

Body Corporate Services Pty Limited  
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**MEMBER**  
COMMUNITY TITLES  
INSTITUTE QUEENSLAND

Minutes of the Extraordinary General Meeting of the Body Corporate for "CATHEDRAL PLACE CBC" Mixed Community Plan 106902 held on Thursday, 23 December 2010 at 12.00noon in the Meeting Room "Cathedral Place" 41 Gotha Street Fortitude Valley.

### PRESENT IN PERSON

Lindsay Anlezark, Crestina Ceraolo, Peter Zunker, Todd Raumer, John Gilliland

### PROXIES

Nil

### LOTS REPRESENTED

#### Lot no

Lot 1	Notre Dame	by representative Lindsay Anlezark
Lot 2	Oxford Cambridge	by representative Crestina Ceraolo
Lot 3	Canterbury Westminster	by voting paper
Lot 4	Duhig	by representative Peter Zunker
Lot 5	Kensington Sandringham	by representative Todd Raumer
Lot 6	Cathedral Village	by representative John Gilliland

### IN ATTENDANCE

John Rae representing Body Corporate Services Pty Ltd.

### CHAIRPERSON OF MEETING

Todd Raumer chaired the meeting.

### QUORUM

The chairperson declared that a quorum was represented and the meeting was declared open at 12.00noon.

### UNOFFICIAL LOT

Lot 6 was unfinancial and therefore could not vote on Ordinary or Comprehensive resolutions.

### MOTIONS

#### 1 CONFIRMATION OF MINUTES

#### ORDINARY RESOLUTION

##### *Procedural motion*

That the minutes of the extraordinary general meeting held on 6/12/2010 be confirmed and signed as a true and correct record of the proceedings at that meeting.

**RESOLVED** that motion 1 be **CARRIED** Yes 4 No 0 Abstain 1 Invalid 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

Typed by: M. Reid  
CATHEDRAL PLACE CBC MCP 106902

**2 AMENDMENT OF BY-LAW 29**

**COMPREHENSIVE RESOLUTION**

*Submitted by Committee*

That Motion 2 passed at the **EGM BY COMPREHENSIVE RESOLUTION** held on May 11, 2006, by which the Body Corporate purported to amend its By-laws by adding a new By-law 29 which deleted part of By-law 22, deleted By-law 22A and replaced By-law 23, be revoked so that By-laws 22-23, as reprinted below, in place at May 11, 2006, remain unchanged.

Original By-laws 22 to 23 to remain unchanged

22. Use of Building Manager's Lot

Lot 4 in the Building Units Plan to be known as Notre Dame, and Lot 64 in the Building Units Plan known as Oxford and Cambridge and until both of these lots are completed and registered such other lot or combination of lots in Cathedral Place as are used for the purposes of management and letting in accordance with By-law 23 (the Management Unit") may be used for the purposes of Management of the property and for the sale and letting of units in the buildings on behalf of the proprietors, and the rendering of such services to occupants of units in the building and may without the consent of the Body Corporate Committee display signs or notices for the purposes of offering for sale or for lease or for letting any unit in the building. The right to use the said lots for these purposes must not be revoked without the written consent of the proprietor of the lot. For the purposes aforesaid the Body Corporate shall have power to grant to the proprietor of the Management Unit the right to carry on in the property the business of letting units in the building and for the purpose to enter into any appropriate agreement on such terms and conditions as the Body Corporate may deem fit.

22A.

Except as authorised in By-law 22, the Body Corporate prohibits the use of any part of the Cathedral Place Development (which includes the common property of the Community Body Corporate and all the lots and common property of the buildings known as Cathedral Village, Duhig, Kensington and Sandringham, Canterbury and Westminster, Oxford and Cambridge and Notre Dame) for the purposes of the sale and letting of the lots or car parks within the development on behalf of proprietors except for the sale of lots within the development by Cathedral Place Developments Pty Ltd

23 Both' Corporate Empowered to Enter Into Agreements

(a) The Body Corporate shall be empowered to enter into Agreements from time to time with the proprietor of the Management Unit or any party associated with the said proprietor who has care and control of the said lot to caretaker and or manage the common property of subsidiary bodies corporate and the buildings at Cathedral Place and to let lots upon such terms and conditions as the Body Corporate shall decide upon in general meeting

