

BROOKWATER HOME OWNERS CLUB CTS 29222

MINUTES OF THE COMMITTEE MEETING FOR BROOKWATER HOME OWNERS CLUB CTS 29222 HELD AT THE SALES OFFICE, BIRCHWOOD CRESCENT, BROOKWATER QLD 4300 AT 6:30 P.M. ON MONDAY 28 APRIL, 2014.

Present

Peter Napier	Chairperson (Brookwater Classic)
Francois Wethmar	Secretary (Brookwater Grange)
Paula Kopp	Treasurer (Brookwater Augusta)
Rob McLellan	Ordinary Committee Member (Brookwater Greens)
Victoria Sheward	Ordinary Committee Member (Brookwater Augusta Point)
Andrew Bell	Ordinary Committee Member (Brookwater Vista) (arrived 6:50 p.m.)
Tony Russell	Ordinary Committee Member (Brookwater Ridge)

Apologies

Nil

In Attendance – Body Corporate Representatives

Michael Hewitt	Brookwater Fairways West
Alan Burley	Brookwater Heights (arrived 6:35 p.m.)
Nick Kostellar	Springfield Land Corporation
Stuart Milford	Brookwater Panorama
Ron Hunt	Brookwater Bougainvillea Gardens
Leonie Clark	Brookwater Crest

Apology

Trevor Davidson	Brookwater Sanctuary
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In Attendance

Matthew Joosen	Prudential Body Corporate Management Pty Ltd
Karen Dyson	Prudential Body Corporate Management Pty Ltd
Mark Clancy	Mirvac Qld Pty Ltd

Chair

The Chairperson declared the meeting open at 6:30 p.m. and advised a quorum was present and welcomed the attendance of the non-committee members to the meeting.

1. CHANGES TO BHOC CMS

- It was unanimously agreed that the committee suspend standing orders and invite Mark Clancy to address the meeting regarding the follow amendments to the Brookwater Home Owners Club Community Management Statement.

- 1. Motion for Ordinary Resolution for the Consent of the Body Corporate to a New Community Management Statement for Brookwater Home Owners Club Community Titles Scheme 29222 (“Scheme”) pursuant to Section 62(4)(f) of the *Body Corporate and Community Management Act* incorporating an amended Concept Plan in Schedule B (Explanation of the Development of Scheme Land) lowering the minimum and maximum lot yields for Subsidiary Scheme 13 (being Brookwater Fairways West Home Owners Club Community Titles Scheme 40042) as shown marked up on the proposed New Community Management Statement which accompanied this motion (“Accompanying CMS”).**

Explanation of Motion

This motion is proposed by Mirvac Queensland Pty Ltd ACN 060 411 207 (“Mircac”), as Owner of Lots included in the Scheme.

Mircac seeks to have the Concept Plan incorporated in the Community Management Statement recorded for the Scheme amended to show a lowering of the minimum and maximum lot yields for Subsidiary Scheme 13 (being Brookwater Fairways West Home Owners Club Community Titles Scheme 40042).

Principal Scheme CMS contemplates Developer changes to lot yields in Subsidiary Schemes

It is noted that Schedule B (Explanation of the Development of the Scheme Land) of the Principal Scheme CMS provides as follows:

1. Clause 2.17 provides – *“Market, economic and site conditions, the requirements of the local authority and other relevant authorities, and the type, extent and conditions of approvals granted by the local authority and other relevant authorities may mean that changes are made to:*

(c) the configuration, number, type and staging of Scheme Lots or Brookwater Lots”.

Where “Scheme Lot” means a lot in a Scheme; and

“Scheme” means a subsidiary community titles scheme in the Development.

