

**MINUTES OF THE COMMITTEE MEETING OF THE BODY CORPORATE FOR "CATHEDRAL PLACE  
CBC" MIXED COMMUNITY PLAN 106902 HELD ON 2ND NOVEMBER 2009 AT 5:00 PM AT  
MEETING ROOM, CATHEDRAL PLACE, 41 GOTHA STREET, FORTITUDE VALLEY**

**PRESENT IN PERSON**

Randall Edwards (Chairperson/Treasurer), John Gilliland (Secretary), Peter Zunker, Krestina Ceraolo, Tony Rich, Michael Pointing (Ordinary Committee Members)

**APOLOGIES**

Nil

**IN ATTENDANCE**

Grant Kerrison representing Body Corporate Services Pty Ltd.  
Larry Cowling & Lloyd Anderson representing Star BMS. (from 6 pm)  
Bob Callinan F59 Observer  
Greg Przewlocki A114 Observer  
Lindsay Anlezark A147 Observer

**CHAIRPERSON OF MEETING**

Mr Randall Edwards chaired the meeting.

**QUORUM**

The chairperson declared that a quorum was represented and the meeting was declared open at 5:00 pm.

**1 GADENS INVOICE**

The meeting noted the invoice from Gadens Lawyers in the amount of \$6,931.48 is to be returned to Gadens to be reissued to, and be payable by, Star BMS.

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**2 CONFIRMAITON OF MINUTES**

The meeting noted that the minutes of the committee meetings held on 17<sup>th</sup>, 24<sup>th</sup> & 28<sup>th</sup> September 2009 be considered for confirmation at the next meeting of the committee.

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**3 PRELIMINARY RESPONSES TO NOTICES TO REMEDY BREACH**

**MOTION 3:** That the preliminary response, prepared by the Chairman, to the Notice to Remedy Breach from Notre Dame BUP 106912 be adopted and sent to Deacons Lawyers to be handed on to the Notre Dame BUP 106912 Committee, and that a modified version of the response to the Notice to Remedy Breach from Oxford & Cambridge BUP 106905 be prepared by the Chairman and also forwarded to Deacons Lawyers to be handed on to the Oxford & Cambridge BUP 106905 Committee.

**RESOLVED by Committee Ordinary Resolution** that the motion be **CARRIED**.

Vote: Yes 3 No 0 Abstain 3

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Corporate Lic No: 862864, (NSW) Memberships:  
National Community Titles Institute (NCTI), Institute of Strata Title Management Ltd. (NSW), Community Titles Institute QLD Ltd (CTIQ),  
Owners Corporations Victoria (VIC), Community Associations Institute (USA), Urban Development Institute of Australia (NSW)  
Branches: (NSW): Sydney, Central Coast, Forster-Tuncurry, Miranda, Mona Vale, Newcastle, Port Stephens, Tweed Heads, Willoughby, Wollongong  
(QLD): Brisbane, Cairns, Coolangatta, Gold Coast, Mackay, Noosa, Port Douglas, Townsville  
(VIC): Hawthorn, Melbourne

#### 4 AUTHORITY TO ENGAGE GADENS RE DEFENCE OF DELEGATIONS TO BUPs

**MOTION 4a:** That the Cathedral Place Community Body Corporate engage Gadens Lawyers, if necessary, to assist the Cathedral Place Community Body Corporate to act in defence of the delegations it holds for administration and management of the BUPs affairs.

**RESOLVED by Committee Ordinary Resolution** that the motion be **CARRIED**.

Vote: Yes 4 No 2 Abstain 0

**MOTION 4b:** That the Cathedral Place Community Body Corporate request Gadens to advise the committee regarding the collection of outstanding invoices for Caretaking Services sent to Notre Dame BUP 106912 Oxford & Cambridge BUP 106905, and if legal action is required to provide an estimate for the taking of such action; and

FURTHER, that Gadens advise regarding the potential insolvency of the Cathedral Place Community Body Corporate and its implications for members.

*(The Chairman ruled that, in accordance with the advice of Dawn Tran of Gadens and Peter Townley of Herbert Geer, Notre Dame BUP 106912 and Oxford & Cambridge BUP 106905 not be permitted to vote on this motion.)*

**RESOLVED by Committee Resolution Without Dissent** that the motion be **CARRIED**.

Vote: Yes 4 No 0 Abstain 0

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#### 5 FINANCIAL REPORTS

The meeting noted its encouragement to all Subsidiary BUPs to pay any outstanding invoices.

**MOTION 5:** That Body Corporate Services provide updated financial positions to all committee members as soon as available.

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote: Yes 6 No 0 Abstain 0

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#### 6 OUTSTANDING INVOICES – SUBSIDIARY BUPs

**MOTION 6:** That Body Corporate Services provide updated financial positions to all committee members as soon as available..