(b) The proprietor of the Management Unit, or any party associated with the said proprietor who has care and control of the said lot is authorised to be the letting agent for such of the proprietors of Cathedral Place who shall desire to appoint such party as their letting agent

(c) The Committee of the Body Corporate hereby consents to the managers application to the Auctioneers and Agents Committee of the Office of Corporate Affairs to conduct a letting business in relation to the units in Cathedral Place from the Management Unit

**RESOLVED** that motion 2 be **CARRIED** Yes 5 No 0 Abstain 0 Invalid 0

**3 CHANGE OF BY-LAW 23**

**UNANIMOUS RESOLUTION**

*Submitted by Committee*

That by law 23 is changed to the following —

**The Body Corporate’s right to enter into agreements**

The body corporate shall have the right to enter into agreements from time to time with:

- a) any party it considers fit and qualified to control , manage and administer the common property of subsidiary bodies corporate;
- b) any party it considers fit and qualified to let lots within Cathedral Place:  
upon such terms as the body corporate shall decide upon in general meeting.

**RESOLVED** that motion 3 be **DEFEATED** Yes 5 No 0 Abstain 1 Invalid 0

**4 CHANGE OF BY-LAW 23**

**RESOLUTION WITHOUT DISSENT**

*Submitted by Committee*

That by law 23 is changed to the following —

**The Body Corporate’s right to enter into agreements**

The body corporate shall have the right to enter into agreements from time to time with:

- a) any party it considers fit and qualified to control, manage and administer the common property of subsidiary bodies corporate;
- b) any party it considers fit and qualified to let lots within Cathedral Place:  
upon such terms as the body corporate shall decide upon in general meeting.

Note — this resolution has been put in twice with the same wording, but as a different type, to avoid any arguments in the future that the wrong type of motion was used.

**RESOLVED** that motion 4 be **DEFEATED** Yes 5 No 0 Abstain 1 Invalid 0

**5 CHANGES TO BY-LAWS 22 & 22A**

**UNANIMOUS RESOLUTION**

*Submitted by Committee*

That by law 22 and by law 22A is changed to the following —

22. Use of Building Manager’s Lot

Lot 4 in the Building Units Plan to be known as Notre Dame, (‘the Management Unit’) may be used for the purposes of Management of the property and for the sale and letting of units in the buildings on behalf of the proprietors, and the rendering of such services to occupants of units in the building and may without the consent of the Body Corporate Committee display signs or notices for the purposes of offering for sale or for lease or for letting any unit in the building. The right to use the said lots for these purposes must not be revoked without the written consent of the proprietor of the lot. For the purposes aforesaid the Body Corporate shall have power to grant to the proprietor of the Management Unit the right to carry on in the property the business of letting units in the building and for the purpose to enter into any appropriate agreement on such terms and conditions as the Body Corporate may deem fit.

22A.

Except as authorised in By-law 22, the Body Corporate prohibits the use of any part of the Cathedral Place Development (which includes the common property of the Community Body Corporate and all the lots and common property of the buildings known as Cathedral Village, Duhig, Kensington and Sandringham, Canterbury and Westminster, Oxford and Cambridge and Notre Dame) for the purposes of the sale and letting of the lots within the development on behalf of proprietors.”

**Note — letting of Carparks and Lot 64 of Oxford Cambridge have been removed from these bylaws.**

**RESOLVED** that motion 5 be **DEFEATED** Yes 0 No 6 Abstain 0 Invalid 0

**6 CHANGES TO BY-LAWS 22 & 22A**

**RESOLUTION WITHOUT DISSENT**

*Submitted by Committee*

That by law 22 and by law 22A is changed to the following —

"22. Use of Building Manager's Lot

Lot 4 in the Building Units Plan to be known as Notre Dame, ("the Management Unit") may be used for the purposes of Management of the property and for the sale and letting of units in the buildings on behalf of the proprietors, and the rendering of such services to occupants of units in the building and may without the consent of the Body Corporate display signs or notices for the purposes of offering for sale or for lease or for letting any unit in the building. The right to use the said lots for these purposes must not be revoked without the written consent of the proprietor of the lot. For the purposes aforesaid the Body Corporate shall have power to grant to the proprietor of the Management Unit the right to carry on in the property the business of letting units in the building and for the purpose to enter into any appropriate agreement on such terms and conditions as the Body Corporate may deem fit.