Accordingly, it is submitted that the Principal Scheme CMS currently contemplates that the lot yields of Subsidiary Schemes can change from what is described in the Concept Plan 4 Tables at the election of the relevant owner / developer

Ordinary Resolution

Resolved by Ordinary Resolution in accordance with Section 62(4)(f) of the *Body Corporate and Community Management Act*, to endorse the consent of the Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 to a New Community Management Statement (a copy of which accompanied the Notice of Meeting at which this resolution was passed (“Accompanying CMS”)) for the purposes of incorporating an amended Concept Plan in Schedule B (Explanation of the Development of Scheme Land) lowering of the minimum and maximum lot yields for Subsidiary Scheme 13 (being Brookwater Fairways West Home Owners Club Community Titles Scheme 40042) as shown marked up on the Accompanying CMS and that the Chairman and another member of the Committee be authorised to affix the common seal of the Body Corporate to a New Community Management Statement incorporating such amendments and a coversheet Form 14 – Request to Record New CMS.

Motion for Ordinary Resolution for the Consent of the Body Corporate to a New Community Management Statement for Brookwater Home Owners Club Community Titles Scheme 29222 (“Scheme”) pursuant to Section 62(4)(f) of the *Body Corporate and Community Management Act* incorporating an amended Concept Plan in Schedule B (Explanation of the Development of Scheme Land) permitting Building Format Plan lots for Subsidiary Scheme 13 (being Brookwater Fairways West Home Owners Club Community Titles Scheme 40042) as shown marked up on the proposed New Community Management Statement which accompanied this motion (“Accompanying CMS”).

Explanation of Motion

This motion is proposed by Mirvac Queensland Pty Ltd ACN 060 411 207 (“Mircac”), as Owner of Lots included in the Scheme.

Mircac seeks to have the Concept Plan incorporated in the Community Management Statement recorded for the Scheme amended to permit Building Format Plan lots for Subsidiary Scheme 13 (being Brookwater Fairways West Home Owners Club Community Titles Scheme 40042).

Principal Scheme CMS contemplates Developer changes to subdivision patterns in Subsidiary Schemes

It is noted that Schedule B (Explanation of the Development of the Scheme Land) of the Principal Scheme CMS provides as follows:

2. Clause 2.6 states – *“14 of the Schemes will be created using standard format plans. The remaining five would be created using standard format and building format plans. The types of subdivision plans that would be proposed to be used for the Schemes are shown in the table behind Concept Plan 4”.*

It should also be noted that currently only 4 Schemes (SS16, SS17, SS18 and SS19) are shown in the Concept Plan 4 Tables as being created using standard format and building format plans. Accordingly, the proposed changes will not be counter to the current wording of clause 2.6.

3. Clause 2.10 provides – *“The owner of the relevant Brookwater Lot or Scheme Lot will elect at the relevant time which subdivision pattern, or combination of patterns, to use in respect of a particular Brookwater Lot or Scheme Lot. Clauses 5, 6 and 7 also contain some ways in which Brookwater may be developed”.*
4. Clause 2.13 provides – *“The future stages of the Development will be created by subdividing Brookwater Lots by registration of standard format and building format plans to create Schemes, further Brookwater Lots or all or some of these, substantially in accordance with the Concept Plans, subject to this CMS. Volumetric format plans may also be used at a later date”.*
5. Clause 2.17 provides – *“Market, economic and site conditions, the requirements of the local authority and other relevant authorities, and the type, extent and conditions of approvals granted by the local authority and other relevant authorities may mean that changes are made to:*
 - (a) *the timing, plans of subdivision and nature of subdivision of the Brookwater Lots and the Scheme Lots”.*

Accordingly, it is submitted that the Principal Scheme CMS currently contemplates that the subdivision patterns of Subsidiary Schemes can change from what is described in the Concept Plan 4 Tables at the election of the relevant owner / developer.

