

**MINUTES OF A MEETING OF THE COMMITTEE OF CATHEDRAL PLACE COMMUNITY
BODY CORPORATE MCP 106902 HELD AT THE MEETING ROOM, CATHEDRAL PLACE
ON TUESDAY 9 DECEMBER 2008 AT 6.00 PM**

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| <u>Representation:</u> | 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 |
| | Conrad Beal | Body Corporate Manager, Archers Body Corporate Mgt P/L |
| | Sam Fox & Tony Lingard | Caretaker, Star Building Management Services |
| <u>Present:</u> | Crestina Ceraolo | Committee Member and Owner, Oxford & Cambridge |
| | Randall Edwards | Owner, Duhig |
| | Noel Murphy | Committee Member and Owner, Notre Dame |
| | Doris Engel | Committee Member and Owner, Notre Dame |

Chairman: Tony Rich, the Body Corporate Chairman, chaired the meeting and declared a quorum present with more than half (50%) of all members being present.

Confirm Minutes: **Resolved** that the Minutes of the meeting held on 21 August 2008 and Flying Minute of 29 August 2008 be accepted as true and correct records of proceedings with 2 amendments
Carried 6 For, 0 Against.

General Business: Transfer Bank Account
 Members considered advice from Archers Body Corporate Management on a proposed transfer of bank account from Macquarie Bank to StrataCash/ANZ Bank. It was noted that there would be no bank fees, each transaction would cost \$0.75 and the Body Corporate would receive higher interest rates.
Resolved that a new Strata Cash Management bank account be opened in the name of the Body Corporate, and that the existing bank account with Macquarie Bank be closed and the funds in that account be transferred to the new Strata Cash Management bank account
Yes – 5 No – 1 Abstain – 0

Caretaker's Report & Building Management: Sam Fox & Tony Lingard presented the detailed Caretaker's Report, and all items were discussed. A copy of the report to be attached to the minutes

Security Swipes

Cost for swipes reconsidered with cost to the resident being \$50.00 plus GST for swipes, no charge for recharging (residents moving in and out) and purchase cost of \$6.00 from supplier

Security

CCTV fully operational following move to Cathedral Village

Refuse Rooms

Methods to eliminate odours proposed. Caretaker proposal to install an air conditioner in B & C refuse room and install door closers. Quotes to be obtained

Cleaning of Bins

Caretaker proposed that CBC clean all bins at start of contract as all dirty
 Raised that the cleaning of the bins is part of the contract and after bin cleaned initially it will be the responsibility of the caretaker to keep clean.

Resolved that all bins be cleaned for \$44.00 plus GST per bin for 18 bins

Carried 6 For, 0 Against.

Lights

Quote being obtained to install new lights in foyer plus driveway. Caretaker proposed need to put in two higher globes to maintain safe lighting in the hallways, with one providing sufficient light. Quote to be obtained. Garden lights manually controlled.

Exit Security Gates

Caretaker advised that there is enamel over powder coating. Quote to be obtained to rectify

Roller Door Repairs

Repair of roller doors discussed. Agreed need to be rectified to ensure door is not remaining open. Chairman to liaise with Sam Fox

Signage

Stop sign to be put back up.

Caretaker proposed improved pool signage. Sam Fox to provide wording and check availability of ready-made signs

Sign placed at foyer entry advising of contact details for Caretaker

Caretaker proposed notice signage for lifts. Chairman raised that such signs should be in all lifts to ensure all residents are fully informed. Peter Zunker advised he thought it was a good idea but he did not have the authority to approve without referring to Notre Dame Committee.

Resolved that notice signage be placed in all lifts

Carried 4 For, 2 Against.

Pat Brown confirmed opening hours for the Star BMS office is 9am – 5pm Monday to Friday and 9 am -1pm Saturday.

Pool Lights

Require repair, advised likely to be 2 hours plus parts

Resolved that pool lights be repaired using Geoff Magoffin

Carried 6 For, 0 Against

Pool Gates

Caretaker investigating options regarding noise from closing of pool gates

Pool – Vending Machines

Caretaker has ensured residents can no longer plug in electrical items at pool area

Gymnasium

Equipment in gymnasium is being repaired. Most requires replacement, with most purchased 4 years ago. Caretaker to investigate hiring of equipment.

Sauna

Approval given for required sauna repairs by Ulf Linquist

Lift Maintenance

Caretaker has met with Otis to discuss service quality with improvement requested
Proposals to be obtained from lift maintenance companies close to end of contract

Roof Access

Adit done for roof access re workplace health and safety. Caretaker supervises contractors coming into complex

Gardens

Caretaker advised that the gardens need initial clean-up to remove dead material.
To be further considered.

Workplace Health & Safety report

Copy of report provided to all members and also on the internet. Audit done for roof access re workplace health and safety. Caretaker supervises contractors coming into complex. Caretaker to check if asbestos audit required for complex

Painting of Hallways

Hallways require painting. Pat Brown confirmed B & C had approved, Conrad advised Notre Dame committee did not approved, Peter Zunker confirmed that was the case. Chairman raised need for uniformity and need to maintain quality of presentation of the complex.

Foyer Furniture

Repair and/or replacement required of some of the furniture. Chairman to consider the state of each item with Sam Fox. Noted on Notre Dame common property.

Letter To Owners – Change of Caretaker

Peter Zunker advised that Oxford & Cambridge and Notre Dame BUP's have already sent a letter to owners. All members of residential bodies corporate agreed to send a letter to their owners. Body Corporate Manager to arrange letter advising of change of Caretaker and contact details and transfer of unit access keys for Duhig and Kensington & Sandringham.