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote: Yes 6 No 0 Abstain 0

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#### 7 BUILDING MANAGEMENT REPORT

The meeting noted that no report was being tendered due to Catherine Harvey being away on sick leave. A verbal report was presented to the meeting.

##### Irrigation System

2 controllers (pool room and fan room) need replacing and quotations are being obtained. Currently, the controllers are being operated manually.

##### Car Park Cleaning

Star BMS requests clarification of cleaning duties regarding the common areas and exclusive use areas to the extent that:-

- The By-Law states 'maintain the car park', and
- The contract states 'maintain the car park'.

The Chairman advised that the Cathedral Place Community Body Corporate engaged Star BMS to maintain the Car Park.

Peter Zunker stated "*that whatever is in the contract is what is required.*"

The query was clarified as to 'whether Star BMS is required to clean the allocated exclusive use areas (coloured green) – the non-exclusive use common areas are coloured grey. This question has arisen due to the recent dust storms which deposited a lot of dust.

The meeting advised Star BMS to clean and maintain all common areas (coloured grey) as this was their responsibility under the agreement with the Community Body Corporate.

#### Emergency Lighting

Star BMS advised that only one quotation on light replacement had been received so far and that a further quotation was being obtained for consideration by the Committee.

Star BMS advised the 2<sup>nd</sup> quotation would be sourced from Coates Electrical.

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## 8 INSTRUCTIONS TO STAR BMS – PREVIOUS COMMITTEE DECISIONS

### Mulching

**MOTION 8a:** That Star BMS obtain quotations for the mulch to be applied to the Cathedral Place Community Body Corporate common areas and separate quotations for the Subsidiary BUP common areas.

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote:                      Yes 6                      No 0                      Abstain 0

### Watering of Gardens

The meeting noted that volunteers from the Subsidiary BUPs are currently watering the gardens. Larry Cowling advised he is watering the gardens after hours.

Each BUP committee is encouraged to liaise with proprietors (owners) with regard to watering common areas from their ground floor units.

**MOTION 8b:** That Star BMS enquire of the Brisbane City Council as to whether subsidized mulch is available from the council and to research and advise the Committee regarding 'crystals' for water retention in the gardens.

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote:                      Yes 6                      No 0                      Abstain 0

### Quad Bike and Rubbish Removal

The meeting queried Star BMS regarding use of the quad bike and rubbish removal.

Star BMS advised that work method statements are available through Star BMS and that these can be viewed at the appropriate Subsidiary BUPs.

### Hand Railings

The meeting noted that there are reports of hand railings missing in the common areas.

**MOTION 8c:** That Star BMS investigate regarding the missing hand rails and report back to the Committee.

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote:                      Yes 6                      No 0                      Abstain 0

Sauna and Spa

Star BMS were queried as to servicing arrangements and whether a regular monitoring program is in place.

Vacuuming in Corridors – BUPs

Discussion transpired with respect to frequency and confirmation of whether the duty was being performed.

**MOTION 8d:** That Star BMS investigate and report back to the committee.

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote:                      Yes 6                      No 0                      Abstain 0

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**9      AUTHORITY TO PAY**

Gadens Invoice re Requisition for Extraordinary General Meeting

John Gilliland to review the Gadens invoice in the amount of \$1,639.95

**MOTION 9a:** That the Community Body Corporate authorise the payment of the Gadens invoice in the amount of \$1,639.95 for advice regarding the requisitioning of the Extraordinary General Meeting be paid.

**RESOLVED by Committee Ordinary Resolution** that the motion be **CARRIED**.

Vote:                      Yes 4                      No 2                      Abstain 0

Riley Shelley Invoices

**MOTION 9b:** That Body Corporate Services return the Riley Shelley Invoices sent to Nicholson's for the purpose of determining the obligation of the Community Body Corporate to pay the amount requested.

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote:                      Yes 6                      No 0                      Abstain 0

Land Tax Invoice

**MOTION 9c:** That the Committee approve payment of the Land Tax Invoice.

**RESOLVED by Committee Unanimous Resolution** that the motion be **CARRIED**.

Vote:                      Yes 6                      No 0                      Abstain 0

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**10      MOTION WITHDRAWN -BREACH OF BY-LAW 7A**

This motion was withdrawn by the submitter of the motion.

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**GENERAL BUSINESS**

John Gilliland submitted that Body Corporate Services be censured due to delayed presentation of minutes and up-to-date financials.

**CLOSURE**

There being no further business the chairperson declared the meeting closed at 18:05 pm.

**NEXT MEETING**

To be advised.

**CONFIRMED AS A TRUE AND ACCURATE RECORD**

**Chairperson:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Secretary**     **John Gilliland**  
**Address**        **c/- David Gordon**  
                      **Body Corporate Services Pty Limited**  
                      **PO Box 466 Toowong Qld 4066**