

MINUTES OF A MEETING OF THE COMMITTEE OF CATHEDRAL PLACE COMMUNITY BODY CORPORATE (CBC) MCP 106902 HELD AT THE MEETING ROOM, CATHEDRAL PLACE ON THURSDAY 12 AUGUST 2008 AT 6.00 PM

**Representation:** Peter Zunker Cathedral Place 'A' – Notre Dame  
Pat Brown Cathedral Place 'B/C' – Oxford & Cambridge  
Tony Rich Cathedral Place 'D/E' – Canterbury & Westminster  
Brian Fisher Cathedral Place 'F' – Duhig  
Ken Morrisby Cathedral Place 'G/H' – Kensington & Sandringham  
John Gilliland Cathedral Village

**Present:** Conrad Beal Body Corporate Manager, Archers Body Corporate Mgt P/L  
Kristine Ceraolo Committee Member and Owner, Oxford & Cambridge

**Quorum:** It was noted that a quorum was declared constituted there was more than half (50%) of all members of the committee being present.

**Chairman:** Tony Rich, the Body Corporate Chairman, chaired the meeting.

**Building Manager's Report:** Lorraine Zunker passed her apologies to the meeting for her non attendance as there was only 2 items to be dealt with. Peter Zunker represented Cathedral Place Management for these 2 items in her absence

**Painting**

Additional work is being done, and, once completed, the work for this year from Riley Shelley will be signed off and painting invoices approved for payment. Tony Rich requested that the Caretaker be vigilant in the washing down of walls

**Sign at Cathedral Village**

A sign had been taken down and Cathedral Village requested it be returned, and this was done. John Gilliland advised that the CVBC committee approved the sign in accordance with the bylaw

**Brian Fisher entered the meeting**

**Caretaking Agreement – Extension**

Peter Zunker tabled (and summarised) a letter from Cathedral Place Management dated 11 August 2008 advising that CPM would not agree to a 6 month extension as this is too short a period and would accept a minimum of 12 months under the same terms and conditions as the existing Caretaking Agreement conditional upon:-

- a. the issue of serviced apartments be resolved before 3 November 2008 as costs of providing caretaking services under this circumstances would significantly increase; and
- b. a variation to the agreement (paid by CPM) to release their apartment in Cambridge from the agreement

The letter also advised that their cost for caretaking services is supported by the Del Linkhorn time and motion report to provide services as they presently exist at Cathedral Place

Peter Zunker advised that, in his opinion, the serviced apartment requirement would be met with the extension of the agreement and a change to By-law 29 would not be required or need to be considered until after the extension is complete

He further advised that the Caretaking Agreement requires CPM to own a unit in Oxford & Cambridge.

**Confirm Minutes:** Resolved that the Minutes of the meeting held on 24 July 2008 be accepted as true and correct records of proceedings  
Carried 5 For, 0 Against.

**Business Arising:** **Coke Machines**  
John Gilliland requested Chairman give an update on the removal of coke machines. Chairman advised they are in the process of removal, and that BUP's are considering new machines for their buildings

### Crack Rectification Tender Process

Members discussed the tender process and rectification work and the timetable John Gilliland advised that there would be expenditure of approx \$100,00 in the first year for crack injection and then the major works ate in the pool area after that.

Peter Zunker advised that the CBC would have to have the funds to engage GHD and pay for the work before anything proceeds

### Refund of Electricity Funds

Peter Zunker advised that CBC needs to finalise amount to be refunded, and presented to the meeting, and that he is consulting with Watts Energy to provide this

### Cathedral Village Consideration of Agreements

Body Corporate Manager confirmed he had sent the agreements to John Gilliland and he advised he had received them.

John Gilliland was asked whether a CVBC meeting had been held to consider the agreements, and he responded they had not, and that a meeting would be held in a week and the matter was on the agenda to consider then

## General Business:

### Invoicing – Electricity : Cathedral Village & B & C

Peter Zunker advised that if the CVBC disputed the allocation of electricity then the equipment consuming the electricity would have to be listed the same as Geoff Magoffin had advised consumption of equipment as B & C body corporate had done

### Invoicing - Body Corporate Management

Peter Zunker advised that the CBC is paying all Body Corporate fees, and it needs to be determined how the BUP's will reimburse the CBC.

### Invoicing – Small Consumable Items : Residential

Peter Zunker advised that the CBC is paying all invoices and the BUP's are to be invoiced.

He advised that any items under \$1000 should be split up by the physical number of lots in each Residential BUP unless a specific BUP (or several) can be identified.

**Resolved** that any items under \$1000 should be split up by the physical number of lots in each Residential BUP unless a specific BUP (or several) can be identified.

**Carried 5 For, 0 Against.**

### Body Corporate Management

Peter Zunker advised that Conrad Beal had advised him that he considered that the CBC takes up a much larger proportion of work than the BUP's and that 30 % would be an accurate amount per year on an ongoing basis, and that the CBC fee should be 30% of the total fee and the BUP's then pay 30% less and that the fee would be payable by lot entitlements.

John Gilliland disputed this, and discussion continued.

Peter Zunker proposed a motion that the CBC pay 30% of the total Body Corporate Management fee.

John Gilliland advised that Archers had quoted an amount, and if that is not accurate that is their problem. He advised that if there are 6 lots then the CBC should be charged the same as a BUP per lot. After discussion members agreed that this was not feasible.

Brian Fisher advised that the Committee can determine what the BUP's pay.

Tony Rich advised that if Archers had impartially arrived at 30% as an accurate ratio then the CBC (and then the BUP's) should be invoiced in proportion to their individual lot numbers as long as it is in accordance with the Warren Fischer reports

**Resolved** that the CBC pay 30% of the total administration Body Corporate Management fee and the Residential BUP's pay the remainder of the administration costs in proportion to the number of lots in each BUP subject to confirmation with the Warren Fisher reports.

