



MINUTES OF AN EXTRAORDINARY GENERAL MEETING OF CATHEDRAL PLACE COMMUNITY BODY CORPORATE MCP 106902 HELD AT MEETING ROOM, CATHEDRAL PLACE ON THURSDAY 25 SEPTEMBER 2008 AT 6.00 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 Brian Fisher 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

Present by Voting Paper: Mr John Gilliland Representative - Cathedral Village

Present: Kristine Ceraolo Committee Member and Owner, Oxford & Cambridge
 Lindsay Anlezark Committee Member and Owner, Notre Dame
 Brian Reynolds Committee Member and Owner, Cathedral Village

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

Chairman: Mr Tony Rich, the Body Corporate Chairman, chaired the meeting. He declared the meeting open at 6.00 pm

Peter Zunker requested that all motions be voted on by poll vote

Motion 1 The following motion was read to the meeting:-

Ordinary Resolution

“That the Minutes of the Annual General Meeting held on 5 June 2008 and forwarded to Body Corporate members thereafter, be adopted as a true and correct record.”

– Minutes of Previous Meeting:

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

YES: 'A' – 157, 'B & C' – 72, 'D & E' – 98, 'F' – 84, 'G & H' – 96 = 507

NO: 'Cathedral Village' = 143

ABSTAIN: 0

Motion 2 The following motion was read to the meeting:-

Comprehensive Resolution

(d) Engagement of Caretaker for the Next 12 Months

“That the Cathedral Place Community Body Corporate engage a contractor to provide Caretaking Services to the Cathedral Place Community Body Corporate and all Residential Subsidiary Bodies Corporate for 12 months from 4 November 2008 for a period of 12 months on the same terms and conditions as the existing Caretaking Agreement to provide services as described in the Del Linkhorn time and motion report excluding, as appropriate, the salary to be paid to the Caretaker for the next 12 months, to enable the tender process to be finalised, and that proposals from Cathedral Place Management and Star Building Management Services be considered and one proposal be accepted
 That, if CPM are to be engaged, that the body corporate enter into a Deed of Variation to the Caretaking Agreement and that deed be executed
 That, if Star Building Management Services are to be engaged, that the body corporate enter into a Deed of Engagement – using the terms and conditions in the existing Caretaking Agreement (excluding anything that needs to be removed or altered to be accurate), and that deed be executed”

The Chairman ruled that the motion is to be further considered and that it be further considered at a reconvening of this EGM on 6th October 2008

Motion 3 The following motion was read to the meeting:-

Ordinary Resolution

“That the body corporate consent to the following variation of the caretaking agreement dated 7 January 1999 between the body corporate and Cathedral Place Management Pty Ltd, subsequently assigned to Edward Charles Zunker and Lorraine Zunker:-

Variation to Caretaking Agreement:

(d) Inserting a new clause 8.3 into the Caretaking Agreement as follows:
 The Caretaker has the option to renew this Agreement for a further period of 12

months (12), from 4 November 2008 until 3 November 2009. The renewed term will be upon the same terms and conditions as this Agreement except this clause shall be omitted. If the Caretaker wishes to exercise this option the Caretaker must give notice in writing to the Committee not less than three (3) calendar months and not more than six (6) calendar months prior to 3 November 2008.

And that the body corporate enter into and sign under seal the deed of variation to the caretaking agreement as attached to this agenda.”

The Chairman ruled that the motion is to be further considered and that it be further considered at a reconvening of this EGM on 6th October 2008

Motion 4

The following motion was read to the meeting:-

Ordinary Resolution

Variation to Letting Agreement:

““That the body corporate consent to the following variation of the letting agreement dated 7 January 1999 between the body corporate and Cathedral Place Management Pty Ltd, subsequently assigned to Edward Charles Zunker and Lorraine Zunker:-

(a) Inserting a new clause 3.3 into the Letting Agreement as follows:

The Agent has the option to renew this Agreement for a further period of 12 months, from 4 November 2008 until 3 November 2009. The renewed term will be upon the same terms and conditions as this Agreement except this clause shall be omitted. If the Agent wishes to exercise this option the Agent must give notice in writing to the Committee not less than three (3) calendar months and not more than six (6) calendar months prior to 3 November 2008.

