

**MINUTES OF A COMMITTEE MEETING OF THE BODY CORPORATE FOR
CATHEDRAL PLACE CBC MIXED COMMUNITY PLAN 106902
HELD AT CATHEDRAL PLACE MEETING ROOM, 41 GOTHA STREET, FORTITUDE VALLEY
ON 8 JUNE 2009 AT 6:10PM**

Representation: **Randall Edwards** **Chairperson / Treasurer**
 John Gilliland **Secretary**
 Tony Rich **Ordinary Committee Member**
 Larry Cowling **Ordinary Committee Member**

Apologies: **Lindsay Anlezark**

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

Chairperson: **Randall Edwards**

General Business

Item 1.

The following motion was moved by R Edwards by ordinary resolution: That in the event the BUP's do not pay monies owing (and invoiced) to the CPCBC by the 20th June 2009, the CPCBC authorises the Chairperson to write to the owners of the various subsidiaries (those not having paid monies owing) to explain to them the financial position of the CPCBC and the potential for insolvency and seeking the assistance of the owners to press their respective Committees to authorise the payments for these monies owing.

Carried 4 For, Nil Against.

It was further agreed that the chairman may seek legal advice on behalf of the CPCBC re the possible positions of the Body Corporate and owners if the CPCBC is unable to pay its invoices or maintain its contracts.

Carried 4 For, Nil Against.

Item 2.

Moved J Gilliland Ordinary Resolution: The mover accepted this amended motion: The Secretary is to place the following request for tender on appropriate websites and deliver a copy to all respondents to the Expression of interest conducted in 2007.

"Request for Tender, Body Corporate Caretaking Service Provision – Cathedral Place Community Body Corporate and subsidiary BUPs.

Cathedral Place Community Body Corporate and its 6 subsidiary Building Unit Plans (CPCBC) is calling for Tenders from suitably qualified individuals or organisations for provision of onsite Caretaking services to its 541 lots and 1.7 hectare Common Property to commence in November 2009.

The CPCBC is located at 41 Gotha Street Fortitude Valley 4006. It and its subsidiaries are registered under the Qld Mixed Use Development (MUD) Act and the Qld Building Units and Group Titles Act (BUGTA). The property was completed in 1998. It is structured as a principal community body corporate with 5 subsidiary residential bodies corporate totalling 514 lots and 1 retail and commercial body corporate of 27 lots. The subsidiary residential BUPs have delegated responsibility for the settlement of the contract for supply of Caretaking services to CPCBC. A separate contract is in place under similar terms with the retail and commercial body corporate. The property includes a number of medium and low rise residential units and two levels of retail and commercial lots. There are two basement car parks and a number of lifts servicing the medium rise towers. The property stands alone on its site and is surrounded by major roads, 1 kilometer from the Brisbane CBD. The centre podium layer includes a large saltwater pool, spa and landscaped

beach and gardens. It also includes a ground floor gymnasium. The site has over 7,000 pass card movements over the weekend in a typical summer. The site has over 35% of its lots tenanted; most of these are managed by the onsite letting agents who operate this business onsite. Respondents may conduct letting services onsite in competition with the incumbent; however this is not a necessary requirement.

The Caretaker supervises a nightly security patrol at its costs and maintains security on site using an integrated colour CCTV system. A standard contract is available that confirms daily, weekly and regular routines in the conduct of the role. A copy of the contract will be made available on application. The CPCBC has no predisposition as to the most suitable model that could be employed onsite. Respondents are encouraged to visit the site and confirm their requirements as to accommodation on or off site, the most appropriate management structure (e.g. family onsite; corporate management by a Building Management Service entity; employed Site or Contract Manager etc) that should be used and facilities that must be provided in support of the operation.

The Caretaker supervises all trades onsite and liaises with occupiers, owners, Administrator and the Body Corporate as necessary. At least two quotes are requested for annual services provision such as insurances and major repairs etc. A set of standard contracts and the Body Corporate By-Laws are available for perusal that will form the basis of the contracts between the parties. It is expected that the contract will be let for 36 months with a two one year extensions subject to satisfactory performance. The Body Corporate envisages completing contract negotiations by 15 September 2009 to allow the successful tenderer time to put appropriate changeover processes in place.

The successful tenderer will not have to purchase the contract from the incumbent.

Your response must address mandated criteria for 1) legal and financial capacity of the Respondent; 2) demonstrated relevant background and experience to undertake the role; 3) the Respondent's concept and development approach including its response to the Body Corporate's guiding principles; 4) the commercial approach and business model proposed and 5) how this will benefit proprietors and occupiers and mitigate risk.

Tender Responses outlining qualifications, experience, services offered for Caretaking services are to be submitted by close of business 31 July 2009 addressed to Mr Ken Morrisby, Tender Manager, Cathedral Place Community Body Corporate care of Rider Levett Bucknall Qld Pty Ltd L3, 179 Ann Street Brisbane Qld 4000 ph 07 3009 6933, fax 07 3009 6999.

