

Body Corporate For
CATHEDRAL PLACE BUP 106902

STEWART SILVER
 KING AND BURNS
 STRATA MANAGEMENT

MINUTES OF THE COMMITTEE MEETING OF THE COMMUNITY BODY CORPORATE FOR CATHEDRAL PLACE BUP NUMBER HELD IN THE MEETING ROOM, CATHEDRAL PLACE, 41 GOTHA STREET, FORTITUDE VALLEY, QLD 4006 ON TUESDAY 28TH SEPTEMBER 2004 AT 7.00PM.

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PRESENT

- 'A" - Notre Dame - represented by Peter Lewis
- "B/C" - Oxford & Cambridge - represented by Pat Brown
- "D/E" - Canterbury & Westminster - represented by Peter Lewis
- "G/H" - Kensington & Sandringham - represented by Trevor Parmenter
- Cathedral Village - represented by John Gilliland

IN ATTENDANCE

- James O'Hare - Stewart Silver King & Burns (Brisbane) Pty Ltd
- Pat McGlade - Stewart Silver King & Burns (Brisbane) Pty Ltd
- Michael Johnston - Stewart Silver King & Burns (Brisbane) Pty Ltd
- Eddie & Lorraine Zunker - Cathedral Place Management

APOLOGIES "F" – Duhig - Randall Edwards

CHAIRMAN John Gilliland chaired the meeting.

QUORUM Chairman declared a quorum present and declared the meeting open at 7.00pm.

SUBJECT	DISCUSSION / RESOLUTION	ACTION	DUE DATE
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General Business

<p>CPM Caretaking Agreements</p>	<p>John Gilliland and Peter Lewis briefed the Committee on the progress of negotiations for renewal of caretaking agreements with CPM. Resolved that the Committee endorse negotiations to date, and authorise the CPCBC representatives to continue to progress the negotiations, and to obtain legal advice where this is considered necessary to protect the body corporate's interest. Voting: Yes 5 : No 0 : Abstain 0 :</p>	<p>John Gilliland Peter Lewis</p>	
<p>Conduct in meetings</p>	<p>Committee members expressed concern at recent further instance of unprofessional and unacceptable behaviour by members of a subsidiary at body corporate meeting, involving lack of courtesy towards other members of committee, and also towards management and contractors. Resolved that members of all committees be requested to adhere to the expected standard of conduct at meetings, and to remember that committee members are elected to act on behalf of all owners, to ensure that owners funds are conserved, and not just to further their own particular concerns and interests. Voting: Yes 5 : No 0 : Abstain 0 :</p>		

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<p>Defect Issues</p>	<p>The meeting was addressed by Mr Paul Sandeford , of GHD Engineers, who presented a verbal report on interim findings from his inspection of defects. Also attending was Mr Dan Pennicott of Gadens Lawyers who has been retained by the CBC to provide legal advice on any defect issues arising from GHD findings.</p> <p>Mr Sandeford identified four main areas of concern, and reported as follows:</p> <p>Leakage into units: Noted that this is fairly minor in nature, and localised, and the recommendation of GHD is that the body corporate carry out the necessary minor repairs as they arise. This recommendation was also advanced by Mr Pennicott. Resolved that the CBC carry out necessary repairs to rectify minor leakage into units as a maintenance item. Voting: Yes 5 : No 0 : Against 0 :</p> <p>Lift shaft subsidence: Noted that an observation period of between 6 to 12 months is required before a conclusive measurement of movement can be established, and movement monitors have already been installed to do this. It is considered possible that the present movement may be nothing more than settlement of the foundation slab, and when this has ceased it may be possible to rectify by repair or underpinning to prevent further expected movement. Mr Pennicott advised that this item could be joined with any other claim made, but given that testing results will not be available for at least 6 months, and that the estimated cost of rectification was not major , then it may be better for the body corporate to carry out rectification at its own cost. Resolved that this defect item be joined in with any defect claim which may be lodged, but that it not be pursued on a stand alone basis. Voting : Yes 5 : No 0 : Abstain 0 :</p> <p>Leakage through podium slab & planter boxes: Noted that all requirements under the Building Code had been adequately met, and that the current problems of leakage and damage to paving were attributable to inappropriate plantings with aggressive root systems. A report from an independent and suitably qualified arborist was tabled, and this recommended that the offending plants be identified, removed and replaced with suitable plantings as a matter of priority. Mr Pennicott advised that as the only resultant defect was water seepage, it was unlikely that legal action on this matter would achieve anything more than an instruction to install further drip-trays to the underside of the slab, and it would therefore be more cost effective for the CBC to undertake rectification at their own cost. Resolved that as per the arborists report, all unsuitable plantings will be identified and removed as a priority, with suitable replantings as necessary. Further resolved that a notice advising of this decision will be displayed on the Community Notice Board, and that a copy of the arborists report will be available for inspection at reception.</p>		