(b) Inserting a new clause 1.1 “Caretaker’s Unit “ into the Letting Agreement as follows:

Lot 4 in the Building Units Plan No 106912 known as Notre Dame .

And removing:-

Lot 4 in the building Units Plan to be known as Notre Dame and Lot 64 in the Oxford and Cambridge Building Units Plan N0. 106905 and until those lots are completed and registered such other lots in Cathedral Place as are used by the agent for the purpose of this agreement..

and that the body corporate enter into and sign under seal the deed of variation to the letting agreement attached to this agenda.”

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

YES: ‘A’ – 157, ‘B & C’ – 72, ‘D & E’ – 98, ‘F’ – 84, ‘G & H’ – 96 = 507

NO: ‘Cathedral Village’ = 143

ABSTAIN: 0

Motion 5

The following motion was read to the meeting:-

Comprehensive Resolution

Amendment of By-laws

“That Motion 2 passed at the AGM held on May 11, 2006, by which the Body Corporate purported to amend its By-laws by adding a new By-law 29 which deleted part of By-law 22, deleted By-law 22A and replaced By-law 23, be revoked so that By-laws 22-23, as reprinted below, in place at May 11, 2006, remain unchanged.

Original By-laws 22-23 to remain unchanged

(d) Use of Building Manager’s Lot

Lot 4 in the Building Units Plan to be known as Notre Dame, and Lot 64 in the Building Units Plan known as Oxford and Cambridge and until both of these lots are completed and registered such other lot or combination of lots in Cathedral Place as are used for the purposes of management and letting in accordance with By-law 23 (“the Management Unit”) may be used for the purposes of Management of the property and for the sale and letting of units in the buildings on behalf of the proprietors, and the rendering of such services to occupants of units in the building and may without the consent of the Body Corporate Committee display signs or notices for the purposes of offering for sale or for lease or for letting any unit in the building. The right to use the said lots for these purposes must not be revoked without the written consent of the proprietor of the lot. For the purposes aforesaid the Body Corporate shall have power to grant to the proprietor of the Management Unit the right to carry on in the property the business of letting units in the building and for the purpose to enter into any appropriate agreement on such terms and conditions as the Body Corporate may deem fit.

22A.

Except as authorised in By-law 22, the Body Corporate prohibits the use of any part of the Cathedral Place Development (which includes the common property of the Community Body Corporate and all the lots and common property of the buildings known as Cathedral Village, Duhig, Kensington and Sandringham, Canterbury and Westminster, Oxford and Cambridge and Notre Dame) for the purposes of the sale and letting of the lots or car parks within the development on behalf of proprietors except for the sale of lots within the development by Cathedral Place Developments Pty Ltd

23 Body Corporate Empowered to Enter Into Agreements

(a) The Body Corporate shall be empowered to enter into Agreements from time to time with the proprietor of the Management Unit or any party associated with the said proprietor who has care and control of the said lot to caretake and or manage the common property of subsidiary bodies corporate and the buildings at Cathedral Place and to let lots upon such terms and conditions as the Body Corporate shall decide upon in general meeting

(b) The proprietor of the Management Unit, or any party associated with the said proprietor who has care and control of the said lot is authorised to be the letting agent for such of the proprietors of Cathedral Place who shall desire to appoint such party as their letting agent

(c) The Committee of the Body Corporate hereby consents to the manager's application to the Auctioneers and Agents Committee of the Office of Corporate Affairs to conduct a letting business in relation to the units in Cathedral Place from the Management Unit"

John Gilliland presented legal opinion from McMahon Clarke Legal to the meeting stating that the motion is required to be considered as a resolution without dissent under Section 206A of the Mixed Use Development Act 1993. Peter Zunker maintained that Section 206A applies only to community property and his reading of the advice did not support the advice and assertions of John Gilliland.

