

**NOTICE OF COMMITTEE MEETING**

**BODY CORPORATE FOR BROOKWATER HOME OWNERS CLUB CTS 29222**

**TO BE HELD AT THE SALES OFFICE,**

**BIRCHWOOD CRESCENT, BROOKWATER**

**MONDAY 24 FEBRUARY, 2014 AT 6:30 P.M.**

**COMMITTEE MEMBERS:**

Peter Napier (Chairperson), Francois Wethmar (Secretary) Paula Kopp (Treasurer), Robert McLellan, Andrew Bell, Victoria Sheward, Tony Russell.

**APOLOGIES:**

Nil

**AGENDA**

**1. CONFIRMATION OF MINUTES**

- That the minutes of the committee meeting held on 25 November, 2013 be confirmed as a true and accurate record.  
(refer pages 3-6)

**2. MATTERS ARISING FROM PREVIOUS COMMITTEE MINUTES**

- To consider matters arising from the minutes of the previous meetings.

**3. BHOC SUB-COMMITTEE STRUCTURE AND RULES**

- Proposed Corporate Structure of the BHOC.  
(refer pages 7-18)

**4. SAFETY AND SECURITY**

- Peter Napier requested Prudential Body Corporate Management Pty Ltd write to Security Rangers to have the security patrols reduced to include Saturdays and Sundays only commencing Monday 17 February, 2014. This is due to the arrest of the arsonist by Queensland Police Service.

**5. CORRESPONDENCE**

- Correspondence for the attention of the committee.

**Inwards**

- Email dated 30 January, 2014 from Grant and Maria Green Brookwater Heights Lot 2124 in relation to the tree stump left on his lot.  
(refer pages 19-20)
- Letter dated 05 February, 2014 from Department of Natural Resources and Mines in relation to the New Valuation of the estate.  
(refer pages 21-22)
- Letter received 14 February, 2014 from Ipswich City Council in relation to gaining access to Easement EESP148913 in 30 Oakview Circuit Brookwater.  
(refer pages 23-25)

**Outwards**

- Letter dated 24 January, 2014 to Landscape Solutions in relation to the standard of maintenance at the Brookwater Estate.  
(refer page 26)
- Letter dated 04 February, 2014 to the residents of the Brookwater Estate to inform them of the current Brookwater Security Update.  
(refer page 27)
- Letter dated 11 February, 2014 to Bede and Linda Welsh thanking them for their services to the Brookwater Estate.  
(refer page 28)
- An email dated 13 February, 2014 to Security Rangers advising that security patrols be reduced to Saturdays and Sundays only commencing Monday 17 February, 2014.  
(refer page 29)



## 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 20 JANUARY, 2014 AT 6:30 P.M.

### 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)
Tony Russell	Ordinary Committee Member (Brookwater Ridge)

### Apologies

Nil

### In Attendance – Body Corporate Representatives

Michael Hewitt	Brookwater Fairways West
Michael Tang	Brookwater Gallery
Nick Kostellar	Springfield Land Corporation
Stuart Milford	Brookwater Panorama
Trevor Davidson	Brookwater Sanctuary

### Apologies

Nil

### In Attendance

Matthew Joosen	Prudential Body Corporate Management Pty Ltd
Karen Dyson	Prudential Body Corporate Management Pty Ltd
Lea Patterson	Brookwater Crest
Michael Labuc-Spoors	Brookwater Classic (left 7:10 p.m.)
Bede Welsh	Brookwater Classic

### Chair

The Chairperson declared the meeting open at 6:35 p.m. and advised a quorum was present.