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	<p>Further resolved that provision be made to factor the cost of installing and maintaining drip-trays into the CBC Sinking Fund budget as an ongoing item.</p> <p>Voting: Yes 6 : No 0 : Abstain 0 :</p> <p>B1 Slab: The meeting broke temporarily to allow Mr Sandeford to point out to committee members two significant cracks in the B1 slab, each running roughly parallel to Gotha Street, and extending almost the entire length of the carpark. Mr Sandeford advised that the presence of this type of crack was unusual, and that they could indicate a significant defect requiring rectification. Mr Sandeford explained that further detailed examination was required to allow a detailed report on any defect, the possible ramifications, the type of rectification recommended, and the estimated cost of this rectification.</p> <p>Mr Pennicott advised that if the results of the detailed examination were such that warranted legal action being commenced against any party, then a minimum of 1 weeks notice was required for preparation of necessary documentation prior to the deadline for such action under the deemed agreement between the two parties, that deadline being 27th October 2004.</p> <p>Resolved that the CBC approve and authorise the expenditure of a further amount from the Sinking Fund, not to exceed \$20,000.00, to allow GHD to proceed with a detailed examination of the slab, and that the preliminary findings of this examination be provided within 14 days.</p> <p>Further resolved that the CBC approve and authorise the expenditure of an amount from the Sinking Fund, not to exceed \$20,000.00, for initial legal expenses should the preliminary findings reveal sufficient grounds for commencement of legal proceedings against any party, providing that the rectification costs of any defects be significant enough to so warrant.</p> <p>Voting : Yes 5 : No 0 : Abstain 0 :</p> <p>Mr Sandeford and Mr Pennicott were excused from the meeting at 7.45pm</p>		
<p>ERC review</p>	<p>John Gilliland tabled a number of reports supplied by ERC in relation to the operational accounts and transactions for the various electricity accounts of the Bodies Corporate. Noted that these reports did not contain sufficient detail of either transactions or current breakdown of funds to satisfy the requirements of the Bodies corporate, and that this would support the findings of the auditor that the records of account were not of an acceptable standard to provide for transparent and detailed review.</p> <p>Resolved that the Committee ratify the content of a letter sent to ERC requesting them to open new accounts for this purpose which may only be operated by members of the respective bodies corporate, and that all funds be transferred to these new accounts without delay, and the old accounts closed. Further resolved that failure to comply with this or any other reasonable request of the Bodies Corporate in relation to the accounting and reporting methods currently used by ERC could result in the issuance of a formal notice of breach.</p> <p>Voting: 5 Yes 0 No 0 No</p>		

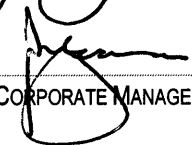
CLOSURE

There being no further business the Chairman declared the meeting closed at 8.20pm.

CONFIRMATION

 DATE 10.10.04
CHAIRPERSON

DISTRIBUTION

 DATE 10/10/04
BODY CORPORATE MANAGER