The Chairman **ruled this motion Out Of Order** after considering the legal advice and consideration of advice from Brian Fisher.

Motion 6

The following motion was read to the meeting:-

Comprehensive Resolution

That the following By-laws be approved and adopted by the Body Corporate and that the By-laws be recorded and registered at the Titles Office

Add New By-Laws – Noise & Nuisance and Use of Pool & Other Facilities

1. Noise & Nuisance (Amendment of By-law 6)

1.1 No offensive activity shall be carried on the parcel, which shall include the scheme (subsidiary body corporate), on the Cathedral Place scheme (including the community body corporate and all subsidiary bodies corporate) or in any Lot nor shall anything be done thereon which may be, or may become an annoyance or nuisance to the neighbourhood or which may be likely to interfere with the peaceful enjoyment of the lot owners or occupiers of other Lots or any other person lawfully using the common property in particular and without limiting the generality of the foregoing:-

1.1.1 No loud noises, noxious odours, exterior speakers, horns, whistles, bells or other sound devices (other than security or warning devices used exclusively for such purposes), noisy or smoking vehicles, large power equipment or large power tools, or items which may unreasonably interfere with television or radio reception of any resident.

1.1.2 All radio or television receivers, musical instruments, CD/DVD players and the like shall be controlled so that the sound arising therefrom shall be reasonable and cannot cause annoyance to any other occupiers on the parcel.

1.1.3 No child, servant or guest of an owner or occupier of a lot shall be permitted to cause any annoyance to other occupiers on the parcel.

1.1.4 In the event of any unavoidable noise in a lot at any time the owner or occupier thereof shall take all practical means to minimize annoyance to other occupiers of lots by closing all doors, windows and curtains of his lot and also such further steps as may be within his power for the same purpose.

1.1.5 Guests, invitees and the like leaving after 11.00 p.m. shall be requested by their hosts to leave quietly. Quietness also shall be observed when an occupier of a lot returns to the complex late at night or early morning hours.

1.1.6 The activity shall include any activity which may be detrimental to the health and wellbeing of other occupiers, any person lawfully using the common

property or the neighbourhood, which shall include smoking and any result from smoking

2. Use Of Pool & Other Facilities New By-law

2.1 All owners and occupiers of lots in the scheme may use the swimming pool and pool area, spa (if any), sauna (if any), barbecue area, foyer, and all facilities on the common property of the parcel subject to the following rules, or others the Committee may from time to time make, which will, where appropriate, apply to all guests or invitees of lot owners or occupiers.

2.1.1 The swimming pool, spa (if any), sauna (if any), barbecue area, foyer, and associated facilities will not be used by guests or invitees unless accompanied by the host, lot owner or occupier;

2.1.2 Children below the age of thirteen (13) years will at all times be accompanied by an adult owner or occupier exercising effective control over them;

2.1.3 Alcoholic beverages are not to be consumed in or around the swimming pool enclosures but may be consumed in and around the barbecue area;

2.1.4 Running, rough play in or out of the pool, excessive splashing, improper diving from the board (if any) or sides or running and jumping into the pool so as to create a large splash (bombing) is prohibited.

2.1.5 Food, glass, breakable items, and pets will not be brought into the pool and spa (if any) areas;

2.1.6 The swimming pool, spa (if any), sauna (if any), and barbecue areas may only be used between the hours of 7.00 am and 10.00 pm, or as displayed on the 'Pool Rules' sign adjacent to the pool. Such hours of use to be determined by the Committee of the Subsidiary or Community Body Corporate.

2.1.7 The cooking appliances and appurtenances thereto are to be used in a proper manner and turned off according to their operating instructions, and such appliances and appurtenances are to be thoroughly cleaned after use;

2.1.8 After facilities are used, the relevant area is to be left in a clean and tidy state and available to the next users. Failing to comply with this may incur a cleaning cost;

2.1.9 Common property and Body Corporate assets will not be defaced, damaged or removed;

2.1.10 The Body Corporate or Caretaker may operate a reservation system for common property facilities and assets with which lot owners and occupiers shall comply.