Carried 4 For, 0 Against, 1 Abstain

Brian Fisher left the meeting and directed that his proxy would be given to Ken Morrisby.

Body Corporate Manager reminded members that the current second extension of the (3 year option) agreement ends on 31 August 2008.

Peter Zunker advised that the matter need to be voted on before the 31/8/2008 and it should be a condition that Conrad Beal be retained as the contact for Archers due to his history with the complex

Invoices – Spectrum Fire

The John Gilliland had submitted invoices for payment by the CBC at the last meeting. Peter Zunker advised that the principal is that fire services are the responsibility of CBC as the equipment is owned by the CBC and is part of the CBC levies. Only if the matter can be identified as being caused by a BUP then it should be charged to a BUP.

On examination of the invoice it was agreed that the invoice was not identifiable to a particular BUP.

**Resolved** that the CBC pay the invoices

**Carried** 5 For, 0 Against.

John Gilliland tabled a letter from a real estate agent regarding a matter in relation to access to the complex. The Chairman accept the letter and advised John Gilliland it will be dealt with latter as it was not on the agenda for the meeting.

**Tender  
Process/Extension of  
Current Caretaking  
Agreement**

Letter from Cathedral Place Management dated 11 August 2008 was noted Tony Rich advised that it is the fault of the CBC that CPM are in the situation of their agreement to end soon without the tender process having been completed, and he recommended accepting their proposal.

Pat Brown proposed a motion that the proposal outlined in the CPM letter be accepted, and this was discussed

John Gilliland stated that the Zunkers would not be renewed by the CVBC on the 9<sup>th</sup> March 2009. John Gilliland advised that he knows of other options that should be considered for the residential contract.

Tony Rich advised that this could not be considered at this point of time as no details or proposals has been brought to the meeting to consider, and that, in the absence of any other proposal, that the proposal be accepted.

Peter Zunker asked why John Gilliland was negotiating on behalf of the residential BUP's and how he was aware of the conditions required for caretaking by the residential BUP's.

Ken Morrisby arrived at 7.20 pm

The tender process was then discussed, and why it had not been completed. Tony Rich advised that he had not got involved with the process due to his conflict of interest, and that Randall Edwards had done a lot to push the tender process and that work had stalled with his departure.

Members agreed that Randall Edwards had made a significant contribution and a letter of appreciation be sent to him on behalf of the committee.

John Gilliland advised that he unilaterally opposes an extension of the residential caretaking agreement. Peter Zunker stated that John Gilliland's lot holders will not pay for the mistakes that could be made, it would be the residential lotholders.

Ken Morrisby asked where the tender documents are (in completion) and why there has been a delay, and this was discussed. It was then discussed how long it would take to complete the tendering process.

Tony Rich advised if it were done in the remaining 2 months there could be mistakes made, and this was agreed and that the Zunkers had asked for a further 6 months on top of the 6 months that the committee had requested that they considered.

John Gilliland reiterated that he had 2 contractors prepared to quote  
He was asked whether they had seen the Del Linkhorn report, and he replied they had not, and that one was an EOI participant.  
Tony Rich proposed the motion that, in the absence of any other proposal, that the proposal from Cathedral Place Management be accepted.  
Peter Zunker advised that the issue of serviced apartments would be dealt with for as long as the letting agreement is in place, as the bylaws do not take effect until those agreements expire.  
John Gilliland raised whether the extension is valid, and whether legal advice confirmed this  
Peter Zunker advised that the extension motion had been examined by the solicitor Mark Mellick for the last AGM on the 5/6/2008 and he had advised that it was a lawful motion.  
Peter Zunker advised the agreement that had been taken to the general meetings of the CBC and BUP's would be used, with the period changed to 12 months.  
Ken Morrisby requested that the CBC get active on the tender process and that there be no further delays.

**Resolved** that, in the absence of any other written proposal, that the proposal from Cathedral Place Management be accepted.  
**Carried 5 For, 1 Against.**

John Gilliland raised that each member is representing all owners in the complex. Other members agreed that they had been appointed to represent the owners in their BUP.  
Tony Rich raised that there should be a Sub-Committee to run the tender process, and that he could not be on that due to his conflict of interest.

**Finance:**

**Cathedral Village Debt**

Peter Zunker proposed that, due to the non payment of levies by Cathedral Village, the debt owed by Cathedral Village be placed with Collect Success to commence legal action to recover the amount as a debt  
John Gilliland raised that the levies are not valid, and therefore not due and payable.

**Resolved** that Collect Success be engaged to write to Cathedral Village to formalise the procedure and request payment of the debt within 2 weeks, and, if payment is not received, further debt collection is to proceed  
**Carried 6 For, 0 Against.**

**Insurance:**

**Insurance**

John Gilliland advised that he had emailed to the Body Corporate Manager the quote/proposal from Suncorp as provided by a broker provided by him earlier in the day. Body Corporate Manager advised he had not seen that email.  
Peter Zunker asked why is the broker sending quotes directly to John Gilliland.  
John Gilliland said that the broker sent the quote to him as he was concerned that the process was not handled correctly.  
Body Corporate Manager confirmed that insurance cover is in place until 31 August 2008

That proposal together with the Suncorp proposal from the broker arranged by Archers and the broker provided by Tony Rich, and the existing SUU proposal, would be considered at a further meeting

Approval for the payment of the Napier Blakely invoice for \$550.00 was made.

**Next Meeting:**

The next Committee meeting will be held on Thursday 21 August 2008 at 6.00 pm

The meeting was closed at 8.15 pm

Confirmed.

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Chairman