



MINUTES OF A COMMITTEE MEETING OF THE BODY CORPORATE FOR
CATHEDRAL PLACE CBC COMMUNITY TITLES SCHEME 106902
HELD AT THE MEETING ROOM, CATHEDRAL PLACE, 41 GOTHA STREET, FORTITUDE VALLEY
ON 14 MAY 2009 AT 6:00PM

Representation:

Tony Rich	Chairperson
Pat Brown	Secretary
Peter Zunker	Treasurer
John Gilliland	Ordinary Committee Member
Randal Edwards	Ordinary Committee Member
Larry Cowling	Ordinary Committee Member
David Gosling & Lloyd Anderson	Representing Star Building Management (Arrived 7.00pm & Departed 7.30pm)
Grant Mifsud & Peta Richters	Representing Archers Body Corporate Management

Apologies: Nil

In Attendance

Gil Bick	Owner Lot 15 - Kensington & Sandringham
Crestina Ceraolo	Owner Lot 3 - Oxford & Cambridge
Todd Raumer	Representative Lot 47 - Oxford & Cambridge

Preliminary: *Moved by Randall Edwards*
That the agenda for the CBC Committee Meeting on the 14th May 2009 be re-ordered in the following way: (New agenda circulated at the meeting).
Carried 6 For, Nil Against.
Resolved that motion 11 be moved to follow after motion 5.
Carried 6 For, Nil Against.

Quorum: It was noted that a quorum was constituted as at least 50% of all members of the committee were present

Chairperson: Pat Brown – Tony Rich

Minutes of Previous Meeting: Resolved that the minutes of the previous Committee Meeting held 31 March 2009 be adopted as a true record of that meeting subject to the following amendments:

Typographical

Proposed Unrestricted Administrative Fund Budget:
Insurance

Entitlements and that members have various avenues to *pursue* should they not agree with the current entitlement schedule.

Additional

General Business:

Process For On Charging Subsidiary Expenses and Authorisation
RESOLVED that invoices for on charging are to be submitted to the subsidiary representative for approval on a case by case basis *and respective subsidiary Committee approval sought by the Representative as required.*

Carried 6 For, Nil Against.

Referees Interim Order of 1 May 2009 and Clarification of Order dated 7 May 2009: **Resolution to reconvene AGM of 21 April 09 – upon passage of this, Tony Rich assumes the chair.**

• **Option 1 – Calling of an EGM to Consider all 21 April 2009 AGM**

Moved by John Gilliland:

1. Resolved that the committee takes notice of the interim ruling of the Referee in Dispute Resolution application No. 0381-2009; and
2. Resolved that the committee acknowledges that:

Matters

• Option 2 – No Action Pending Final Order

- a. it appears that the Annual General Meeting purportedly held on 21 April was inadvertently held without adequate notice and is therefore invalid; and
- b. as a result, all resolutions purportedly passed and all elections purportedly held at that meeting are ineffective; and
3. Resolved that a replacement Annual General Meeting be held on 28 May 2009 at 6pm; and
4. Resolved that, pending that meeting the members of the committee be recognised as those who were incumbent on 21 April 2009; and
5. Resolved that all proposed resolutions, nominations for election and other agenda items that were considered at the purported meeting of 21 April be accepted without the need for re-lodgement or re-nomination; and
6. Resolved that a period until 3pm 19 May 2009 be allowed for members to submit fresh or amended resolution for the agenda of the replacement AGM, or submit fresh nominations for election to any office; and
7. Resolved that the Secretary accept the nomination for election of Randall Edwards; and
8. Resolved that the Secretary issue the Notice of Meeting for the replacement AGM on the 20 May 2009.

Carried 4 For, 2 Against.

Tony Rich assumed the Chair

Inward and Outward Correspondence:

• Policy on Committee Correspondence and Instructions

Nominate Tony Rich to liaise with Archers and confirm delegation procedure.