2.1.11 Failure to abide by these By-laws, which shall include, but not be limited to, providing resources (including cleaning staff, equipment or specialist contractors and hire of equipment) or payment of any fines or fees issued by any local or federal authority, any required repair or replacement shall be paid by the occupant or the owner of the unit.

John Gilliland provided legal advice that the motion in its present form should not be voted on.

The Chairman **ruled this motion Out Of Order** as, in its present form, the change to the use of the pool and recreation areas would allow occupiers of Cathedral Village access to the facilities

Motion 7

The following motion was read to the meeting:-

Ordinary Resolution

**Adopt
Recommendations
of Auditor Re
Overpaid &
Underpaid Levies**

That the recommendation of the Auditor of Cathedral Place Community Body Corporate in the post 2007 Audit report dated 14 January 2007 in relation to the levies based on the proper lot entitlements of 650 be adopted and the following overpaid levies be repaid and the following Bodies Corporate –

Notre Dame BUP 106912	\$9117.00
Oxford & Cambridge BUP 106905	\$4181.00
Canterbury & Westminster BUP 106911	\$5691.00
Duhig BUP 106965	\$4878.00
Kensington & Sandringham BUP 106966	\$24290.00

And the following underpaid levies be collected-

Cathedral Village BUP 106957	\$48177.00
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And the Body Corporate Manager is instructed to issue levy notices to execute this as soon as possible"

John Gilliland requested time to consider the motion and present a reply before the motion is voted on.

The Chairman **ruled that the motion is to be further considered** and that it be further considered at a reconvening of this EGM on 6th October 2008

Motion 8
Comprehensive Resolution
Deletion of By-law 28

The following motion was read to the meeting:-

"That the Body Corporate delete By-law 28 as set out below and the Body Corporate's solicitors be authorised to take all steps required to remove By-law 28 from the B-laws of the Body Corporate

28. Restricted Community Property – Visitors Car Park

(a) Application of By-law

This By-law applies to the Visitor Carpark on the plan attached to this By-law ("Visitor Carpark"). Part of the Visitors Carpark is Community Common Property and part of the Visitors Carpark is Common Property for the Subsidiary Body Corporate known as "Notre Dame". The By-law applies to the portion of the Visitors Carpark that is on Community Common Property. The By-law is intended to apply to that portion of the Visitors Carpark that is common property for Notre Dame on registration of an easement from the Proprietors Notre Dame BUP 106911 granting the benefit of that area to the Community Body Corporate for carparking purposes

(b) Persons Entitled To Use

The persons entitled to use the Visitors Carpark are the Proprietors "Cathedral Village" 106957 and any person authorised by them, all of whom are individually and collectively referred to as "Authorised Persons"

(c) Conditions of Use

The Proprietors "Cathedral Village" 106957 must ensure that the Visitors Carpark is used:- (i) only for the purposes ancillary to the Mixed Use Development of Cathedral Place; (ii) in a manner that complies with the By-laws from time to time for the Cathedral Place Community Body Corporate

(d) Maintenance

The Proprietors "Cathedral Village" 106957 must maintain the Visitors Carpark in a state similar to the other carparking areas on the common property for the Cathedral Place Community Body Corporate"

The Chairman **ruled this motion Out Of Order** as Section 206A of the Mixed Use Development Act 1993 this matter must be made under a resolution without dissent

Motion 9
Ordinary Resolution
Body Corporate Manager/Administrator

The following motion was 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 on the same terms and conditions

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

YES: 'A' – 157, 'B & C' – 72, 'D & E' – 98, 'F' – 84, 'G & H' – 96, Cathedral Village' – 143 = 650

NO: 0

ABSTAIN: 0

Motion 10
Ordinary Resolution
Engage Project Manager – Repair Basement Cracking

The following motion was read to the meeting:-

That a Project Manager be engaged to manage the remedial work required for basement cracking, that the following proposals (quotes) be considered and that one of the following proposals (options) be accepted and that the cost be met from the Restricted Sinking Fund