#### 1. CONFIRMATION OF MINUTES

- Resolved that the minutes of the committee meeting held on 25 November, 2013 be confirmed as a true and accurate record.  
Yes – 6          No – Nil          Abstain – 1  
Moved – Rob McLellan          Seconded – Francois Wethmar

#### 2. MATTERS ARISING FROM PREVIOUS COMMITTEE MINUTES

- It was unanimously resolved that a letter be sent to Bede and Linda Welsh thanking them for their services for the past two & a half years to the Brookwater Community.  
Moved – Rob McLellan          Seconded – Paula Kopp
- It was unanimously resolved that if the maintenance performed by Landscape Solutions was not as per the tender documentation and consequently did not fulfil the expectations of the BHOC. Further unanimously resolved that, in the absence of a substantial improvement in performance by Landscape Solutions the BHOC Committee would look to re-tender the landscaping maintenance to another of the contractors who had been unsuccessful in the initial tender process.  
Moved – Rob McLellan          Seconded – Paula Kopp

#### 3. BHOC SUB-COMMITTEE STRUCTURE AND RULES

- The Chairperson informed the meeting he had not heard back from Tim Horrell, the body corporate Solicitor, regarding the proposed sub-committee structure. He undertook to again contact Tim Horrell and report back to the next Committee meeting.

#### 5. SAFETY AND SECURITY

- It was unanimously resolved that the services of Security Rangers on a week to week basis at a rate of \$2,442.00 (incl. GST) pending confirmation by Springfield Land Corporation of any future financial contribution. Upon confirmation the Committee will consider a reduction in hours or termination of the contract.  
Moved – Paula Kopp          Seconded – Francois Wethmar



and enquire as to the possibility of Skyline providing an expression of interest in providing landscape maintenance to the Brookwater Estate.

- Nick Kostellar suggested that the BHOC engage a Landscape Architect to perform an independent audit of the gardens and grounds within the Brookwater Estate and to provide concept designs for the estate. The landscape Architect will provide an overview with recommendations, standard designs and budget prices for the consideration of the BHOC Committee. It was also proposed that the Landscape Architect would supervise the contractors engaged to perform work under the adopted plan. It was envisaged that this process would be completed in time to be considered at the March Committee Meeting.

The Landscape Architect will supervise the contractors while they are performing the maintenance.

## **9. REVIEW OF CARETAKING ARRANGEMENTS**

- It was unanimously resolved to prioritise the appointing of a new caretaker for the Brookwater Estate.  
Moved – Andrew Bell                      Seconded – Rob McLellan

## **10. DAP REPORT**

- Nil

## **11. GENERAL BUSINESS**

- Tony Russell Brookwater Ridge informed the meeting that the street lighting in Scenery Court is being obstructed by overgrown trees and would like to have the trees trimmed. The Chairman is to advise Ipswich City Council of this matter.
- Andrew Bell Brookwater Vista informed the meeting that the verge maintenance has not been carried out by Landscape Solutions at Vista. Andrew highlighted the security of the private road behind Woolworths has been compromised as there are a number of lights not working. As this is a private road the maintenance is the responsibility of Brookwater Business Park. Andrew also stated there were a few lights not working at the entrance to the Brookwater Golf Course clubhouse. Nick Kostellar undertook to advise Brookwater Business Park and the Brookwater Golf Club of these problems.
- Vicki Sheward Brookwater Augusta Point informed the meeting that the rubbish at Brookwater Road at the back of Brookwater Grange had not been removed and is concerned that with the hot weather it could become a problem. Nick Kostellar Springfield Land Corporation will look into the matter.
- Vicki Sheward Brookwater Augusta Point also noted that the Forrester Entry security camera is obscured by overhanging tree branches which require trimming. Tree trimming will need to be undertaken by BHOC in the near future.
- Vicki Sheward Brookwater Augusta Point informed the meeting that a Solar Hart truck has been parking in the bushes on common property at Vista Entry Birchwood Road. Vicki will obtain a photo and forward the details to the Chairperson who will then notify Ipswich City Council.
- Trevor Davidson Brookwater Sanctuary inquired when the Shade Sail for Scenic Park will be installed. To date there has been no response from Ipswich City Council. Peter Napier will discuss the Shade Sail with Councillor Morrison. It was noted that a Shade Sail is highly unlikely to be installed at the District Park over the play equipment as this is not within the specification for District Parks which are considered to be a sports play area.
- Lea Patterson Brookwater Crest thanked the BHOC Committee for the engagement of the mobile security to the Brookwater Estate and would like to see the mobile security continued.
- Michael Tang Brookwater Gallery informed the meeting that he has noticed owners of dogs using the District Park as a leash free area for their dogs and is concerned someone may be hurt and requested that some action be taken to ensure dogs remain on leashes when in the District Park. Anyone who witnesses this activity should immediately contact Ipswich City Council.