Moved by Randall Edwards

1. That the CPCBC nominate Tony Rich as the person responsible for liaison with the Body Corporate Manager under item 6 of the current Administration contract for the period of currency of the contract or any extensions to the contract.
2. The CPCBC further resolves that Tony Rich will delegate the management of the secretarial and treasury functions performed by the Body Corporate Manager to the individuals occupying the positions of Secretary and Treasurer respectively for the currency of the contract and any extension thereof.
3. The Body Corporate Manager will take instructions on the secretarial and treasury functions performed by the Body Corporate Manager from these respective officers in their observance of their obligations under the MUD Act and at common law.
4. Where the Body Corporate Manager confirms a conflict in these instructions, Tony Rich will provide initial direction in satisfaction of the conflict.
5. Where the conflict is not resolved in the process in 4 above, CPCBC will resolve the conflict at a properly convened meeting of committee and provide direction to the Body Corporate Manager.
6. The Body Corporate may resolve by ordinary resolution to terminate this appointment at any time and replace Tony Rich with another nominee of the member of the CPCBC.

Carried 6 For, Nil Against.

Nominate Tony Rich to liaise with Star

Moved by John Gilliland.

CPCBC has accepted delegations from the residential BUP's for the management of their common property under a common agreement with Star BMS. The contract with Star BMS requires the appointment of a single point of contact with the CPCBC in the administration of the contract for the maintenance of the community and common property. CPCBC appoints

Tony Rich as its nominee for as long as he remains a nominee of a member of the CPCBC in this role for the currency of the agreement with Star BMS. CPCBC may resolve by ordinary resolution to change the nominee at any time at which time Tony rich's appointment will cease.

Carried 5 For, 1 Against.

General Business including but not limited to the following:-

- **Committee Member Motions**

Archer Contract to go to Tender Immediately

Moved by Randall Edwards

That the CPCBC commence a competitive tender process to appoint a suitably qualified Body Corporate Manager to manage the affairs of the CPCBC and the five residential BUP's to be concluded before the expiration of the current contract with Archers BCM on similar terms and conditions to the current contract. It was further resolved that each Representative is to submit strategies as to how the tender process is to proceed.

Carried 6 For, Nil Against.

Building Managers Report:

- **Fire Door Remedial Works**
- **Foyer Leak**
- **Lighting**
- **Water Tank**
- **Mail Room Garden**
- **Pool Lights**
- **Pool Area Landscaping**

Star Building Managers Report

Report provided and additional items for decisions distributed as attached.

Irrigation

It was reported that 2 valves are not functioning and the current contractor will not rectify until the outstanding account is paid. It was further reported that the work was carried out for this invoice although not approved by the committee and therefore the outstanding invoice is disputed.

Peter Zunker advised that he will investigate if the valves can be manually operated.

It was noted that David Gosling is to provide a copy of the outstanding invoice to Tony Rich & Peter Zunker for authorisation. The invoice is to be investigated further at the next meeting once a breakdown of the costs has been received.

Moved by Randall Edwards

That two (2) loads of water be purchased to test the irrigation system at a cost of approximately \$350 per load. It was further resolved to pay the outstanding invoices submitted H2Flow.

Carried 6 For, Nil Against.

Security Screens

David Gosling to obtain two quotes to install security screens.

Residential Roller Door

David Gosling requested approval to obtain quotes to fix the Residential Roller Door and advised that there will be a fee involved by the electrician. It was noted that the quote from ADS for the Service Bay roller door was outstanding.

Resolved to approve the quote from ADS for the Service Bay Roller Door as long as they agreed to give a quote for the Residential Roller Door free of charge when they attend the site to fix the Service Bay Roller Door.

Carried 6 For, Nil Against.

Lights

Moved by Tony Rich

That the CPCBC request that the Notre Dame representative consult his committee to provide a proposal to the CPCBC for consideration for the rectification of the light

Carried 4 For, 1 Against, 1 Abstain

Spa Chlorination System

Quote was submitted to replace the current chlorinator with a higher capacity salt water chlorinator. It was noted that the body corporate is currently spending approximately \$800 per week on chlorine.

Moved by Randall Edwards

That Tony Rich is to meet with the contractor from Reliable Pools the following day to discuss the replacement of the chlorinator and that Tony Rich be authorised to approve the replacement of the chlorinator up to \$1200.

Carried 6 For, Nil Against

Pool Leaking

It was noted that the pool is currently leaking approximately 4000L per week. It is believed that the leak is coming from the pipes and that sonar equipment may be necessary to locate the exact position of the leak.

