

**MINUTES OF A COMMITTEE MEETING OF THE PROPRIETORS FOR
CP 'A' NOTRE DAME BUILDING UNITS PLAN 106912
HELD AT THE MEETING ROOM, CATHEDRAL PLACE, 41 GOTHA STREET, FORTITUDE VALLEY
ON THURSDAY 24th OCTOBER 2012 AT 5.30PM.**

Representation:

Lindsay Anlezark	Chairperson
Noel Murphy	Secretary
Peter Zunker	Treasurer
Kelvin Abrahams	Ordinary Committee Member
Lorraine Zunker	Ordinary Committee Member
Todd Raumer	Resident Manager (arrived 5.40pm)
Grant Mifsud	Archers Body Corporate Management Pty Ltd

Apologies: Nil

In Attendance:

Leith Roots	Owner Lot 79
Robert Blackburn	Owner Lot 38

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

Chairperson: Lindsay Anlezark

Minutes of Previous Meeting: RESOLVED that the minutes of the previous Committee Meetings held be adopted as a true record of those meetings:

- Committee Meeting 18th June 2012
- Committee Resolution 24th July 2012 (Convene EGM)
- Committee Resolution 7th August 2012 (Lot 61 and 114 Arrears)

Carried 5 For, Nil Against.

Lot 61 and 114 Arrears

RESOLVED to ratify the Chairpersons previous instructions that on the basis that the owners of Lots 61 and 114 ("Debtor") have not paid levy contributions by the due date fixed for payment, that pursuant to Section 32 of the Building Units and Group Titles Act 1980, the Body Corporate engage Success Law ("Collector") to recover the outstanding contribution/s, plus any applicable penalty for the Debtor's failure to pay, and all costs reasonably incurred by the Body Corporate in recovering these amounts ("the Debt"); further that the Collector issue a final letter of demand to the Debtor requesting payment of the debt in full within 14 days, and which if full payment or payment provisions deemed acceptable by the Committee are not received, the Collector is further engaged to commence recovery proceedings against the Debtor, and take such of the following steps as may be necessary to achieve payment of the Debt in full, or Judgment:

- (a) filing and serving a Claim and Statement of Claim;
- (b) obtaining Judgment (including as applicable default or summary judgment);
- (c) if a Defence is filed by the Debtor, completing a Reply and any Request for Further and Better Particulars, completing disclosure, conducting any necessary interlocutory applications, appearance at any Mediation or Directions Conference, and trial as necessary; and
- (d) participating in any settlement negotiations with the Debtor and reporting on them to the Body Corporate;

Further that if judgment is obtained in the Recovery Proceedings, enforce that judgment against Debtor ("Enforcement Process") and to continue the relevant Enforcement Process against Debtor until the judgment debt is paid in full.

Carried 5 For, Nil Against.

Business Arising: **Balcony Enclosure – Brisbane City Council and Future Process**
It was noted that the CBC has finalised details for the process to approve enclosure of balconies as per report received from Marchese Partners dated July 2012.

RESOLVED that the following motion is to be submitted to the next General Meeting to standardise approval conditions:

That the Committee are authorised to approve future written requests received from Lot owners seeking approval to enclosure an external Lot balcony in accordance with the following conditions which are further to the balcony enclosure conditions approved at the EGM held 2nd August 2012:

- That Brisbane City Council approval is obtained prior to the commencement of any work (application may be made via Allan Van Planning Pty Ltd) at the owners cost
- Installation is in accordance with specifications outlined in the design report prepared by Marchese Partners International on behalf of the CBC dated July 2012
- All work is carried out by licensed service providers in a professional manner logged with the Caretaker prior to commencement
- All costs associated with installation, repairs, maintenance (including cleaning), replacement and or removal are to be paid by the Lot owner from time to time
- The Body Corporate reserves the right to request evidence of compliance of any and or all approval terms which will be the responsibility of the Lot owner from time to time to provide within 7 days upon written request
- Any non compliant installation is to be either rectified or removed at the owners cost within 30 days of receiving notice of breach of approval terms

Carried 5 For, Nil Against.

The Resident Manager joined the meeting at this juncture.

Fire Door Compliance

The Resident Manager reported that only a third of owners contacted have responded to the request for rectification.

RESOLVED that a final notice of compliance is to be issued with 30 days to comply otherwise the lot will be entered then access and rectification costs charged to the lot owner in accordance with the Act. ***Body Corporate Manager to provide notification in conjunction with the Resident Manager.***

Carried 5 For, Nil Against.