- Bede Welsh, the former Caretaker advised that he considered the payment of his invoices had been unnecessarily delayed sought clarification from the meeting. He was advised that his invoices had not always been received in timely fashion and the detail provided required verification before payment could be approved. The Chairman advised he would provide a written advice regarding the matter. Bede Welsh also made strong representations regarding inappropriate comments he understood had been made at previous Committee meetings regarding his character. The meeting considered his comments and after some considerable discussion the Chairman advised that the matter had been discussed to the satisfaction of the committee.

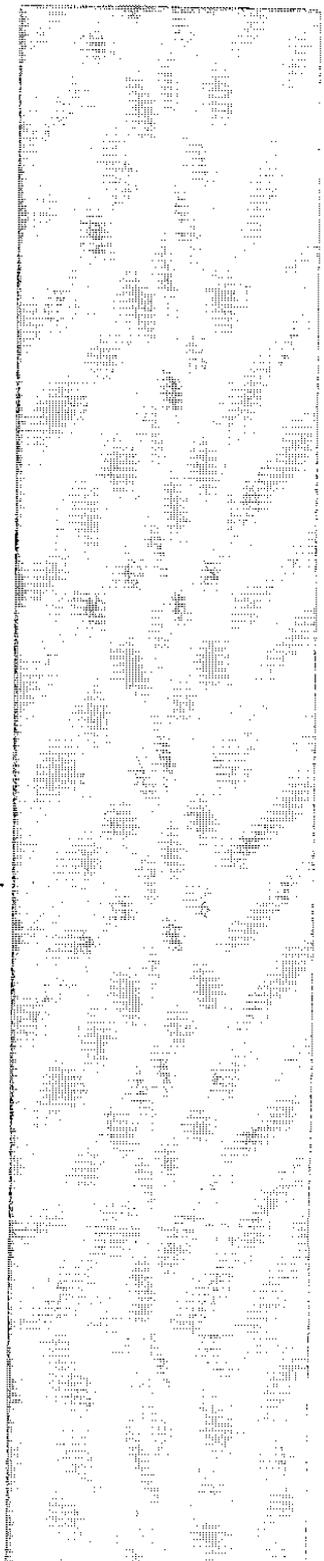
**Conclusion**

The meeting concluded at 9:10 p.m.

Body Corporate for Brookwater Home  
Owners Club CTS 29222

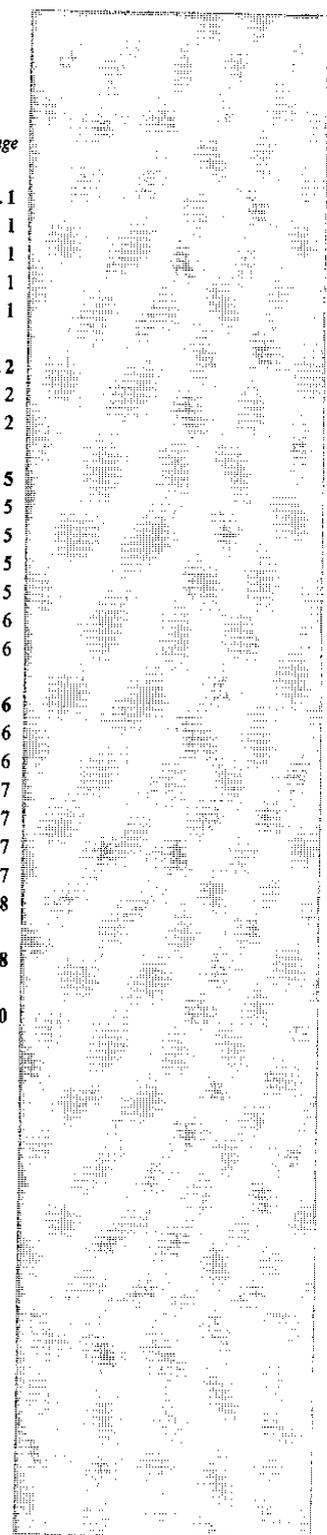
Subcommittee Handbook

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## BACKGROUND

### Definitions

Some terms used in this handbook have defined meanings which are set out in the glossary near the end of this handbook. The terms defined in the glossary appear with initial capital letters when used in this handbook.