Resolved that Tony Rich will liaise with Reliable Pools contractor to discuss repair options.

Carried 6 For, Nil Against

BBQ Replacement

It was noted that one of the BBQs does not work at all and the other two BBQs work intermittently. David Gosling requested to have the BBQ that does not work replaced with an electric one.

Resolved to replace the BBQ that does not work with an electric BBQ and investigate previous replacement options.

Carried 6 For, Nil Against

David Gosling and Lloyd Anderson departed at this juncture

Inward and Outward Correspondence as circulated.

- **Policy on Committee Correspondence and Instructions**

Any Two Members CPCBC Committee Approve Invoices

Moved by Randall Edwards

That Tony Rich and Peter Zunker be the appointed nominees (authority) to approve invoices submitted to the CPCBC for payment and may delegate the authority to another member of the Committee at the discretion of the nominee. Furthermore, that if any invoices are disputed by the nominee, the invoice is to be submitted to the committee for consideration as soon as possible.

Carried 6 For, Nil Against.

Archers to Accept Delegations from Tony Rich, Treasurer and Secretary

Motion moved by John Gilliland.

The CPCBC confirms that Archers BCM reports to the CPCBC as its single point of contact under the terms of its agreement with the CPCBC. The CPCBC may appoint an individual who is a nominee of a member of the CPCBC to represent its as the point of contact with the Body Corporate Manager. The Body Corporate Manager is instructed to accept instructions and direction from Officers of the Executive Committee in the conduct of their responsibilities under the MUD act and in observance of proper process for the operational management of the roles of Secretary and Treasurer. Where there is conflict in the observance of these operational instructions and the majority direction of the body corporate, the body corporate meeting in committee will pass a comprehensive resolution to confirm or otherwise modify the direction of the executive officer.

Motion lapsed as not enough votes were received to resolve.

Confirm the role of the Secretary

Moved by John Gilliland

The Body Corporate confirms that the Body Corporate Manager shall be directed in the performance of the Secretarial function by the Secretary of the CPCBC.

These functions include but are not limited to the following processes-

1. to keep or cause minutes to be kept; and to move adoption of those minutes at the next meeting;
2. to cause the issue of and to sign notices on behalf of the body corporate as required by law
3. to maintain the roll of members (or cause it to be maintained);
4. to deliver or cause information to be delivered to 3rd parties as required by law;
5. to control correspondence, to bring incoming correspondence to the attention of the committee and to sign outgoing correspondence on behalf of the committee or the body corporate;
6. to call for, accept and collate nominations for elections;
7. to receive and collate proposed resolutions for consideration and prepare (or cause to be prepared) agendas for future meetings;
8. to convene and give notices calling meetings for the executive committee and the body corporate when requisitioned by committee members or members of the body corporate under the Act, or of the secretary's own motion;
9. to keep custody of the seal and attest the execution of documents signed under seal.

The secretary may delegate such efforts as is deemed necessary by the secretary to the Body Corporate Manager.

Carried 4 For, 2 Against.

Business Arising:

- Gym Upgrade

Gym Upgrade (flying minute) – including amendment

The meeting noted that the original motion issued in the form of a flying minute has lapsed due to insufficient votes.

Tony Rich declared association with Life Fitness prior to consideration of the following motion and abstained from voting.

That the Body Corporate approve the upgrade of gymnasium facilities in accordance with the specifications contained within the quotation submitted by Life Fitness dated 09 May 2009 in an amount of \$765.00 per month for 48 months totalling \$36,720.00.

Carried 4 For, Nil Against, 2 Abstain

Building Managers Report:

Issue of Star's Position on Security Patrols

Noted correspondence received from Star BMS dated 24 April 2009, confirming contractual obligations.

Moved by Tony Rich

That the letter from Star be accepted as in accordance with terms of engagement.

Carried 3 For, 2 Against, 1 Abstain

Business Arising:

- Tender Process

Caretaking Tender Sub-Committee Formation and Delegations (flying minute)

The meeting noted that the original motion issued in the form of a flying minute has lapsed due to insufficient votes although the motion was reconsidered.

