmed and signed as a true and correct record of the proceedings at that meeting.

---

**Amendment To By-Laws**

The chairman presented to the meeting an amendment to the By-law 25(b)

**Amendment to Carpark Allocation Schedule**

**Resolved by Resolution Without Dissent** that the carpark allocation schedule approved by By-law 25(b) be amended by the allocation of carpark number 447 to lot 64 in Duhig and the allocation of car park number 401 to lot 29 in Duhig.

**Further Resolved by Ordinary Resolution** that Nicol Robinson Halletts, Solicitors be authorized to take all necessary steps to ensure that the by-laws are brought into force and effect.

**Closure**

There being no further business the meeting was closed at 10.10am.

**Confirmed as a true and correct record of the proceedings of the meeting by Bill Ritchie, chairman of  
the meeting - ..... Dated: .....**

s 169

113

s 169

*Mixed Use Development Act 1993*

(10) The precinct body corporate—

- (a) has perpetual succession; and
- (b) has a common seal; and
- (c) is capable of suing and being sued in its corporate name.

(11) Without limiting subsection (10), the precinct body corporate may—

- (a) sue and be sued on any contract made by it; or
- (b) sue for any damage or injury to the precinct property; or
- (c) be sued for any matter connected with the precinct property; or
- (d) take the legal action necessary to enforce its by-laws.

(12) If work is carried out on land that becomes precinct property, then, on registration of the precinct plan, the precinct body corporate—

- (a) is taken to have been a party to an enforceable contract for the carrying out of the work; and
- (b) may sue or be sued in relation to the contract.

*Division 4—Matters applying to community and precinct bodies corporate*

**Members' nominees**

169.(1) A member of a body corporate may appoint a person to represent the member, and to vote on behalf of the member, at meetings of the body corporate.

(2) If the member is a corporation created by the registration of a building units or group titles plan, the member must appoint a person under subsection (1) at its first annual general meeting.

(3) An appointment under subsection (1) in relation to a body corporate does not have effect until written notice of the appointment is received by the secretary of the body corporate.

(4) The notice of appointment must be signed—

- (a) by the member; or

*Cathedral Place meeting section*

s 170

114

s 170

*Mixed Use Development Act 1993*

- (b) if the member is a corporation—by the chairperson and secretary of the corporation.
- (5) The appointment of the person continues until the secretary of the body corporate receives a notice of—
  - (a) the appointment of another person; or
  - (b) the cancellation of the person's appointment.

**Seals of bodies corporate**

170.(1) The common seal of a community body corporate must be kept by—

- (a) the member of the community body corporate, or member of the executive committee, that the community body corporate determines; or
  - (b) if no determination is made—the secretary of the executive committee.
- (2) The common seal of a precinct body corporate must be kept by—
- (a) if the precinct body corporate is constituted by the proprietor of the community development lot alone—the original applicant; or
  - (b) if the precinct body corporate is constituted by 2 or more members—
    - (i) the member of the precinct body corporate or member of the executive committee that the precinct body corporate determines; or
    - (ii) if no determination is made—the secretary of the executive committee.
- (3) The common seal of a body corporate may only be affixed to a document in the presence of—
- (a) if the body corporate is constituted by 1 member—the member; or
  - (b) if the body corporate is constituted by 2 members—each member; or
  - (c) if the body corporate is constituted by more than 2 members—

*Mixed Use Development Act 1993*

(b) the motion for the proposed change of date has been carried by ordinary resolution of the body corporate.

(3) The application to the Minister must be accompanied by—

- (a) a copy of the motion; and
- (b) evidence that it has been carried by ordinary resolution.

(4) The Minister may approve or refuse the application and must advise the body corporate in writing of the approval or refusal.

(5) If the application is approved, the changed date of the annual general meeting is taken to be the anniversary of the first annual general meeting of the body corporate.

*Example—*

The annual general meeting of the body corporate will now be convened under section 177(1)(g) on or after the anniversary of the changed date of the annual general meeting but not later than 2 months after the anniversary.

### **Voting entitlements**

173.(1) The proprietor of a community development lot or community stratum lot is—

- (a) a member of the community body corporate; and
- (b) has the voting entitlement set out in the schedule accompanying the plan that creates the lot.

(2) If—

- (a) a community development lot is subdivided by a building units or group titles plan; or
- (b) a community stratum lot is subdivided by a building units plan;

the body corporate created—

- (c) becomes a member of the community body corporate; and
- (d) has the same voting entitlement as the previous proprietor of the subdivided lot.

(3) If a community development lot is subdivided by a precinct plan under section 86, the precinct body corporate created—

- (a) becomes a member of the community body corporate; and
  - (b) has the same voting entitlement as the previous proprietor of the subdivided lot.
- (4) Each proprietor of a precinct development lot, balance precinct development lot or precinct stratum lot—
- (a) is a member of the precinct body corporate; and
  - (b) has the voting entitlement set out in the schedule accompanying the plan that creates the lot.
- (5) If—
- (a) a precinct development lot or balance precinct development lot is subdivided by a building units or group titles plan; or
  - (b) a precinct stratum lot is subdivided by a building units plan; the body corporate created—
  - (c) becomes a member of the precinct body corporate; and
  - (d) has the same voting entitlement as the previous proprietor of the subdivided lot.

#### **Levies by bodies corporate on members**

**174.(1)** A body corporate may levy—

- (a) the contributions determined by it under section 177(1)(h); and
- (b) any amount determined under section 177(2) in relation to the contributions;

by giving its members written notice of the contributions payable by them.

(2) Contributions must be levied, and are payable by the members of the body corporate, in shares proportional to their voting entitlements at the time the contributions are levied.

(3) If a contribution is outstanding when a person becomes a member of the body corporate, the member is liable for the contribution jointly and severally with the member who previously owed it.

(4) A contribution—