### Establishment of Subcommittees

The Committee resolved at its meeting on [DATE] to establish five Subcommittees and to adopt this handbook to guide the activities of the Subcommittees.

The five Subcommittees are:

- Maintenance Subcommittee
- Finance Subcommittee
- Safety and Security Subcommittee
- Design and Compliance Subcommittee
- Communications Subcommittee

### Purpose of handbook

The purpose of this handbook is to:

- define the roles and responsibilities of the Subcommittees and their members;
- document the rules and terms of reference under which the Subcommittees are required to operate; and
- educate the members of the Subcommittees in their roles and responsibilities.

### Legal background

The Body Corporate and the Committee are governed by the *Body Corporate and Community Management Act 1997* and the *Body Corporate and Community Management (Standard Module) Regulation 2008*, which are collectively referred to as the BCCM Laws in this handbook.

The BCCM Laws do not expressly authorise the committee for a body corporate to establish subcommittees. Nevertheless, it is accepted that a committee for a body corporate can establish subcommittees to assist with carrying out the work with which the committee is charged under the BCCM Laws, as long as the following general principles are observed:

- None of the powers of the committee can be delegated to a subcommittee. For example, a subcommittee cannot approve expenditure. A subcommittee can *recommend* to the committee that expenditure be undertaken, but only the committee (or, if the amount of the expenditure is above the committee's spending limit, a general meeting of the body corporate) can *authorise* the expenditure.
- A subcommittee cannot be authorised to undertake activities that bind the committee or the body corporate as a whole. For example, a subcommittee cannot enter into a contract with a supplier, service provider or other person or company. A subcommittee can *recommend* to the committee that a contract be entered into, but only the committee (or, for some contracts, a general meeting of the body corporate) can *authorise* the entry into the contract.
- A subcommittee cannot exercise the powers of the body corporate. For example, if a subcommittee is charged with the responsibility of overseeing the performance of a service contractor or supplier to the body corporate, the subcommittee cannot make a decision to sanction the contractor or supplier or to exercise a right given to the body corporate by the contract (such as the right to terminate the contractor's or supplier's engagement). A subcommittee can *recommend* to the committee that some action be taken,

but only the committee (or, for some contracts, a general meeting of the body corporate) can *authorise* taking the action.

## RULES COMMON TO ALL SUBCOMMITTEES

### Overview

This section of the handbook outlines the rules that will apply to the composition, work and operations of the Subcommittees.

Unless otherwise stated, the rules are common to all of the Subcommittees. If any of the rules is modified, does not apply or applies differently in relation to a particular Subcommittee, that is indicated in a shaded box underneath the rule in question.

### Rules

1. Each Subcommittee will consist of the number of members that the Committee decides from time to time.

The Design and Compliance Subcommittee cannot have more than four members.

2. The Committee may resolve to appoint any person as a member of a Subcommittee.

At least one member of the Design and Compliance Subcommittee must be a member of the Royal Australasian Institute of Architects.

3. The Chairperson from time to time is an ex officio member of each Subcommittee.

4. Before a member appointed to a Subcommittee by the Committee can begin acting as a member of the Subcommittee, he or she is required to sign the *Subcommittee Member Acknowledgement* which appears at the end of this handbook. This requirement does not apply to the Chairperson or a member of the Committee who is appointed to a Subcommittee.