That a sub-committee be formed as soon as possible, for the purpose of providing a final recommendation for caretaking services for the Cathedral Place residential bodies corporate to be voted on at a general meeting of the community body corporate before the 3rd of November 2009.

That the sub-committee be formed from persons nominated by the body corporate committee's of Notre Dame, Oxford & Cambridge, Canterbury & Westminster, Duhig and Kensington & Sandringham. There being no restriction on the size of the sub-committee

That meetings of the sub-committee are open meetings.

That the sub-committee members elect a chairman to run the meetings.

That there are no restrictions on the ability of the sub-committee to determine what are the best solutions for caretaking services for Cathedral Place.

That the sub-committee can submit a flying motion to the Community Body Corporate to request funding or to implement an action necessary for the purposes of the sub-committee by getting a committee member of the Community Body Corporate to submit a motion on the sub-committee's behalf.

Not Carried 2 For, 4 Against.

Moved by John Gilliland

That the Body Corporate endorse a previous motion resolved 3 months prior in relation to the Caretaking agreement tender process.

Carried 4 For, 2 Against.

The Meeting was adjourned at this juncture.

Date of Next Committee Meeting:

It was resolved that the reconvened meeting of the Committee be held on **28 May 2009** after the completion of the reconvened AGM.

Carried 6 For, Nil Against

There being no further business, the meeting closed at 8:35pm.

Confirmed.

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Chairperson

Property - Cathedral Complex Note: Red = For Discussion - Green = Quotes received - Blue = Quotes Submitted - Black = Approved.

Date - 14th May 2009

Category	Item	Status	Progress Notes	Comments
GARDENS	Replant of Perished Plants, Shrubs etc	For discussion with CBC		
	Irrigation System	For discussion with CBC	Major fault in irrigation system has been identified. Issue with further works being carried out due to outstanding accounts.	Minor repairs on sprinkler heads can be delayed, however works to the valves and control boxes should be carried out ASAP.
	Raised Footpaths	For discussion with CBC	Initial investigation only	Some areas of the raised footpath have become potential trip hazards. IN additional they are unsightly
	Removal of Garden Bed Wall Lining & Repainting	For discussion with CBC	Initial investigation only	Soil levels have dropped within the garden beds exposing the lining, we propose to remove the lining at the current soil level and repaint.
	Trimming of Palm Fronts	In dispute	CBC questioned whether this forms part of the caretakers duties.	The high level tree trimming requires specialised equipment and insurance. This is considered to be outside the scope of the care takers duties.
	Stump Removal	Awaiting Approval	Quote submitted to CBC - \$2,300 + GST	Concerned if quotes are still accurate given length of time.
	Top-Soil and Mulching	For discussion with CBC	On hold during podium refurbishment considerations	Soil levels are now very low, garden bed infrastructure now exposed
	Pathway Drain between G & H	Quote Received	To be submitted to the CBC	Existing drain was built over: in original construction, works will bring this drain to the surface.
	Pathway Drain between D & E	Request approval to source quotation	Initial investigation only	Only a 20mm hole for drainage, due to construction default
	ELECTRICAL	Signboard / Directional Lighting Repaired	Request approval to source quotation	Initial investigation only
Replacement of Faulty Light Fittings		Request approval to source quotation	Initial investigation only	Light bulbs and starters have been changed, light still out
Faulty Fuse Powering B & C Entry Lights		Request approval to source quotation	Initial investigation only	Fuse tripping during each test
2x Additional Power Points in Pool Room		Request approval to source quotation	Recommendation from pool technician	Current pumps, heater and bubble machines are all plugged in through extension leads and double adaptors
Gotha Street Intercom		Request approval to source quotation	Initial investigation only	Reports that several units cannot provide access through the Gotha Street entry via the intercom
Pool Light Replacement		Request approval to source quotation	Initial investigation only	Two lights at the G Block end of the pool
Foyer Lighting		Awaiting Approval	Quotes submitted	Being considered by the CBC and other Body Corporates
Patches in Pebbledeck		Request approval to source quotation	Initial investigation only	Holes in main pool are unsightly
Sonar Leak Locator For Main Pool		Request approval to source quotation	Recommendation from pool technician	Losing approximately 4,000 L per week due to the leak
Wading Pool Pump Replacement		Awaiting Approval	Quotes Submitted - \$1,000 + GST	Being considered by the CBC, Peter Zunker has questioned the labor cost with this quotation, wading pool currently operating on one filter
	Spa Chlorinator System	For discussion with CBC	Quotes Submitted - Peter Zunker currently disputing	Current system is now often failing and must be continuously checked and assisted to deliver the correct levels of chlorine to the spa.
	Drain / Channel Under Shower	Request approval to source quotation	Initial investigation only	Presents and OH & S issue, causes discoloration of the stones and is unsightly
	BBQ Replacement	Request approval to source quotation	Star BMS recommends replacement of all three BBQ's The cost for electric and gas have been submitted	One BBQ is beyond repair (quote to replace submitted) The remaining two are unreliable and heat the plate unevenly
	Furniture Sanding and Restaining	Request approval to source quotation	Initial investigation only	Furniture is looking worn due to regular use
	Emergency Stop for Spa	Request approval to source quotation	Initial investigation only	Legislative requirement to install when any upgrade to the spa is carried out
	Spa Cover	Approved	Quote from Poolwerks for \$595 + GST was approved by the CBC	To be installed
	Sections of Pool Fencing Needing Repairs	Request approval to source quotation	Initial investigation only	Two panels of fencing around the pool are loose or detached
	Remove Rust and Repaint Spa Columns	Request approval to source quotation	Initial investigation only	Stains tiles and is unsightly
	Pool Gate Repairs	Request approval to source quotation	Initial investigation and temporary remediation only	Additional works required to resecure the gates
	Installation of Additional Bins	Request approval to source quotation	Observation of rubbish accumulation throughout the property	Several areas have been identified as needing additional bins
GENERAL	Repaint Kiosk On Entry	Request approval to apply new paint	On contract with Reilly Shilly	Star will follow up
	Graffiti Removal	Request approval to source quotation	Initial investigation only	Along Gibbs Street particularly
	Build in Fire Escape on Gibbs Street	Request approval to source quotation	Regularly used as a drug location and homeless shelter	Posses a security risk due to it being kept open
	Roller Door Maintenance Contract	Request approval to source quotation	No contract in place to maintain doors	Has resulted in both of the main roller doors ow being open and awaiting repairs
	Sump Pump Maintenance Contract	Request approval to source quotation	No contract in place to maintain pumps	Could result in flooding if there was a leak into the lift sumps
	New Flag	Request approval to proceed	N/A	N/A
	Gymnasium	Awaiting Approval	Quotes submitted	CBC Considering
	"A" Block Water Feature	Request approval to source quotation	Investigation into council water regulations and water tank requirements	Todd currently investigating independently