22A

Except as authorised in By-law 22, the Body Corporate prohibits the use of any part of the Cathedral Place Development (which includes the common property of the Community Body Corporate and all the lots and common property of the buildings known as Cathedral Village, Duhig, Kensington and Sandringham, Canterbury and Westminster, Oxford and Cambridge and Notre Dame) for the purposes of the sale and letting of the lots within the development on behalf of proprietors."

Note — this resolution has been put in twice with the same wording, but as a different type, to avoid any arguments in the future that the wrong type of motion was used.

**RESOLVED** that motion 6 be **DEFEATED**      Yes 0      No 6      Abstain 0      Invalid 0

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**7 REGISTRATION OF BY-LAWS**

**COMPREHENSIVE RESOLUTION**

*Submitted by Committee*

That the Committee of the Cathedral Place Community Body Corporate is to be authorised to expend funds to instruct a solicitor (that is chosen by the committee) to ensure that the By Laws of Cathedral Place Community Body Corporate reflect all resolutions passed as at the conclusion of this meeting and is authorised to take all necessary steps to ensure that the amendments, deletions or otherwise to the By Laws are recorded with the registrar of Titles (as referred in the Mixed Use Development Act Section 206)

**RESOLVED** that motion 7 be **CARRIED**      Yes 5      No 0      Abstain 0      Invalid 0

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**8 OPENING BALANCES BUP EXPENSES**

**ORDINARY RESOLUTION**

*Submitted by Committee*

That the treasurer is authorised to remove the outstanding charge of \$19,822.01 (\$18,020 ex GST) that appears in the Suspense Account as a debt owing by Cathedral Village Body Corporate and charge the amount of \$18,020 to the Unrestricted Administration Fund of CPCBC and recovered in due course by levies on its members consistent with the voting entitlements

and further to refund

- \$18110.40 to Notre Dame Body Corporate,
- \$5601.20 to Oxford Cambridge Body Corporate,
- \$11836 to Canterbury Westminster body corporate,
- \$10089.20 to Duhig Body Corporate and
- \$9581.00 to Kensington Sandringham Body Corporate

As these charges totaling \$55217.8 (\$50198 ex OST) having already been paid by these bodies corporate relating to motion 4 of the general meeting of the community body corporate held on the 4/6/2008.

And that the total of \$50198 ex OST be charged to the Unrestricted Administration Fund of the community body corporate and recovered by a special levy on its members consistent with the voting entitlements. The levy to be due and payable on, or as close as possible, to the date that the refunds and removal of the charges are made.

**RESOLVED** that motion 8 be **CARRIED** Yes 5 No 0 Abstain 0 Invalid 0

**9 RATIFICATION OF INVOICE PAYMENTS**

**ORDINARY RESOLUTION**

*Submitted by Committee*

That the representatives of "Cathedral Place CBC" MCP 106902 ratify the decision of the Committee at its meeting held on 13/12/2010 to pay the following invoices:

Maunsell Pennington	06/12/2010	\$6,191.79
Let there be light	30/06/2010	\$1,368.40
Gadens Lawyers	29/11/2010	\$7,917.25

**RESOLVED** that motion 9 be **CARRIED** Yes 5 No 0 Abstain 0 Invalid 0

**10 ISSUING OF LEVIES**

**ORDINARY RESOLUTION**

*Submitted by Committee*

That the representatives of "Cathedral Place CBC" MCP 106902 authorise the issuing of levies for the quarter commencing on 01/12/2010, 01/03/2011 and 01/06/2011 (i.e. 9 months) based on the annual budgets determined at the Committee meeting held on 08/11/2010 and listed below, LESS, the amounts already issued for the quarter 01/09/2010 to 30/11/2010, namely \$156,794.95 for the Restricted Funds and \$61,749.95 for the Unrestricted Funds.

Annual Budgets Totals

Unrestricted Administration Fund	\$314,530.00
Unrestricted Sinking Fund	\$21,515.00
Restricted Administration Fund	\$256,720.00
Restricted Sinking Fund	\$195,386.00

**RESOLVED** that motion 10 be **CARRIED** Yes 5 No 0 Abstain 0 Invalid 0

**CLOSURE**

There being no further business the chairperson declared the meeting closed at 12.20pm.

**CONFIRMED AS A TRUE AND ACCURATE RECORD**

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