**Comment [TH1]:** Query whether this applies to the Design and Compliance Subcommittee.

5. If a person (other than the Chairperson) has been a member of a Subcommittee for 3 years, that person automatically ceases to be a member of the Subcommittee unless the Committee resolves to reappoint the person as a member of the Subcommittee. The Committee will not make such a reappointment unless:

- a period of 2 years has elapsed since the person served as a member of that (as distinct from another) Subcommittee; or
- there are special circumstances warranting the reappointment.

6. If a person was a member of the Committee at the time of being appointed as a member of a Subcommittee, and that person ceases to be a member of the Committee, then he or she automatically ceases to be a member of the Subcommittee unless the Committee resolves to reappoint the person as a member of the Subcommittee.

7. A member of a Subcommittee may resign from the role by giving written notice to the Chairperson or to the body corporate manager for the Body Corporate.

8. A meeting of a Subcommittee may be called by:

- the Chairperson; or
- a member of the Subcommittee who is also a member of the Committee.

This rule does not apply in relation to the Design and Compliance Subcommittee. Refer instead to Division 2, clause 2 of the Architectural and Landscaping Code.

9. To call a meeting of a Subcommittee, the member calling the meeting must give verbal or written notice (which may be by email) to each of the other members of the Subcommittee of the date, time and place of the meeting.

This rule does not apply in relation to the Design and Compliance Subcommittee. Refer instead to Division 2, clause 2 of the Architectural and Landscaping Code.

10. A meeting of a Subcommittee has a quorum if:
- the Chairperson; or
  - a member of the Subcommittee who is also a member of the Committee,
- is present.

This rule does not apply in relation to the Design and Compliance Subcommittee. Refer instead to Division 2, clause 2 of the Architectural and Landscaping Code. A quorum for a meeting of the Design and Compliance Subcommittee is any two members of that Subcommittee.

11. A meeting of a Subcommittee is to be chaired by the Chairperson (if he or she is present at the meeting) or a member of the Subcommittee who is also a member of the Committee. If two or more members of the Committee serve on the Subcommittee in addition to the Chairperson, then they must decide who will chair a meeting of the Subcommittee.
12. The member of a Subcommittee who is to chair a meeting of the Subcommittee under rule 11 may elect not to chair the meeting or a part of it and may appoint another member of the Subcommittee to act as chair in his or her place.
13. The member of a Subcommittee who is chairing a meeting of the Subcommittee has the authority to do all things he or she considers necessary to preserve order at the meeting and to ensure the meeting is conducted efficiently.
14. A Subcommittee cannot make any decisions to:
- enter into a contract;
  - exercise any of the Body Corporate's rights or powers under a contract to which the Body Corporate is a party;
  - spend money;
  - do any legal act; or
  - exercise a power that is the responsibility of the Body Corporate or the Committee under the BCCM Laws.
15. A Subcommittee may make decisions to make recommendations or give advice to the Committee.

The Design and Compliance Subcommittee is given powers to do specific things under the Architectural and Landscaping Code. Nothing in these rules removes or qualifies those powers.

16. A Subcommittee makes a decision by simple majority vote of the members of the Subcommittee present at a meeting of the Subcommittee that has a quorum. The member of a Subcommittee who is chairing a meeting of the Subcommittee does not have a casting vote.

This rule does not apply in relation to the Design and Compliance Subcommittee. Refer instead to Division 2, clause 2 of the Architectural and Landscaping Code. The chairperson of the Design and Compliance Subcommittee will have a casting vote.