Ordinary Resolution

Resolved by Ordinary Resolution in accordance with Section 62(4)(f) of the *Body Corporate and Community Management Act*, to endorse the consent of the Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 to a New Community Management Statement (a copy of which accompanied the Notice of Meeting at which this resolution was passed (“Accompanying CMS”)) for the purposes of incorporating an amended Concept Plan in Schedule B (Explanation of the Development of Scheme Land) permitting Building Format Plan lots for Subsidiary Scheme 13 (being Brookwater Fairways West Home Owners Club Community Titles Scheme 40042) as shown marked up on the Accompanying CMS and that the Chairman and another member of the Committee be authorised to affix the common seal of the Body Corporate to a New Community Management Statement incorporating such amendments and a coversheet Form 14 – Request to Record New CMS.

- The meeting thanked Mark Clancy for his address and resolved that the proposed motions be placed before Tim Horrell, solicitor acting for the body corporate to ensure that the appropriate committee/general meeting approval is provided and the proposed motions do not detract from the authorities or rights of the BHOC.

3. CONFIRMATION OF MINUTES

- Unanimously resolved that the minutes of the committee meeting held on 31 March, 2014 be confirmed as a true and accurate record.
Moved – Vicki Sheward Seconded – Francois Wethmar

4. MATTERS ARISING FROM PREVIOUS COMMITTEE MINUTES

- Nil

5. SAFETY AND SECURITY

- Peter Napier will forward a report prepared by Security Rangers setting out alternate security arrangements to the BHOC committee members for deliberation.

6. LANDSCAPE ARCHITECT REPORT

- Tony Russell and Nick Kostellar of the Landscape Maintenance Committee advised the meeting they had received Part B of the Form Landscape Architect Report and had distributed the report to the BHOC Committee. A representative from Form Landscape Architect had provided an overview of the audit report to the committee indicating appropriate planting in particular areas and a priority programme for upgrading of areas. Tony and Nick further advised that the LMC is required to identify the 10 upgrade priority areas from the report which will need to be cost estimated by the Form Landscape Architects. The upgrade to the estate will require to be spread throughout the Brookwater Estate to show BHOC owners the work is being distributed fairly.

7. MEMBERSHIP NEW BHOC SUB COMMITTEES

- a. Rob McLellan was unanimously appointed as Chairperson of the Safety and Security sub-committee.
- b. Stuart Milford was unanimously appointed as Chairperson of the Correspondence and Public Relations Sub-committee.
- c. Tony Russell was unanimously appointed as Chairperson of the Landscape Maintenance Committee (LMC).
- d. Andrew Bell indicated that he was interested as being Chairperson for the BHOC DAP sub-committee, but would attend DAP meetings to gain an understanding of the requirements and issues of this role.
- e. Finance Sub - Committee – Chairmanship to be advised.

The Chairpersons agreed to undertake the following -

- 1. Prepare and document for BHOC approval, the Broad Functional and Defining Statement and structure in terms of the SUB-COMMITTEE Handbook, for their respective Sub-Committee.
- 2. Propose for approval any additional sub-committee members.

8. BHOC SUB-COMMITTEE HANDBOOK

- Peter Napier advised that he had been unable to contact Tim Horrell, the solicitor acting for the body to obtain a quote for the finalisation of the BHOC Sub-Committee Handbook.

9. CORRESPONDENCE

Inwards

- Nil

Outwards

- Nil

10. MATTERS ARISING FROM THE CORRESPONDENCE

Nil

11. FINANCIAL MATTERS

- The Financial Statements as at 24 April, 2014 distributed were unanimously adopted.
Moved – Tony Russell Seconded – Paula Kopp

12. VACANT LOT MAINTENANCE

- Nick Kostellar – LMC advised the meeting the vacant lot maintenance audit will be available by Friday 2nd May 2014.

13. LANDSCAPE MAINTENANCE COMMITTEE - LMC

- Tony Russell informed the meeting that a recommendation from the LMC on the appointment of a Brookwater Maintenance Supervisor was imminent and envisaged that the successful appointee could commence duties on 1st June 2014. The LMC was considering some amendments to the contract of engagement and once these have been decided the contract will be sent to the body corporate manager who will on forward it to Tim Horrell for final vetting and settling. Tony Russell advised the meeting that the preferred appointee had been made aware of the insurance requirements of the BHOC.