Quad Bike

Two new tyres required for quad bike at cost of \$165.00 each plus fitting

Resolved that quad bike tyres (2) be replaced

Carried 6 For, 0 Against

Roller Door Repairs

Repair of roller doors discussed. Agreed need to be rectified to ensure door is not remaining open. Chairman to liaise with Sam Fox

Sam Fox and Tony Lingard left the meeting at 8.00 pm

General Business:

Letter from Michael Baker

Letter of 4 December 2008 from Michael Baker, Owner at Notre Dame, to Chairperson and Members and Peter Zunker, representative for Notre Dame, was read to the meeting by Chairman and contents were discussed. Peter Zunker raised that the unit is owned by a company and that John Gilliland in the company nominee.

Resolved that, as the letter is from an Owner at Notre Dame, the Representative for Notre Dame, Peter Zunker and that the letter be given to Peter Zunker with a request to respond and he is to advise how he intends to respond.

Carried 6 For, 0 Against

Note – Peter Zunker agreed to respond to Mr Baker.

Enclosure of Balconies

Next actions in the enclosure of balconies were discussed. Agreed that the CBC would need to set the precedent of design on behalf of all subsidiaries as it would have to approve any final design.

Resolved that Body Corporate Manager obtain two fee proposals from Architects

Carried 6 For, 0 Against

Motion from John Gilliland & Ken Morrisby

John Gilliland provided a motion to rescind motion resolved at AGM re issue of special levy. Conrad Beal advised that, as the motion was resolved at a general meeting it would have to be voted on at a general meeting.

Reconsideration Of Issue of Special levy

John Gilliland raised budget issues that need to be reconsidered and Peter Zunker replied to those considerations. Peter Zunker requested John Gilliland which forensic accountant the Village body corporate had engaged to analyse the budget John Gilliland would not advise the meeting who had been engaged. Peter Zunker advised the meeting that if John Gilliland could show him what the errors were and he agreed that they were error, that Peter Zunker would vote to correct the error. Peter Zunker told the meeting that if he and John Gilliland could not agree on the matter, that the issue should be examined by Warren Fisher, and if Peter Zunker was wrong in his assertions that he would pay for Warren Fisher's cost but if John Gilliland was wrong then he would have to pay for Warren Fisher's cost himself.

Brian Fisher raised the need to consider how to solve the ongoing situation by engaging an expert, and advised it was not reasonable to deny Cathedral Village voting at general meetings in the present circumstances. Peter Zunker advised that the auditor and Warren Fisher had already been engaged to provide this advice. John Gilliland has not provided any reasons to the meeting why the levy is wrong.

Conrad Beal proposed that the CBC send the request from John Gilliland re disputed issue of levies from auditor's report to the auditor to reconsider his report. John Gilliland requested to be able to provide information to the auditor for his consideration in his review, and reiterated previous statements that the CBC must ensure that any levies issued must be lawful. He requested that the levy be revisited on the basis that Cathedral Village is entitled to provide further information to the auditor. The application to the commissioner is based on the Auditor's advice, therefore if the Auditor changes his opinion then the application to the Commissioner will be resolved.

The following motion was read to the meeting-

"That the auditor be requested to consider the same request as John Gilliland put in for a reconsideration of his(the auditor's) previous advice (dated 14 January 2008 and email of the 16 July 2008) -

and that John Gilliland is allowed 14 days to provide information to him(the auditor) and that information also be given to Peter Zunker, the treasurer for consideration and following his(Peter Zunker's) response to that in 14 days, the Auditor is to consider everything he has at hand and is to provide advice on the validity /lawfulness of the levy issue."

Resolved that

- a. The auditor be requested to reconsider his previous advice, and to advise whether the levy has been lawfully raised, and that

- b. John Gilliland be given the opportunity to provide further information to the auditor within 14 days, and that
- c. John Gilliland provide that information to the Treasurer and that he have 14 days to respond to the Auditor

Carried 6 For, 0 Against

Copper Piping

Peter Zunker raised issue of payment to Drains R Us re copper piping and need to recover \$8000.00 paid to contractor. John Gilliland advised that it was offset against a Cathedral Village invoice and that the contractor was paid by an owner to do other work. Peter Zunker to supply the details to Conrad to give to the solicitors

Resolved that Collect Success be engaged to take recovery action

Carried 6 For, 0 Against

Electricity – Rebate To Owners

The rebate to owners is yet to be actioned, with the amount still to be determined. Resolved at Committee meeting of 12 August 2008 that Treasurer to consult with Watts Energy to provide amount to be refunded. Peter Zunker raised items that need to be considered relating to this determination related to electricity including accounts and John Gilliland questioned the relevancy and advised that this is not a reason to withhold the moneys from owners and that Cathedral Village will take whatever action is required to ensure these moneys are returned to owners without any further delays.

Peter Zunker questioned why substantial funds should be returned to Cathedral Village Owners when items outstanding for Cathedral Village Body Corporate remain to be paid. The Cathedral Village body corporate consisting of the owners who will receive the distribution. Peter Zunker advised it is not his decision and it is a matter for the committee to consider and that he would provide the final figure for distribution at the next meeting., John Gilliland requires old electricity billing details and requested a reasonable time to pay any outstanding amounts as he maintained that Cathedral Village Body Corporate did not cause the problems and should not be held accountable for previous errors of the CBC and the body corporate managers SSKB and Archers as they were responsible for the formulating Budgets. Brian Fisher requested Peter Zunker to provide details of all outstanding amounts of the village, and he agreed to provide those details which will be provided to collect success to commence collection procedures.

Agreed that the committee will consider amounts outstanding by the Village Body Corporate and the budget for the CBC at its next Committee meeting to be held on the 15th January 2008

Peter Zunker tabled an invoice from Archers for the additional work prescribed by Warren Fisher's report. To be discussed at the next committee meeting.

The meeting was closed at 9.20 pm

Confirmed.

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Chairman