17. A member of a Subcommittee must:
  - act honestly and in good faith in the best interests of the Body Corporate;
  - disclose and properly deal with conflicts of interest and not be involved in fulfilling a function of the Subcommittee that might be affected by a conflict of interest;
  - not act in a way that could reasonably be expected to discredit the Subcommittee or the Body Corporate;
  - inform themselves about the subject matter of the Subcommittee's activities; and
  - exercise due skill, judgment and diligence.
18. A member of a Subcommittee must (even after he or she has ceased to be a member of the Subcommittee):
  - not use information, that he or she has learned as a member of the Subcommittee, to advance the interests of anyone other than the Body Corporate or cause detriment to the Body Corporate;
  - treat all such information as confidential and not disclose it to anyone who is not a member of the Subcommittee, a member of the Committee or a body corporate manager for the Body Corporate; and
  - give a full and true account of the activities of the Subcommittee to the Committee on request.
19. The requirements of rule 18 about not using information and keeping information confidential do not prohibit:
  - the use or disclosure of information when it is necessary to fulfil the proper functions of the Subcommittee; or
  - the use or disclosure of information that is already public knowledge.
20. The members of a Subcommittee must ensure that the Subcommittee keeps minutes of its meetings and proceedings. The minutes must accompany each monthly report (see rule 21). The minutes of a Subcommittee must not be made available to the public or any section or member of the public (including lot owners in the Body Corporate or a Subsidiary Body Corporate) unless and until the Committee has adopted the report of the Subcommittee that the minutes accompanied, and even then the Committee may redact all or part of the minutes for public distribution.
21. A member of a Subcommittee must:
  - ensure that the Subcommittee reports in writing to the Committee on a monthly basis (except December) in due time to enable the reports to be distributed with the meeting papers for the Committee's regular meetings; and
  - on request, attend a meeting of the Committee to give the Committee any information that the Committee requires about the activities of the Subcommittee.
22. A Subcommittee exists at the pleasure of the Committee, which may:
  - disband the Subcommittee at any time; and
  - add to, or change, these rules as applying to that Subcommittee at any time.

This rule does not apply to the Design and Compliance Subcommittee.

23. The functions of each Subcommittee are defined in the section of this handbook headed TERMS OF REFERENCE OF SUBCOMMITTEES. The Committee may alter the terms of reference of a Subcommittee at any time. Each member of a Subcommittee must ensure that the Subcommittee does not

undertake any activities outside the scope of its terms of reference except at the express direction or with the express consent of the Committee or the Chairperson. If:

- there is a conflict between directions of the Committee and the Chairperson, the Committee's direction prevails; or
- the Chairperson gives such a consent, the Committee may revoke it.

The Committee cannot alter the terms of reference for the Design and Compliance Subcommittee so as to remove or change the functions given to the Design and Compliance Subcommittee by the first two dot points of the terms of reference for that Subcommittee.

## TERMS OF REFERENCE OF SUBCOMMITTEES

### Overview

This section of the handbook sets out the terms of reference of the Subcommittees. The terms of reference define the functions of each Subcommittee.

Refer to rule 23 under the heading RULES COMMON TO ALL SUBCOMMITTEES in this handbook for details of the relevance of the terms of reference.

If the terms of reference for a Subcommittee charge the Subcommittee with making recommendations on a subject matter to the Committee, the Subcommittee may undertake whatever activities are reasonably necessary to investigate that subject matter and arrive at its recommendations, as long as the Subcommittee abides by the rules under the RULES COMMON TO ALL SUBCOMMITTEES section of this handbook.

### Maintenance Subcommittee

- Oversees the planning and maintenance of the Brookwater landscape in consultation with the landscape maintenance contractors to the Body Corporate.
- Makes recommendations for improvements and maintenance of the Brookwater common property.
- Prepares a monthly budget for consideration by the Committee and possible adoption by the Committee and consolidation into the Body Corporate's overall budget.

### Finance Subcommittee

- Reviews monthly budgets of the Subcommittees and discusses variations with the relevant Subcommittees.
- Prepares/reviews a monthly financial statement for the Body Corporate and variations statement for presentation to the Committee.
- Consolidates approved budgets of Subcommittees into an overall Body Corporate budget.
- Makes recommendations to the Committee as regards the setting of member contributions to the Body Corporate.

### Safety and Security Subcommittee

- Monitors and coordinates the activities of any mobile security service appointed by the Body Corporate.
- Monitors the performance of the security cameras and the camera maintenance contractor to the Body

Comment [TH2]: Peter's input needed to flesh out/add to/amend the terms of reference.

Corporate.

- Makes recommendations to the Committee about areas of community safety that require addressing and the relevant standards applicable thereto.
- Prepares a monthly budget for consideration by the Committee and possible adoption by the Committee and consolidation into the Body Corporate's overall budget.