Tony Russell further advised that five (5) candidates had been interviewed and each candidate had been interviewed for an hour. The preferred candidate underwent a second interview. Tony advised that it appeared that the majority of the candidates were looking for a temporary position until something better became available.

It was also pointed out the Maintenance Supervisor is to report to Tony Russell in his capacity as Chairperson of the LMC. If there are any non-compliance issues they will be reported to Tony and the subsidiary Chairperson will be cc'd in the email. There will be a weekly report from the maintenance supervisor to the LMC committee. If there are any urgent issues the maintenance contractor will notify Tony Russell or Peter Napier.

The LMC also advised that it was necessary to continually provide oversight of the activities of the current landscape maintenance contractor.

14. DAP REPORT

Nil

15. GENERAL BUSINESS

- Francois Wethmar offered his services to the Chairpersons of the new Sub-committees in the drafting of the mission statement for each committee.
- Paula Kopp enquired as to the availability of black paint to apply to the concrete edging at Brookwater Augusta. It was agreed that Paula can obtain black paint for the concrete edging and be reimbursed by the BHOC. Paula is willing to paint the concrete edging and to maintain it to a suitable standard.
- Andrew Bell informed the meeting that there were people driving golf buggies in Sanctuary Park. He suggested that people to be mindful and cautious while driving in the park as children and families use the park as a recreation area. The meeting agreed that his concerns required attention and the issue was an example of the type of matter the Communications sub-committee could include in its advices to owners.

Nick Kostellar informed the meeting that Ipswich City Council has commissioned the Linear Pathway Footpath to District Park and would like Springfield Land Corporation to extend the Linear Pathway Footpath to include Sanctuary Park. SLC are resisting the connection and requested that the BHOC formally write to the Ipswich City Council expressing concern regarding this proposal given the limited facilities in the park.

- Leonie Clark would like to thank Ipswich City Council and Peter Napier for the installation of the bollards at Brookwater Crest within one (1) day after their meeting.
- Stuart Milford enquired on the status of the alleged arsonist. He was informed the alleged arsonist was still in jail and has been remanded until August and has been refused bail.
- Peter Napier advised the meeting that all owners of the Brookwater Estate has access to the BHOC committee minutes via the BHOC website. The password being the owner's lot number, last name and the first letter of their name using capitals.
- Peter also informed the meeting that there are two (2) outstanding park leases with Ipswich City Council which require a date for the signing of the lease. Peter mentioned three (3) out of the four (4) parks terminate on the same date. The parking area on Oakview Circuit adjacent to the Peter Greeff Park is scheduled to commence construction on or about the 27th May, 2014.
- Paula Kopp raised the Brookwater Facebook page and asked the administrator (Stuart Milford) for an update of the status of the page. Paula expressed the view that, to minimise the misuse of the site, rules and regulations should be displayed at the top of the page and all residents should agree to abide by these prior to accessing the site. She further noted that it would be prudent if the administrator vetted the applicant user to ensure they are residents of the Brookwater Estate. This could be accomplished by confirming their current address etc. Nick Kostellar will pass information to Stuart Milford in relation to the Social Media handbook.
- Francois Wethmar commented that there has still been no action for regarding clearing the garden refuse dumping on The Grange Stage 2 property by various parties. This issue has now been outstanding for more than two months, and the LMC has been tasked to resolve this issue as soon as possible.