Inward and Outward Correspondence:

List of correspondence was tabled.

Lot s 9, 20, 54, 62 and 146 – Master Key System

Correspondence received from these owners objecting to the installation of a master key system was tabled. It was noted that a response has been provided to the owners advising that the system has not been approved to date.

It was also noted that all other correspondence has been dealt with outside of formal meetings.

RESOLVED to accept correspondence as read.

Carried 5 For, Nil Against.

Resident Managers Report:

Master Key System

The Resident Manager tabled an updated proposal for consideration. The meeting discussed providing owners with an option to not participate subject to signing a waiver of Body Corporate liabilities that may arise.

RESOLVED to approve the proposal as tabled at a cost of up to \$55 per lot subject to all owners having the option to not participate in the change provided that a waiver is signed with terms to be approved by the Chairperson. ***Resident Manager to provide notification of works to all owners.***

Carried 5 For, Nil Against.

Lot 79 Storage

Request for installation of a storage unit to the exclusive use car park was tabled. It was noted that the owner will submit a motion to be considered at the next general meeting.

Financial Statements: Financial Statements for the period ended 31st August 2012 were tabled.

RESOLVED to accept Financial Statements as tabled.

Carried 5 For, Nil Against.

Proposed Administrative Fund Budget:

RESOLVED to propose an Administrative Fund Budget for the year ending 31st August 2013 of \$649,986.00 Gross, including GST for presentation to the Annual General Meeting subject to any changes to the CBC contributions advised by the CBC Representative.

Carried 5 For, Nil Against.

Proposed Sinking Fund Budget:

RESOLVED to propose a Sinking Fund Budget for the year ending 31st August 2013 of \$99,773.00 Gross, including GST for presentation to the Annual General Meeting subject to any changes to the CBC contributions advised by the CBC Representative.

Carried 5 For, Nil Against.

General Business:

Sinking Fund Forecast (SFF)

Quotation submitted by Archers BCM Services in an amount of \$2,355.00 inclusive of GST was tabled. It was noted that the CBC SFF would be completed at no cost if all residential BUP's complete reports at the same time. It was further noted that an additional 10% discount would be provided if the Insurance Valuation was also completed at the same time.

RESOLVED to approve the quotation as tabled and recommend to the other residential BUP's to approve their quotations in order to obtain the discounts offered.

Carried 5 For, Nil Against.

Insurance Valuation

Quotation submitted by Archers BCM Services in an amount of \$1,884.00 inclusive of GST was tabled.

RESOLVED to approve the quotation as tabled and recommend to the other residential BUP's to approve their quotations in order to obtain the discounts offered.

Carried 5 For, Nil Against.

Workplace Health & Safety Report (WHS)

Quotation submitted by Archers BCM Services in an amount of \$1,980.00 inclusive of GST was tabled. It was noted that the CBC WHS would be completed at no cost if all residential BUP's complete reports at the same time.

RESOLVED to approve the quotation as tabled and recommend to the other residential BUP's to approve their quotations in order to obtain the discount offered subject to the CBC not already completing a report.

Carried 5 For, Nil Against.

Annual General Meeting (AGM) Motions

Statutory Motions

Prior Minutes

Financial Statements

Audit

Appointment of Auditor

Administrative Fund Budget

Sinking Fund Budget

Insurance

Additional Motions

Appointment of Body Corporate Manager
Balcony Enclosure Standards

RESOLVED to approve submission of the above listed motions to the forthcoming AGM.

Carried 5 For, Nil Against.

Committee Nominations

It was noted that the following nominations have been received to date:

- Lindsay Anlezark – Chairperson, Ordinary Member and Representative
- Kathleen Chan - Chairperson, Ordinary Member and Representative
- Kelvin Abrahams – Ordinary Member
- Peter Zunker – Ordinary Member
- Lorraine Zunker – Ordinary Member

It was further noted that a Ballot will be held for the Chairperson and Representative positions in accordance with the Act.

Committee Casual Vacancy

It was noted that Campbell McCart has recently tendered his resignation.

Date for Annual General Meeting

RESOLVED that the AGM is to be held on 21st November 2012 at 5.30pm.

Carried 5 For, Nil Against.

Date of Next Committee Meeting:

To be advised.

There being no further business, the meeting closed at 7.15pm.

Confirmed.

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Chairperson