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

YES:

'A' – 157, 'B & C' – 72, 'D & E' – 98, 'F' – 84, 'G & H' – 96, Cathedral Village' – 143 = 650

NO: 0 **ABSTAIN:** 0

The 2 options were then considered

A - GHD Pty Ltd - \$36,899.50 Yes - 650
B - Infratech Management Consultants \$57,827.00 (estimate) Yes - 0

Option A was **carried** with votes received as follows :- :-

YES: 'A' - 157, 'B & C' - 72, 'D & E' - 98, 'F' - 84, 'G & H' - 96, Cathedral Village' - 143 = 650

NO: 0

ABSTAIN: 0

Motion 11

Ordinary Resolution

TV System Upgrade

The following motion was read to the meeting:-

That, as components fail in the current system channels have to be removed, the TV System be upgraded that the following proposals (quotes) be considered and that one of the following proposals (options) be accepted and that the cost be met from the Restricted Sinking Fund

A Arrow Access Security - commercial digital converter head with 5 modules - \$18,199.00

B ADACS - commercial digital converter head with 5 modules - \$20,405.00

C Arrow Access Security - 5 digital set top boxes and digital converter - \$9,800.00

D ADACS - 5 digital set top boxes and digital converter - \$10,450.00

Members questioned whether a warranty is included.

The Chairman **ruled that** Cathedral Place Management be requested to obtain warranty details and that **the motion is to be further considered** and that it be further considered at a reconvening of this EGM on 6th October 2008

The Chairman declared the meeting closed at 8.35 pm and adjourned until 6.00 pm 6th October 2008

MINUTES OF A RECONVENED EXTRAORDINARY GENERAL MEETING OF CATHEDRAL PLACE COMMUNITY BODY CORPORATE MCP 106902 HELD AT CATHEDRAL PLACE ON MONDAY 6 OCTOBER 2008 AT 6.00 PM

Representation:

Mr Peter Zunker	Representative - 'A' - Notre Dame
Mr Pat Brown	Representative - 'B/C' - Oxford & Cambridge (from 7.05pm)
Mr Tony Rich	Representative - 'D/E' - Canterbury & Westminster
Mr Brian Fisher	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

Present:

Tony Lingard and Sam Fox	Star Building Management Services
Kristine Ceraolo	Committee Member and Owner, Oxford & Cambridge
Noel Murphy	Committee Member and Owner, Notre Dame
Kelvin Abrahams	Committee Member and Owner, Notre Dame
John Delaat	Committee Member and Owner, Canterbury & Westminster and Oxford & Cambridge
Todd Raumer	Resident, Oxford & Cambridge

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

Chairman: Mr Tony Rich, the Body Corporate Chairman, chaired the meeting. He declared the meeting open at 6.00 pm

The Chairman welcomed Tony Lingard and Sam Fox, Star Building Management Services to the meeting at 6.30 pm to discuss their proposal for engagement as Caretaker for the next 12 months

Tony Lingard outlined the experience and expertise of Star Building Management Services and Sam Fox outlined her experience in building management.

Questions were raised and answered as to:-

- a breakdown of service
- how maintenance would be arranged,
- how problems would be handled,
- availability,

- e. acceptance of termination provisions,
- f. security arrangements,
- g. affiliation with Silver Energy & SSKB,
- h. staff and contractors that would be employed or used,
- i. other similar buildings being managed, types of buildings being managed,
- j. where in Cathedral Place Star would be located, and
- k. how resources would be provided.