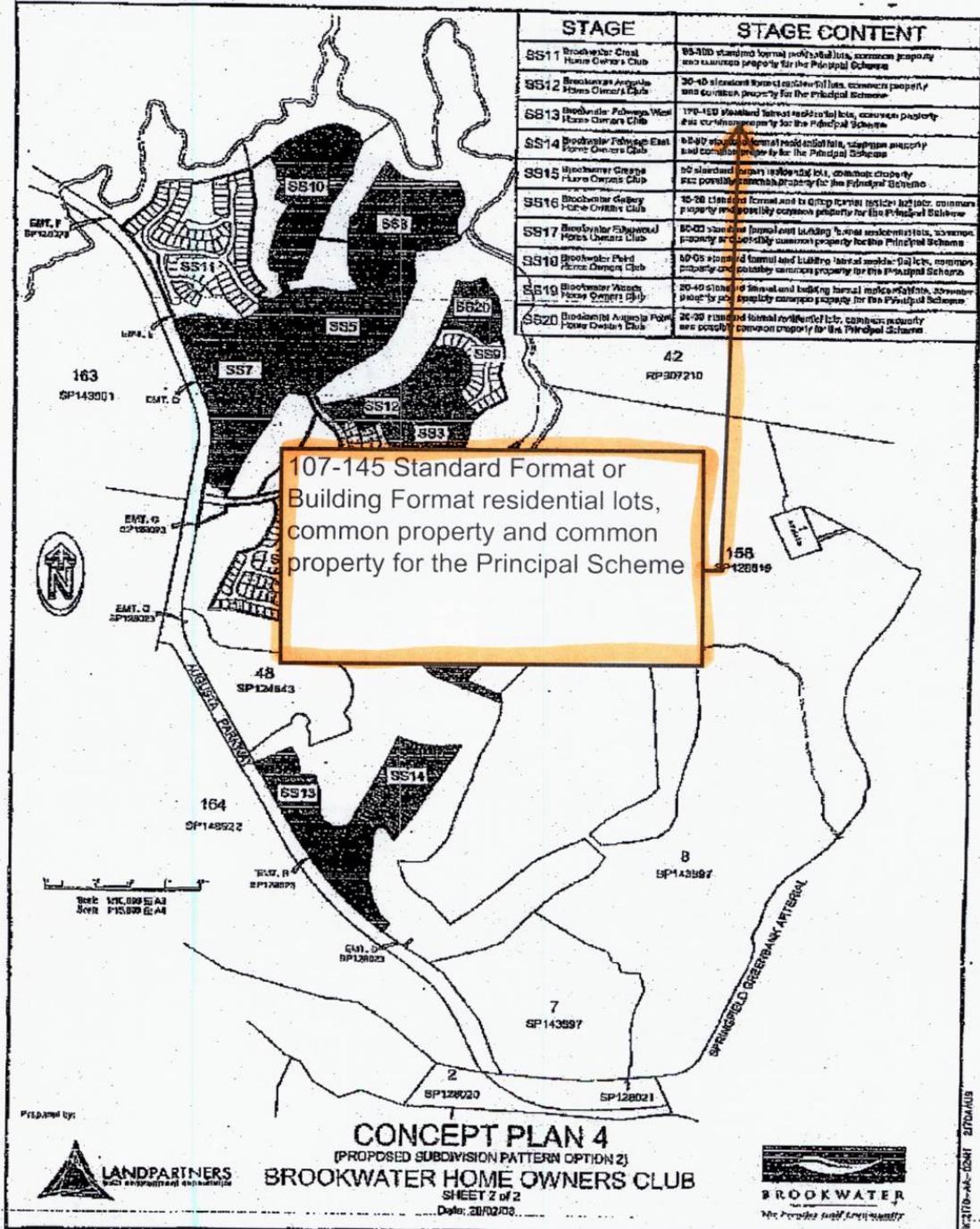
DATE, TIME AND VENUE OF THE NEXT COMMITTEE MEETING

Monday 26 May, 2014 at 6:30 p.m. at the Sales Office, Birchwood Crescent, Brookwater.

