

**MINUTES OF A MEETING OF THE COMMITTEE OF CATHEDRAL PLACE COMMUNITY BODY CORPORATE MCP 106902 HELD AT THE MEETING ROOM, CATHEDRAL PLACE ON MONDAY 9 MARCH 2009 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  
Larry Cowling Cathedral Place 'G & H' – Kensington & Sandringham  
John Gilliland Cathedral Village  
Conrad Beal and Grant Mifsud Body Corporate Manager, Archers Body Corporate Mgt P/L

**Present:** Sam Fox & Lloyd Anderson, Caretaker, Star Building Management Services  
Crestina Ceraolo Committee Member and Owner, Oxford & Cambridge  
Lindsay Anlezark Committee Member and Owner, Notre Dame  
Ilona Berez Committee Member & Owner, Kensington & Sandringham  
John Cipollone Committee Member and Owner, Cathedral Village  
Gil Bick Owner, Kensington & Sandringham  
John Theron Owner, Kensington & Sandringham  
Dianne Davis Owner, Oxford & Cambridge  
Craig Booth Owner, Notre Dame

**Chairman:** Tony Rich, the Body Corporate Chairman, chaired the meeting, declared a quorum present and opened the meeting at 6.00 pm  
Body Corporate Manager noted receipt of Notice from Kensington & Sandringham Body Corporate of appointment of Larry Cowling as the Body Corporate Representative to the Community Body Corporate  
Present Body Corporate Manager, Conrad Beal, advised that he would be replaced by Grant Mifsud as Body Corporate Manager as he is leaving Archers Body Corporate Management for health reasons

**Confirm Minutes:** **Resolved** that the Minutes of the meeting held on 9 December 2008 be accepted as a true and correct record of proceedings with amendments requested by Peter Zunker  
**Yes – 4 No – 0 Abstain – 2**

**Caretaker's Report & Building Management:** Sam Fox presented the detailed Caretaker's Report, and all items were discussed. Other maintenance items were also raised.

**Refuse Pick Up – Noise Problem**

Council garbage contractor picking up rubbish in early hours and disturbing residents. Caretaker and Chairman have been and continue to take action to resolve the problem. Options were discussed.

**Additional Bins**

Caretaker proposed obtaining two additional recycling bins to improve recycling in the complex

**Resolved** that two additional recycling bins be approved

**Yes – 6 No – 0 Abstain – 0**

**Quad Bike**

New tyres fitted, service required and to be actioned

**Smoking in Pool Area**

Smoking in pool area sometimes causing a problem. To be added to signs going up in pool area.

**Condition of Pool**

Ongoing problems with condition of pool raised and discussed. Caretaker is monitoring the contractor. Body Corporate Manager suggested that the contractor be replaced, and to provide copy of quotes obtained previously.

Quotes to be updated and presented to the Committee to replace contractor.

**Lap Pool**

Sections lifting, lining starting to pit, tiles coming away. Pool can not be filled once emptied at the moment due to water restrictions. To be considered when podium

works proceed. Caretaker to check GHD report for recommendations.

#### Pool Lights

Two pool lights not working. Committee aware of situation. To be considered when podium works proceed. Geoff Magoffin investigating to provide quote to rectify.

#### Power Point and Vending Machine, Podium Area

Vending Machine now in place in podium area. Power point access now only to machine. Funds from vending machine go to Admin Restricted Fund

#### Water Feature

Water feature not in use as it uses town water and water restrictions do not allow use of town water. Other options to be investigated.

#### Spa Cover

Caretaker proposed a cover for spa and presented quote from Pool Works for \$396.00. Agreed that electricity savings would be good

**Resolved** that spa cover be purchased and up to \$396.00 be approved with a second quote obtained and the lowest acceptable quote be accepted

**Yes – 6 No – 0 Abstain – 0**

#### Gymnasium

Quotes presented for purchase of new gym equipment. Proposal does not include a multi station. Users of gym to be consulted by notice to obtain users views on equipment requirements. Leasing to be investigated

#### Swipe Policy

Caretaker questioned swipe policy. Body Corporate Manager to provide.