Following this the Chairman thanked Tony Lingard and Sam Fox and they left the meeting at 7.40 pm

Motion 2

The following motion was further considered:-

Comprehensive Resolution

Engagement of Caretaker for the Next 12 Months

“That the Cathedral Place Community Body Corporate engage a contractor to provide Caretaking Services to the Cathedral Place Community Body Corporate and all Residential Subsidiary Bodies Corporate for 12 months from 4 November 2008 for a period of 12 months on the same terms and conditions as the existing Caretaking Agreement to provide services as described in the De! Linkhorn time and motion report excluding, as appropriate, the salary to be paid to the Caretaker for the next 12 months, to enable the tender process to be finalised, and that proposals from Cathedral Place Management and Star Building Management Services be considered and one proposal be accepted

That, if CPM are to be engaged, that the body corporate enter into a Deed of Variation to the Caretaking Agreement and that deed be executed

That, if Star Building Management Services are to be engaged, that the body corporate enter into a Deed of Engagement – using the terms and conditions in the existing Caretaking Agreement (excluding anything that needs to be removed or altered to be accurate), and that deed be executed”

This motion was **lost** with votes received as follows –

Yes – D & E - 98, F – 84, G & H – 96, Cathedral Village -143 = 421

No – Notre Dame – 157, B & C – 72 = 229

Abstain - 0

Motion 3

The following motion was further considered:-

Ordinary Resolution

Variation to Caretaking Agreement:

“That the body corporate consent to the following variation of the caretaking agreement dated 7 January 1999 between the body corporate and Cathedral Place Management Pty Ltd, subsequently assigned to Edward Charles Zunker and Lorraine Zunker:-

Inserting a new clause 8.3 into the Caretaking Agreement as follows:

The Caretaker has the option to renew this Agreement for a further period of 12 months (12), from 4 November 2008 until 3 November 2009. The renewed term will be upon the same terms and conditions as this Agreement except this clause shall be omitted. If the Caretaker wishes to exercise this option the Caretaker must give notice in writing to the Committee not less than three (3) calendar months and not more than six (6) calendar months prior to 3 November 2008.

And that the body corporate enter into and sign under seal the deed of variation to the caretaking agreement as attached to this agenda.”

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

YES: ‘A’ – 157, ‘B & C’ - 72 = 229

NO: ‘D & E’ – 98, ‘F’ – 84, ‘G & H’ – 96, ‘Cathedral Village’ – 143 = 421

ABSTAIN: 0

Motion 7

The following motion was further considered:-

Ordinary Resolution

Adopt Recommendations of Auditor Re Overpaid & Underpaid Levies

That the recommendation of the Auditor of Cathedral Place Community Body Corporate in the post 2007 Audit report dated 14 January 2007 in relation to the levies based on the proper lot entitlements of 650 be adopted and the following overpaid levies be repaid and the following Bodies Corporate –

Notre Dame BUP 106912	\$9117.00
Oxford & Cambridge BUP 106905	\$4181.00

Canterbury & Westminster BUP 106911	\$5691.00
Duhig BUP 106965	\$4878.00
Kensington & Sandringham BUP 106966	\$24290.00

And the following underpaid levies be collected-
 Cathedral Village BUP 106957 \$48177.00

And the Body Corporate Manager is instructed to issue levy notices to execute this as soon as possible”

John Gilliland requested further time to consider the motion and present a reply before the motion is voted on as the Auditor has not provided the requested information.

He questioned why the amount for Kensington & Sandringham was so high and Notre Dame so low, and the correctness of the information needs to be established. Peter Zunker advised that this is recorded in the auditor’s report to the Body Corporate. Body Corporate Manager to follow up with Auditor and obtain the prior two years discrepancies as well.

The Chairman ruled that the motion is to be further considered and that it be further considered at a reconvening of this EGM on 14th October 2008

Motion 11

The following motion was read to the meeting:-

Ordinary Resolution

That, as components fail in the current system channels have to be removed, the TV System be upgraded that the following proposals (quotes) be considered and that one of the following proposals (options) be accepted and that the cost be met from the Restricted Sinking Fund

TV System Upgrade

This motion was **carried** with votes received as follows :-
 YES: 650 NO: 0 ABSTAIN: 0