#### Design and Compliance Subcommittee

- Acts as the DAP (Development Assessment Panel) for the purposes of the Architectural and Landscaping Code.
- Exercises all powers and functions of the DAP (Development Assessment Panel) under the Architectural and Landscaping Code.
- Prepares a monthly budget for consideration by the Committee and possible adoption by the Committee and consolidation into the Body Corporate's overall budget.

#### Communications Subcommittee

- Prepares regular community newsletters after consultation with the Committee and Subcommittees as to matters of interest.
- Uploads minutes and maintains any website, social media sites etc that are established as part of the communications media for Brookwater.
- Does not publish any minutes
- Prepares a monthly budget for consideration by the Committee and possible adoption by the Committee and consolidation into the Body Corporate's overall budget.

## GUIDELINES FOR MEMBERS OF SUBCOMMITTEES: 6 GOLDEN RULES

### Overview

The purpose of this section of the handbook is to provide some guidelines that members of Subcommittees should observe in acting in the role. There are ten "golden rules" that all members of Subcommittees should follow at all times.

#### Golden rule 1: Understand and respect the rules and terms of reference

On joining a Subcommittee, a member should familiarise themselves with the rules and terms of reference governing the Subcommittee.

A member of a Subcommittee should also always respect the rules and terms of reference governing the Subcommittee.

If you believe that another member of your Subcommittee is not respecting the rules and terms of reference, it is your responsibility to bring this to the attention of the Chairperson or the Committee.

**Comment [TH3]:** Need to discuss further. Content presupposes that SLC no longer appoints any members to the DAP – is that the case? Query whether it would be simpler to leave it named as the DAP.

If you believe your Subcommittee is about to embark on any activity that you think might breach the rules or terms of reference, don't be involved in it! Your best course of action in such a case is to persuade the Subcommittee to seek direction from the Committee or the Chairperson and, if your Subcommittee won't do so, to speak up about your concerns by raising them with the Committee or the Chairperson.

#### **Golden rule 2: Act honestly**

You should always act honestly and with the utmost good faith towards the Body Corporate.

The clearest cases of dishonesty involve fraud, theft or other misuse of the Body Corporate's money or property. Engaging in this sort of conduct could give rise to criminal and civil liabilities. Standing by if you see another member of your Subcommittee engaging in this sort of conduct could also expose you to liability, so you should always report any such conduct to the Chairperson or the Committee.

#### **Golden rule 3: Put in care and effort**

As a member of a Subcommittee, you need to:

- be fully conversant with what the Subcommittee is doing;
- do your best to attend all meetings of the Subcommittee; and
- actively participate in the activities of the Subcommittee.

If your circumstances change such that you can't meet these expectations, you should give consideration to resigning from the Subcommittee so that someone else who can put in the necessary degree of care and effort can take your place.

#### **Golden rule 4: Be accountable and respect the role of the Committee**

You have already read that your Subcommittee can make recommendations to the Committee but can't make the decisions that only the Committee can make for the Body Corporate.

The members of the Committee are subject to legal duties in making decisions at the Committee level. This means that the members of the Committee need to be satisfied, before making a decision, that it is in the best interests of the Body Corporate. Therefore, members of a Subcommittee need to be ready to be accountable – that is, to give full explanations of the reasons for the Subcommittee's recommendations so as to help the members of the Committee to discharge their duties and to make the appropriate decision.

Don't expect the Committee to act as a "rubber stamp"!

Remember, the activities of a Subcommittee represent a discrete area of the Committee's overall responsibility for the wellbeing of the Body Corporate as a whole. Sometimes the Committee may need to make decisions not to follow the recommendations of the Body Corporate. That won't necessarily be a signal of dissatisfaction with the Subcommittee

#### **Golden rule 5: Deal properly with conflicts of interest**

If you think you might be subject to a conflict of interest, you need to deal properly with it by:

- fully disclosing it to the Subcommittee or at least the Chairperson; and
- absenting yourself from any functions of the Subcommittee that might be tainted by your involvement due to the conflict of interest.