#### Security – CCTV's

Some problems with operation of CCTV's. Being investigated.

#### Security

Problems with level of security being provided were raised strongly and discussed, and agreed that level of security must be improved. Possibility of breaching the Caretaker was raised, and agreed that this not proceed at this time. Caretaker is trying to obtain suitable security personnel, and is working to improve security.

At present one person works from 7 pm to 4am, the other from 9 pm to 6 am.

Caretaker requested to provide security to 6 am.

Caretaker raised action with tenants causing disturbances. Peter Zunker proposed that Caretaker issue Breach Notices to occupiers. Body Corporate Manager advised that a Letting Agent (CPM for their tenants) can issue a breach notice under terms of a lease, owners or tenants of owners can be sent a letter from Body Corporate Manager and By-law Contravention Notice issued by the relevant BUP.

#### Lighting

Quotes presented for replacement of lights in foyer area, with some lights no longer working. Caretaker to discuss options with John Cippolone and Todd Raumer.

#### Lift Maintenance Contract

Contract with Otis ends 24 January 2010. Body Corporate Manager to check when notice of termination can be issued and issue notice in that period.

#### Gardens

Gardens need initial clean-up to remove dead material. Quote to be revised.

Types of appropriate plants to be used in gardens discussed. Caretaker to check advice in GHD report and compile suggestions to be considered.

Concerns of garden maintenance raised by owners present. Caretaker advised to improve level of garden maintenance. Caretaker advised that level of garden maintenance is being improved, and agreed that level does need to improve..

#### Cleaning

Level of cleaning in complex was raised, and agreed that the level of cleaning to be improved. Caretaker advised that staffing with proficient staff has been a problem and new staff have been engaged.

#### Painting of Hallways

Hallways in BUP's require painting. Chairman raised need for uniformity and need to maintain quality of presentation of the complex. Each BUP to consider.

#### Spare Keys of Owners

Caretaker raised issue of owners who have not transferred unit spare key from CPM to Star BMS. Letter sent to every owner clearly advising of need to transfer key. No further action to be taken at this time

#### Motion from Oxford & Cambridge – Performance of Caretaker

Motion that "Oxford & Cambridge advise that Star BMS has not been performing its contractual duties under arrangements it has entered into, therefore the community body corporate is in default of its contractual agreement with Oxford and Cambridge (1) Security, (2) Cleaning, (3) Gardening, (4) Maintenance of the property" was considered.

Security recorded above under 'Security', cleaning under 'Cleaning', gardening under 'Gardening' and maintenance under individual issues.

Peter Zunker advised of correspondence from owners and these were tabled, and that the quality of service of property maintenance has dropped.

Chairman requested Caretaker to strongly consider have a handyman on staff.

Chairman advised that enquiries he has made with real estate agents selling properties at Cathedral Place has been that the median price of properties at Cathedral Place has not dropped, and that they had no complaints about the level of service by the caretaker.

John Gilliland advised that Cathedral Village had engaged Star BMS and were very happy with the quality of service provided.

#### Procedure for Advising and Dealing with Issues and Complaints

A procedure for residents, owners, Committees and representatives to deal with issues and complaints was considered. Chairman requested that residents not directly approach staff of caretaker.

**Resolved** that a resident (including an owner) can raise an issue with the Caretaker direct, and, if they are unhappy with the result they can raise the matter with their Committee, who can then raise the matter with the Caretaker, and, if required, the representative for the BUP can raise the matter with the CBC at a Committee meeting

**Yes – 6 No – 0 Abstain – 0**

#### Motion from Oxford & Cambridge – Provision Of Cost Break up

Motion that "Oxford Cambridge Corporate requests the Community Body Corporate to provide details on invoices issued for caretaking services that is the actual expenses for work actually carried out on Oxford Cambridge" was considered. Caretaker agreed to comply with request.