The CPCBC committee requests respondent's indicative pricing and reserves the right to enter into negotiations with suitable short listed suppliers. It is expected the contract will commence on 4 November 2009. For enquiries or to obtain the standard contracts phone Ken Morrisby on 07 3368 6700".

Carried 4 For, Nil Against

Item 3.

Moved J Gilliland Ordinary Resolution: The mover accepted this amended motion: The Sect is to place the following request for tender on appropriate websites and deliver a copy to all major suppliers of Administrator services. The CPCBC advertise the calling of tenders to all major suppliers detailing the following:-

Body Corporate Administration – full administration and secretarial duties

Cathedral Place Community Body Corporate (CPCBC) is calling for quotations from suitably qualified organisations for the full administration of its 541 lots. The CPCBC is located at 41 Gotha Street Fortitude Valley 4006. It and its subsidiaries are registered under the Qld Mixed Use Development (MUD) Act and the Qld Building Units and Group Titles Act (BUGTA). The property was completed in 1998. It is structured as a principal community body corporate with 5 subsidiary residential bodies corporate totalling 514 lots and 1 retail and commercial body corporate of 27 lots. The subsidiary residential BUPs have delegated responsibility for the settlement of the contract for supply of administrative services to CPCBC. The CPCBC holds 1 AGM and up to 3 EGMs per year and on average 10 committee meetings per year. The 5 residential BUP's hold 1 AGM each and on average 4 Committee meetings each year. Duties include full secretarial and treasury services required for such a complex. The residential BUPs have over 200 tenanted lots, the remainder are owner occupied. Letting and caretaking business operate onsite. Most meetings occur in the onsite boardroom after 5PM on weekdays and last for 1 to 2 hours. Books are maintained on BCMax software. The CPCBC operates two Administration and two Sinking Funds, a Suspense Clearing Fund and an Electricity Fund. Levies are raised quarterly and can be paid by cheque, BPay, EFT, credit card or Aust Post. Electricity meter reading and billing services are provided by Watts Energy. Full books are maintained by Watts and trading results are consolidated monthly by the Administrator with each set of reports. The Administrator handles all compliance reporting and remittances. At least two quotes are requested for annual services provision such as insurances etc. All books have a 31 August year end. The 8 sets of books are audited each year. Standard contracts are available for perusal that will form the basis of the contracts between the parties. It is expected that the contract will be let for 12 months with a two year extension subject to satisfactory performance in the initial 12 month period. The tender must be offered separately for the service provision to the CPCBC and the five residential Bodies Corporate. Most major contracts are negotiate at a 'whole of complex' rate and recovered in accordance with Administration contracts or other agreements between the parties in the complex through a Suspense Clearing Fund.

Tenders outlining qualifications, experience, services offered and price for secretarial and treasury services separately with disbursements are to be submitted by close of business 8 July 2009 addressed to Secretary, Cathedral Place Community Body Corporate, 23 Cathedral Village, 115 Wickham Street Fortitude Valley Qld 4006. The CPCBC committee and subsidiary Bodies Corporate request tenderers' best and fairest prices and reserve the right to enter into negotiations with suitable short listed suppliers. It is expected the contract will commence 1 September 2009.

For enquiries or to obtain the standard contracts phone 07 3852 2220.

Carried 4 For, Nil Against.

Item 4.

Moved J Gilliland Ordinary Resolution: The mover accepted the following amendment. Electricity billing refund

1. CPCBC instructs the Treasurer to complete the distribution of the over charged electricity billings immediately.
2. The refund of the overcharge is to be calculated by deducting the wholesale cost of electricity supply less the costs of meter reading and billing expenses and other minor charges from the commencement of the

Watts tenure until the final bills that were raised prior to the adoption of the current system by CPCBC.

3. The refund is to be made by payment from the Electricity Trading fund to each electricity consumer who was billed by the original invoices. Payment is to be by cheque payable to the consumer, mailed to the address in the records maintained by Watts Energy in proportion to original invoices.
4. Where a consumer cannot be located or the cheque is returned or remain uncashed after 6 months, the payment is to be deposited into a separate bank account held by CPCBC for the purpose to the credit of the consumer in the amount refunded.
5. At some point in the future once this process is complete, CPCBC will determine how these unclaimed funds are to be dealt with.
6. The Treasurer is to reference the spreadsheet developed for the purpose by Watts Energy.
7. Interest received on these funds is to be retained to offset the costs of distribution.
8. The charges for distribution and management of the distribution by Watts Energy are to be recovered against the surplus and is to be deducted from the distribution to each consumer.
9. The Secretary is to obtain a quote from Watts Energy to manage the distribution..

Vote Yes to distribute funds in accordance with this motion.

Carried 4 For, Nil Against

Item 5. Secretary was instructed to include an item on all future agendas covering the Oasis podium and pool renovations until the project is complete.

Date of Next Committee Meeting: To be Advised

There being no further business, the meeting closed at 7:25pm

Confirmed.

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Chairperson