Matters for Consideration and Decision at CBC Level

Matter for Consideration	Description of matter	Current Position	Decision Required	Decision
Irrigation System	Major fault in irrigation system has been identified. Outstanding accounts need to be paid before further work can be undertaken.	Minor repairs on sprinkler heads can be delayed, however works to the valves and control boxes should be carried out ASAP.	1. Pay Existing Account 2. Obtain quotes to repair valves and a separate quote to repair the remainder of the system	
Security Screens on All Street Entries	Screens to be installed to prevent entry of persons not living at Cathedral Place	Quotes need to be obtained and considered	Obtain Quotes	
Roller Door - Residential	Roller door requires attention	Quotes need to be obtained and considered	Obtain Quotes	
Roller Door - Service Bay	One Quote obtained and is with the Committee Second quote received today	Quote requires approval of Committee	Star recommends quote from All Door Solutions be accepted	
Replacement of Faulty Light Fittings A Block	Quotes obtained and are with the Committee	Work needs to be carried out ASAP	Committee needs to give direction, Star recommends LED's be installed	
Spa Chlorinator System	Replacement pump needed in wading pool	Quotes presented to Committee	Star recommends proceed with quote from Reliable Pool Technician be accepted	
Pool	Pool leaking	Loosing 4000l of water a week	Approval to have sonar leak identification test carried out	
Spa	Spa Chlorination System	Replace chlorination system, quotes have been submitted to Peter Zunker		
BBQ Replacement	New BBQ needed	Faulty BBQ needs to be replaced	Star recommend salt chlorination Purchase new BBQ	