#### Motion from Oxford & Cambridge – Rubbish Removal

Motion that "In relation to rubbish removal, the CBC has responsibility under the management contract to in relation to rubbish removal and storage. Will the CBC please report to the Oxford Cambridge BUP if the garbage bin rooms are being used in accordance with council regulations in relation to the commercial waste deposited into them" was considered. Caretaker agreed to action.

Sam Fox and Lloyd Anderson left the meeting at 7.50 pm

#### General Business:

#### Cathedral Village Issues / Outstanding moneys owing to the CBC

Peter Zunker raised non payment by Cathedral Village of outstanding levy and contracted items. John Gilliland advised that the levy is in dispute.

Body Corporate Manager provided written response from auditor, Carthills, to request to reconsider advice given in previous audit report which was utilised to issue a special levy, and this was considered.

Carthills proposed that they be instructed to review the information provided by John Gilliland and Peter Zunker and provide an interim report thereon for the next meeting of the CPCBC meeting at a cost not exceeding \$8,000, plus GST to check the assumptions used are in accordance with the advice of Mr Fisher (being the current levies' basis), checking calculations on the face of the spreadsheets and to provide a preliminary analysis for each of the three years of what amounts are owed by/to CPCBC to/by each subsidiary BC.

Following discussion it was agreed that Peter Zunker and John Gilliland meet to discuss and resolve the issues, with Brian Fisher agreeing to supervise.

Motion from Cathedral Village - Distribution of surplus electricity funds

Motion that "The CPCBC disburse the surplus funds accumulated in the electricity fund as advised by watts Energy to the lot owners with an appropriate notification to the recipient that they must seek advice as to how to treat the receipt and to attempt to pass any amount to a previous owner of the lot by the 11<sup>th</sup> March 2009" was considered.

ERC litigation costs, inclusion in electricity fund expenditure and affect on surplus available for distribution was discussed. Advice from Warren Fischer on the matter was read to the meeting by John Gilliland, and he raised need to fully accept that advice on this matter.

Resignation and Appointment of Chairman

Chairman, Tony Rich, advised he resigned from his position effective immediately due to the ineffectiveness of the Committee. Nominations were called from members and Pat Brown and John Gilliland nominated and withdrew their nominations following acceptance of Tony Rich to nominate and continue as Chairperson.

**Resolved** that Tony Rich be appointed to the vacant position of Chairman

**Yes – 6 No – 0 Abstain – 0**

Change of Legislation

Chairman presented letter from HWL Ebsworth, solicitors, with regard to how the CBC could change the legislation that Cathedral Place is registered under, from the Mixed Use Development Act to the Body Corporate & Community Management Act 1997. The advice was considered and will be further considered.

Cathedral Village Car Park

Situation with Cathedral Village car park and lack of availability of visitor car parking was raised and discussed, including the actions taken to implement the situation, including their legality and ability to be challenged.

Raised that easements were used to put the situation in place, which were resolved without possible due process being followed. Brian Fisher advised that the agreements that put the situation in place are the important issue.

Gil Bick raised possibility of fraud having taken place. John Gilliland advised that the processes that took place are sufficient.

Chairman raised that residents should have free access after normal business hours. Gil Bick offered suggestions as to charging and use for visitor parking.

Peter Zunker raised writing to the Minister advising of a wrong resolution and requesting the resolution resolved be deleted.

Situation to be further discussed at future meetings,

Enclosure of Balconies

Body Corporate Manager presented a quote from Dion Seminara, Architect, to provide architectural advice and consultation with Brisbane City Council. To be considered at the next meeting

Chairman and members thanked Conrad Beal for his valued work with the Committee over the last two years

The meeting was closed at 8.43 pm

Confirmed.

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Chairman