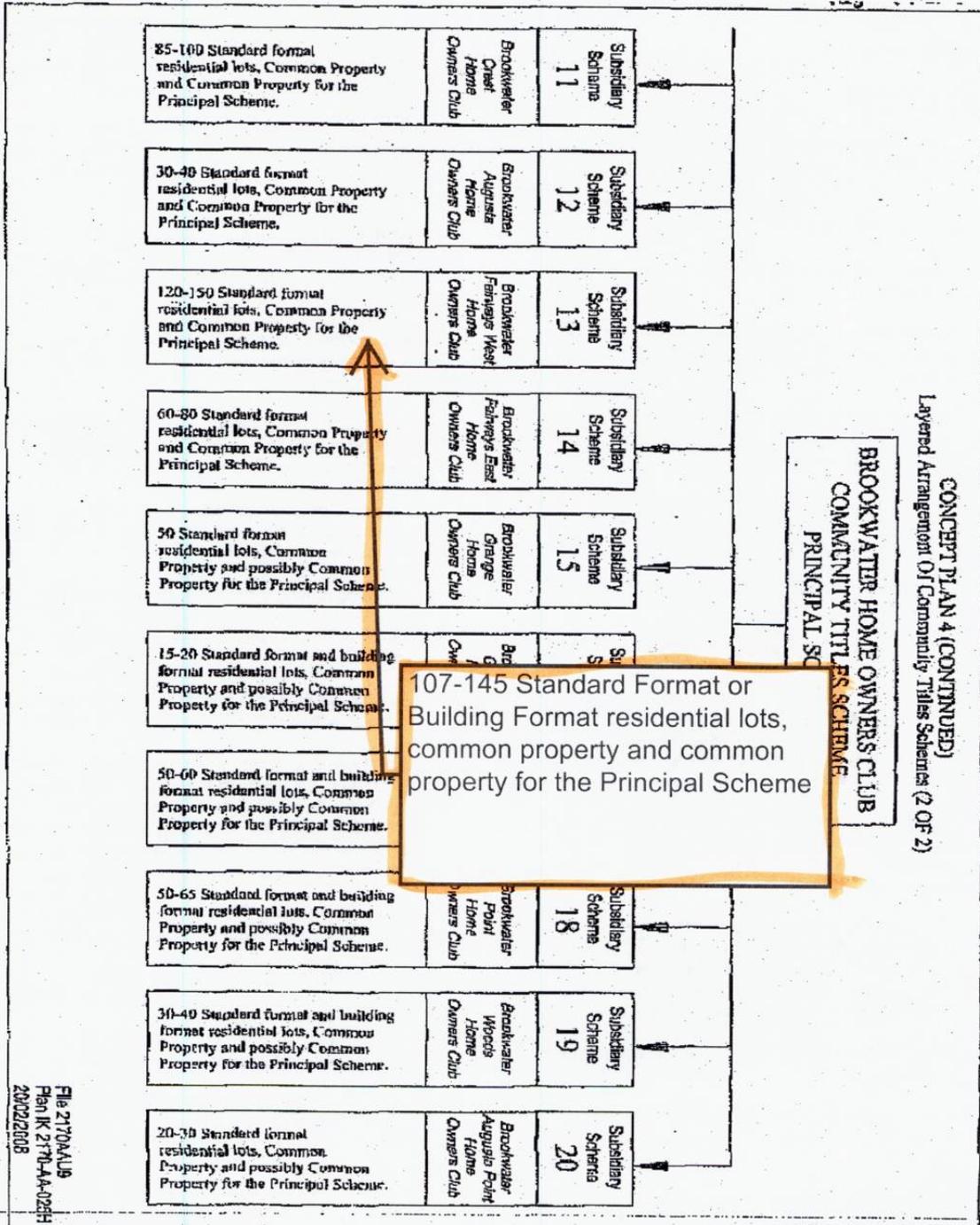
Conclusion

The meeting concluded at 8:23 p.m.

CONCEPT PLAN 4 (continued)



CONCEPT PLAN 4 (continued)



File 2170AUB
Plan K 2170A-02EH
20/02/2008