

**MINUTES OF THE COMMITTEE MEETING OF THE BODY CORPORATE FOR "CATHEDRAL PLACE
CBC" MIXED COMMUNITY PLAN 106902 HELD ON MONDAY 7 DECEMBER 2009 7:00 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

David Gordon representing Body Corporate Services Pty Ltd.

Larry Cowling & Catherine Harvey representing Star Building Management.

Neil Fleming	E96 Observer
Greg Przewlocki	A114 Observer
Todd Raumer	Observer
Lindsay Anelzark	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 4:30pm.

1 PROXIES

Nil

2 CONFIRMATION OF MINUTES

Committee meeting 17/09/09:

Peter Zunker stated that there was a flying minute recording resolutions of the meeting. Peter Zunker states that Body Corporate Services has only a limited authority and are not provided with all the minutes.

MOTION: - That item 5 reads that the meeting was not confirmed.

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

Vote: Yes 2 No 3 Abstain 1

MOTION: That the minutes of the committee meeting of 17 September 2009 be accepted.

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

Vote: Yes 3 No 3 Abstain 0

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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

Committee meeting 24/09/09:

MOTION: - That the DRAFT MINUTES include 'G/H' Kensington and Sandringham noted their objection to Todd Raumer not being allowed to continue in the absence of the written proxy of Michael Pointing'.

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

Vote: Yes 3 No 3 Abstain 0

MOTION: - That the quorum – delete 'the committee agreed to this.'

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

Vote: Yes 3 No 3 Abstain 0

MOTION: That the minutes of the committee meeting of 24 September 2009 be accepted.

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

Vote: Yes 3 No 3 Abstain 0

Committee meeting 28/09/09:

MOTION: - That item 3a referring to the Statutory Declaration of Damien Jennings – be amended by the addition of the following words, 'and the police be notified.'

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That item 4 be corrected to read Tony Rich queried, not Todd Raumer.

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That item 9 be amended to read: Notre Dame only should only have to pay for things done for the BUP and must be invoiced for this work before it can be paid.

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That item 2a in the draft minutes be removed:
That the secretary report to the meeting that theup to resolution.

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

Vote: Yes 6 No 0 Abstain 0

NOTE: Confirmation of the minutes for the committee meeting 28/09/09 is deferred to the next meeting

Action: Body Corporate Manager

Committee meeting 01/10/09 (Draft):

MOTION: - That the pre discussion reference be deleted.

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That the Item Attendance be corrected.

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

Vote: Yes 6 No 0 Abstain 0

Action: David Gordon to confirm with the meetings hard copy notes regarding attendees.

MOTION: - That Item 3b is deleted and 3c be renumbered to 3b.

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That in item (now 3b) a bullet point be inserted, that Peter Zunker & Randall Edwards provide questions to be submitted to Gadens by David Gordon.

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That the minutes of the committee meeting of 1 October 2009, as amended, be confirmed.

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

Vote: Yes 6 No 0 Abstain 0

Committee meeting 2/11/09:

MOTION: - That the voting in item 4a amended to Yes 4 No 2 Abstain 0

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That Item 4b be amended (*The Chairman ruled in accordance with the advice of Dawn Tran of Gadens and Peter Townley of Herbert Geer.....*).

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That in item 7 Car Park Cleaning: Peter Zunker stated 'Whatever is in the contract is what is required.'

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That the minutes of the committee meeting of 2 November 2009, as amended, be confirmed.

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

Vote: Yes 6 No 0 Abstain 0

Action:

Committee Meeting 30/11/2009, David Gordon is instructed to send the draft minutes to all committee members.

3 FINANCIAL REPORTS

The Treasurer instructed Body Corporate Services to distribute the year end accounts to Carthills.

Distributed at meeting: Body Corporate Services has finalised the year end accounts as this was not performed by Archers.

Action: Body Corporate Services

4 STATUS OF LEVY AUDIT

The Chairman advised that last week he advised Carhills that they have 30 days to complete Matter 2 (allocation of expenses between all accounts in previous years).

MOTION: That the full emails referred to in the advice from Carhills dated 22/4/09 as extracts be provided for the public record and lot holders to have access to. The Body Corporate Manager be instructed to write to Carhills to get these emails.

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

Vote: Yes 6 No 0 Abstain 0

5 INDEPENDENT CONSULTANT RE APPOINTMENT OF CARETAKER

The meeting noted that the correspondence between the Secretary and Rider Levett Bucknall be included in the body corporate records and that the secretary confirms that was the only written instruction given.

The Secretary has confirmed that he had distributed all correspondence.

6 PAYMENT OF BCS SERVICES

MOTION: That BCS is paid for out of unrestricted levies unless additional charges arise to a particular BUP for usage of services with BCS above what was initially budgeted for with BCS

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

Vote: Yes 2 No 4 Abstain 0

Action: David Gordon

7 SOLVENCY

MOTION: - That the following budget be adopted for the 2009-2010 Cathedral Place Community Body Corporate year for charges to residential BUPs for Management Costs, and the BUPs be invoiced as follows:-

Notre Dame: Full Payment within 30 days of invoice.