- | | |
|--|-----------|
| A Arrow Access Security - commercial digital converter head with 5 modules – \$18,199.00 | Yes - 0 |
| B ADACS - commercial digital converter head with 5 - \$20,405.00 | Yes - 650 |
| C Arrow Access Security - 5 digital set top boxes and digital converter - \$9,800.00 | Yes - 0 |
| D ADACS - 5 digital set top boxes and digital converter - \$10,450.00 | Yes - 0 |

Option B was **carried** with votes received as follows and that the Caretaker request a longer warranty period and a lower price :- :-

YES: 650 NO: 0 ABSTAIN: 0

The Chairman declared the meeting closed at 8.30 pm and adjourned until 6.00 pm 14th October 2008

MINUTES OF A RECONVENED EXTRAORDINARY GENERAL MEETING OF CATHEDRAL PLACE COMMUNITY BODY CORPORATE MCP 106902 HELD AT CATHEDRAL PLACE ON TUESDAY 14 OCTOBER 2008 AT 7.10 PM

- | | | |
|---------------------------------|-------------------|---|
| <u>Representation:</u> | Mr Peter Zunker | Representative - ‘A’ – Notre Dame |
| | Mr Pat Brown | Representative - ‘B/C’ – Oxford & Cambridge (from 7.05pm) |
| | Mr Tony Rich | Representative - ‘D/E’ – Canterbury & Westminster |
| | Mr Brian Fisher | Representative - ‘F’ - Duhig |
| | Mr John Gilliland | Representative - Cathedral Village |
| | Mr Conrad Beal | Body Corporate Manager, Representing Archers Corporate Management Pty Ltd |
| <u>Present by Proxy:</u> | Mr Ken Morrisby | Representative - ‘G/H’ – Kensington & Sandringham
By Proxy to Brian Fisher |
| <u>Present:</u> | Kristine Ceraolo | Committee Member and Owner, Oxford & Cambridge |
| | Doris Engel | Committee Member and Owner, Oxford & Cambridge |

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

Chairman: Mr Tony Rich, the Body Corporate Chairman, chaired the meeting. He declared the meeting open at 7.10 pm

Motion 7 The following motion was further considered:-

Ordinary Resolution That the recommendation of the Auditor of Cathedral Place Community Body Corporate in the post 2007 Audit report dated 14 January 2007 in relation to the levies based on the proper lot entitlements of 650 be adopted and the following overpaid levies be repaid and the following Bodies Corporate –

**Adopt
Recommendations
of Auditor Re
Overpaid &
Underpaid Levies**

Notre Dame BUP 106912	\$9117.00
Oxford & Cambridge BUP 106905	\$4181.00
Canterbury & Westminster BUP 106911	\$5691.00
Duhig BUP 106965	\$4878.00
Kensington & Sandringham BUP 106966	\$24290.00

And the following underpaid levies be collected-
Cathedral Village BUP 106957 \$48177.00

And the Body Corporate Manager is instructed to issue levy notices to execute this as soon as possible”

John Gilliland requested further time to consider the motion and present a reply before the motion is voted on. It was agreed by a majority of members that more time would not be allowed

He questioned why the amount for Kensington & Sandringham would be so much higher than buildings with more lots, even given the change from 96 to 103 lots.

Body Corporate Manager advised that a check of the figures provided by the auditor against the levies resolved may not be correct.

John Gilliland advised that Cathedral Village would be lodging a dispute against this decision if it was resolved to proceed with what quite clearly is an inaccurate calculation.

A poll vote was then conducted

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

YES: 'A' – 157, 'B & C' – 72, 'D & E' – 98 = 327

NO: F' – 84, 'G & H' – 96, Cathedral Village' – 143 = 323

ABSTAIN: 0

The Body Corporate Manager advised that, given the potential for this motion to be invalid due to potential inaccuracies in the figures that he would have to consider referring the resolution to Colin Archer, General Manager, Archers Body Corporate Management Pty ltd

The Deed of Variation for the Letting Agreement was signed by two committee members.

The Chairman closed the meeting at 7.30 pm

Confirmed.

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Chairman