



MINUTES OF THE EXTRAORDINARY GENERAL MEETING OF CATHEDRAL PLACE COMMUNITY BODY CORPORATE MCP 106902 HELD AT MEETING ROOM, CATHEDRAL PLACE ON THURSDAY 30 AUGUST 2007 AT 7.00 PM

Representation: Mr Peter Zunker Representative - 'A' – Notre Dame
Mr Pat Brown Representative - 'B/C' – Oxford & Cambridge
Mr Tony Rich Representative - 'D/E' – Canterbury & Westminster
Mr Randall Edwards Representative - 'F' - Duhig
Mr Ken Morrisby Representative - 'G/H' – Kensington & Sandringham
Mr John Gilliland Representative - Cathedral Village
Mr Conrad Beal Body Corporate Manager, Representing Archers
Corporate Management Pty Ltd

In Attendance: Mr John Cipollone Committee member - Cathedral Village Body Corporate
Mr Jeff Yuen Committee member – Cathedral Village Body Corporate
Mr Karnarnsak Wanasawage (Knotts)
Committee member – Cathedral Village Body Corporate

Proxies: Nil

Quorum: As greater than 25% of the representatives were represented in person a quorum was formed.

Chairman: Tony Rich, appointed Chairman of The Community Body Corporate, chaired the meeting. The meeting was declared open at 7.00 pm.

Motion 1 **The following motion was ruled out of order:-**

Ordinary Resolution "That the Minutes of the Extraordinary General Meetings held on 17 February 2007 and 15 August 2007 and forwarded to Body Corporate members thereafter, be adopted as a true and correct record."

- Minutes of Previous Meeting:

The Chairman ruled that the motion be ruled out of order in accordance with the ruling made by Mr Phillip Pennington at the Extraordinary General Meeting held just before this meeting.

At that meeting the Chairman advised that he considered that the two general meetings held 17 February 2007 and 15 August 2007 were not properly constituted as they had not progressed to the point of appointing a Chairman of the meeting, and ruled that only the general meeting held 8 January 2007 could be confirmed at this meeting.

Motion 2 **The following motion was ruled out of order:-**

Ordinary Resolution "That CPCBC accept the alterations to the Notice of Referral, attached ('The Conflict of Interest' issue agreed at September's CPCBC meeting as recommended by its Solicitor Peter Townley and confirms that the amended Notice is to be lodged with the Commissioner as soon as it is completed." Move J Gilliland Second R Edwards."

Commissioner Ruling – Conflict Of Interest

The Chairman ruled that the Commissioner has ruled on this issue

Motion 3 The following motion was read to the meeting:

Ordinary Resolution "The CPCBC confirms that the Representative from Notre Dame BUP holds a substantial conflict of interest in that he is a son of the present Caretakers/Letting Agents and therefore will not allow him to participate in any matter before the body corporate dealing with the caretaking and letting contracts held by E & L Zunker including consideration of the current EOI process, breaches, renewals, dealings with sub-contractors etc". Move J Gilliland seconded R Edwards. "

Conflict Of Interest – Notre Dame Representative

The motion was amended to the following and read to the meeting:

"The CPCBC confirms that the Representative from Notre Dame BUP may have a conflict of interest in that he is a son of the present Caretakers/Letting Agents"

This motion was **carried** with votes received as follows :-

YES: 6 NO: 0 ABSTAIN: 0

Motion 4

The following motion was withdrawn by the submitter, Tony Rich

Ordinary Resolution

Costs of Informal Meeting

"That any and all costs incurred on behalf of the Body Corporate by Peter Lewis or any person or entity acting on his behalf or following his instructions relating to the informal meeting of select lot owners held at St Paul's Hotel in November 2006, including any legal ,advice, be paid for by Peter Lewis, and, if required, recovered from Peter Lewis"

Motion 5

The following motion was ruled out of order.

Ordinary Resolution

Committee Expenditure Approval Procedures will be considered by the members and resolved at a further General or at a Committee meeting

Committee- Prior Expenditure Approvals

"That any action not duly approved by the Committee as required under Section 47 of the Mixed Use Development Act 1993 (as appropriate) and the Building Units and Group Titles Act 1980 (as appropriate) relating to required expenditure approval procedures for a Committee be found to have not met the required approvals that the action be investigated, and action taken as determined by the Committee"

Motion 6

The following motion was withdrawn by the submitter, Peter Zunker.

Ordinary Resolution

Calculation of Opening Balance, Administrative Fund Restricted and Unrestricted Funds

"That the opening balance as at the 1st September 2007 of the Administrative Restricted and Unrestricted Funds be calculated by using a balance of \$0.00 as at 1 September 2005 for the Administrative Restricted Fund and \$57,470.16 as at 1 September 2005 for the Administrative Unrestricted Fund. Debits and credits to be added to each of the funds respectively in accordance with the classifications of the budgets approved for each of these funds since 1 September 2005, and, if this should be unclear in reference to a classification of expenses in the budget, by reference to By-law 27"

Motion 7

The following motion was withdrawn by the submitter, Peter Zunker.