Oxford & Cambridge: Full Payment within 30 days of invoice.

Canterbury & Westminster: 1/12 of total per month provided payments are received within 30 days of date of invoice; & if not paid within 30 days, the remaining amount be invoiced and payable within 30 days.

Duhig: 1/12 of total per month provided payments are received within 30 days of date of invoice; & if not paid within 30 days, the remaining amount be invoiced and payable within 30 days.

Kensington & Sandringham: 1/12 of total per month provided payments are received within 30 days of date of invoice; & if not paid within 30 days, the remaining amount be invoiced and payable within 30 days.

Cathedral Place Management Budget for BUPs								
Item	A	B&C	D&E	F	G&H	Total	CBC Rest	Village*
Caretaking (by Lot Ent)	\$ 135,323.00	\$ 62,059.00	\$ 84,489.00	\$ 72,042.00	\$ 82,746.00	\$ 436,639.00	\$ 200,000.00	
Garden Mulch	\$ 2,536.00	\$ 5,072.00	\$ 5,072.00	\$ 2,536.00	\$ 5,072.00	\$ 20,288.00	\$ 5,072.00	
Emergency Lighting (by Lot Ent)	\$ 12,058.00	\$ 5,530.00	\$ 7,526.00	\$ 6,451.00	\$ 7,526.00	\$ 39,091.00	-	\$ 10,982.40
BUP General Repairs	\$ 15,700.00	\$ 7,200.00	\$ 9,800.00	\$ 9,600.00	\$ 9,800.00	\$ 52,100.00	-	
Lifts (\$10K per lift)	\$ 30,000.00	\$ 10,000.00	\$ 30,000.00	\$ 20,000.00	\$ 30,000.00	\$ 120,000.00	-	
Electricity (125 / lot)	\$ 19,625.00	\$ 9,000.00	\$ 12,250.00	\$ 10,500.00	\$ 12,000.00	\$ 63,375.00	\$ 125,000.00	\$ 17,875.00
GST	\$ 7,968.00	\$ 3,681.00	\$ 6,465.00	\$ 4,909.00	\$ 6,440.00	\$ 29,329.00	\$ 7,974.00	\$ 7,975.00
Total	\$ 223,210.00	\$ 102,542.00	\$ 155,582.00	\$ 126,038.00	\$ 153,584.00	\$ 760,822.00	\$ 338,046.00	\$ 36,832.40

* Village not party to Management Agreement but pays for common fire, security & electricity.
above figures and totals are 'as provided'.

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

Vote: Yes 4 No 2 Abstain 0

Action: Body Corporate Manager

Noted: CBC will pay as much as avail as soon as possible.

MOTION: - That the electricity fund be transferred to the general fund while the issue of outstanding invoices is resolved.

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

Vote: Yes 2 No 4 Abstain 0

8 LEGAL ACTION TO RECOVER SUSPENSE ACCOUNT DEBTS FROM BUP'S

The meeting notes the committee resolution in place to proceed with recovery action and the Treasurer advises that if clarification with Gadens Lawyers and the parties fails on Wednesday 9th Dec 09 he will instruct Gadens Lawyers to proceed.

9 WATER PURCHASE

The meeting noted that the matter was dealt with at the previous meeting via Caretaker's report.

10 BUDGETS

David Gordon to input figures suggested and distribute to all members for review.

11 MAINTENANCE ITEMS

MOTION: - That Darryl Mappin be invited to the January meeting with a general outline of what needs to be done, some options to fix, or is there some middle ground, contractors that would be needed etcetera. Subject to Darryl's availability.

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

Vote: Yes 6 No 0 Abstain 0

12 SPRINKLER SYSTEM

MOTION: That Todd Raumer and Peter Zunker compile a fact file for the lawyers and instruct Gadens to advise as to what would be the best commercial outcome for the owners by either:-

- a. The likelihood of success
- b. and cost;
- c. and Gadens immediately apply for an extension.

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

Vote: Yes 6 No 0 Abstain 0

MOTION: - That ANY legal/legislative advice received from lawyers or Body Corporate Services be distributed to all members of the committee.

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

Vote: Yes 6 No 0 Abstain 0

Action: Body Corporate Services

13 PODIUM PROJECT

Refer to Maintenance items (11) above.

14 ACTION REGARDING THE MATTER OF SYMLAND PTY LTD ATS MINNEIL PTY LTD

Refer to Sprinkler System (12) above.

15 REQUEST TO CONVENE AND EGM OF CP CBC ON 18 DECEMBER 2009

MOTION: That the Body Corporate call an Extraordinary General Meeting for 21 December 2009 at 9:00am

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

Vote: Yes 3 No 3 Abstain 0

CLOSURE

The Chairperson closed the meeting at 7:45pm.

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