Ordinary Resolution

Calculation of Opening Balance, Sinking Fund Restricted and Unrestricted Funds

"That the opening balance as at the 1st September 2004 of the Sinking Restricted and Unrestricted Funds be calculated by using a balance of \$1476.00 as at 1 September 2004 for the Sinking Restricted Fund and \$0.00 as at 1 September 2004 for the Sinking Unrestricted Fund. Debits and credits to be added to each of the funds respectively in accordance with the classifications of the budgets approved for each of these funds since 1 September 2004, and, if this should be unclear in reference to a classification of expenses in the budget, by reference to By-law 27"

Motion 8

The following motion was read to the meeting:

Ordinary Resolution

Calculation of Contribution Per Unit of Entitlement - Restricted Areas

"That the calculation of contribution of per unit of entitlement for the Restricted Area be on the basis that the aggregate number of entitlements are 507 in accordance with By-law 27 of the Cathedral Place Community Body Corporate By-laws being:-

▪ Notre Dame	157
▪ Oxford & Cambridge	72
▪ Canterbury & Westminster	98
▪ Duhig	84
▪ Kensington & Sandringham	96
▪ TOTAL	507

And accordingly that an adjustment be made to the contribution per unit of entitlement for the Restricted Area paid for the financial year ended 31 August 2007 on the basis of 507 lot entitlements and that this adjustment levy notice be issued on 30 August 2007 and be payable 30 days after issue."

The motion was amended to the following and read to the meeting:

"That the contribution of per unit of entitlement for the Restricted Area be on the basis that the aggregate number of entitlements are 507 in accordance with By-law 27 of the Cathedral Place Community Body Corporate By-laws being:-

▪ Notre Dame	157
▪ Oxford & Cambridge	72
▪ Canterbury & Westminster	98
▪ Duhig	84
▪ Kensington & Sandringham	96
▪ TOTAL	507"

This motion was **carried** with votes received as follows :-

YES: 6 NO: 0 ABSTAIN: 0

Motion 9

The following motion was read to the meeting:

Ordinary Resolution

**Calculation of
Contribution Per
Unit of Entitlement -
Unrestricted Areas**

"That the calculation of contribution of per unit of entitlement for the Unrestricted Area be on the basis that the aggregate number of entitlements are 650 in accordance with Registered Plan MCP 106902 of Cathedral Place Community Body Corporate being:-

▪ Notre Dame	157
▪ Oxford & Cambridge	72
▪ Canterbury & Westminster	98
▪ Duhig	84
▪ Kensington & Sandringham	96
▪ Cathedral Village	143
	650

And, in accordance with Section 174 (2) of the Mixed Use Development Act 1993, that an adjustment be made to the contribution per unit of entitlement for the Unrestricted Area paid for the financial year ended 31 August 2007 to comply with the registered plan lot entitlements, not the total number of lots of 541, and that adjustment levy notice be issued on 30 August 2007 and be payable 30 days after issue."

The motion was amended to the following and read to the meeting:

"That the contribution of per unit of entitlement for the Unrestricted Area be on the basis that the aggregate number of entitlements are 650 in accordance with Registered Plan MCP 106902 of Cathedral Place Community Body Corporate being:-

▪ Notre Dame	157
▪ Oxford & Cambridge	72
▪ Canterbury & Westminster	98
▪ Duhig	84
▪ Kensington & Sandringham	96
▪ Cathedral Village	143
	650"

This motion was **carried** with votes received as follows :-

YES: 6 NO: 0 ABSTAIN: 0

Motion 10

This motion was not considered at this time, and will be considered when this meeting is reconvened.

Motion 11

This motion was not considered at this time, and will be considered when this meeting is reconvened.

Motion 12

This motion was not considered at this time, and will be considered when this meeting is reconvened.

Motion 13 This motion was not considered at this time, and will be considered when this meeting is reconvened.

Motion 14 This motion was not considered at this time, and will be considered when this meeting is reconvened.

Motion 15 The following motion was read to the meeting:

Ordinary Resolution

**Body Corporate
Manager/
Administrator**

"That, upon the expiry of the agreement with Archers Body Corporate Management Pty Ltd as Body Corporate Manager on 31 August 2007, and to ensure the Community Body Corporate MCP 106902 continues to have a Body Corporate Manager, Archers Body Corporate Management Pty Ltd be engaged as Body Corporate Manager on a month to month basis on the same terms and conditions as the current agreement and that the Committee enters in to discussion with Archers Body Corporate Management Pty Ltd as to a new agreement with the Community Body Corporate MCP 106902"

The motion was amended to the following and read to the meeting:

"That the Community Body Corporate MCP 106902 extends the current agreement with Archers Body Corporate Management Pty Ltd as Body Corporate Manager/Administrator for a further 12 months"

This motion was voted on with votes received as follows :-

YES: 3 NO: 3 ABSTAIN: 0

The Chairman, in accordance with Section 11 of Schedule 2 of the Building Units & Group Titles Act 1980 whereby in the case of equality in the votes the Chairperson shall have a casting vote in addition to his original vote, cast a vote in favour of the amended motion

This motion was **Carried** with votes received as follows :-

YES: 4 NO: 3 ABSTAIN: 0

Motion 16 The following motion was read to the meeting:

Ordinary Resolution

**Executive
Committee
Representation**

"That the number of members of the Executive Committee of the Cathedral Place Community Body Corporate MCP 106902 be six (6) and that each member of the Cathedral Place Community Body Corporate must be represented on the Executive Committee"

This motion was **carried** with votes received as follows :-

YES: 6 NO: 0 ABSTAIN: 0

The Chairman declared the meeting was adjourned to a date to be resolved by the Committee to consider Motions 10, 11, 12, 13, and 14.

Confirmed.

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Chairman