You won't have a conflict of interest just because you are a member of the Body Corporate or a Subsidiary Body Corporate. However, you will have a conflict of interest if:

- you (or someone associated with you) stand to gain some special advantage or benefit; or
- a reasonable person in your position would feel unable to objectively fulfil his or her role as a member of the Subcommittee (for example, due to an association or even a friendship with a service contractor to the Body Corporate whose services the Subcommittee oversees).

If you aren't sure whether you have a conflict of interest, you should discuss the matter with the Chairperson and make full disclosure. In that way, you will have fulfilled your obligation to make disclosure. The only other proper thing you can do is to resign as a member of the Subcommittee.

To protect yourself, it is advisable for you to make any disclosure of a conflict of interest in writing. It is fine to discuss it with the Chairperson, but you should always document the disclosure by sending an email setting out the full details of the conflict.

### Golden rule 6: Keep confidentiality

As a member of a Subcommittee you will be entrusted with information about the Body Corporate and you may be entrusted with information about service contractors, owners and occupiers of lots in the Body Corporate and Subsidiary Bodies Corporation or other people or organisations.

A Subcommittee's right to have this information is sourced in the Committee's decision to establish the Subcommittee and to share the information with the members of the Subcommittee. Members of Subcommittees are therefore required to observe the same high standards of confidentiality as members of the Committee are required by law to observe.

There may be some circumstances in which it is necessary for you to disclose information that you have learned as a member of a Subcommittee in order to fulfil the functions of the Subcommittee. For instance, if your Subcommittee oversees the performance of a service contractor to the Body Corporate and the Subcommittee (or the Committee) asks you to discuss with that service contractor particular concerns about the level of service, or whether the contractor would be interested in extending their contract, then you can discuss those matters with the service contractor. Conversely, if your Subcommittee discusses the level of service of a service contractor it oversees, for the purpose of preparing a report to the Committee making recommendations to the Committee about the service contractor, then it is not reasonably necessary for you to share anything from those discussions with anyone outside the Subcommittee or the Committee and you must not do so.

You are never allowed to disclose information that you have learned as a member of a Subcommittee to cause detriment to the Body Corporate or to advance the interests of anyone other than the Body Corporate itself. For example, if your Subcommittee is responsible for sourcing tenders for a contract and you know that the Committee has allocated a particular amount of funds as a provisional budget for the contract, you cannot give this information to anyone outside the Subcommittee or the Committee (such as a prospective tenderer).

Your obligations about confidentiality of information do not end when you leave your Subcommittee. You must continue to respect confidentiality even after you have left the Subcommittee.

## GLOSSARY

Term	Meaning
Architectural and Landscaping Code	the code with that name which is Schedule D, section C of the community management statement for Brookwater Home Owners Club community titles scheme
BCCM Laws	the <i>Body Corporate and Community Management Act 1997</i> and the <i>Body Corporate and Community Management (Standard Module) Regulation 2008</i> , which can be accessed at: <a href="https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/B/BodyCorpA97.pdf">https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/B/BodyCorpA97.pdf</a> <a href="https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/B/BodyCorpSr08.pdf">https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/B/BodyCorpSr08.pdf</a>

Term	Meaning
Body Corporate	Body Corporate for Brookwater Home Owners Club CTS 29222
Chairperson	the chairperson of the Committee
Committee	the committee for the Body Corporate
Subcommittee	each of the five subcommittees established by the Committee, as detailed in this handbook
Subsidiary Body Corporate	a body corporate that is itself a member of the Body Corporate.

## SUBCOMMITTEE MEMBER ACKNOWLEDGEMENT

Name of Subcommittee:

Name of member appointed:


I, the person named above, hereby:

1. accept appointment as a member of the Subcommittee named above, which is a subcommittee established by the committee for Body Corporate for Brookwater Home Owners Club CTS 29222;
2. state that I have been given a copy of, read and understood the contents of the body corporate's *Subcommittee Handbook*;
3. agree to comply with the rules detailed in the *Subcommittee Handbook* regarding the Subcommittee or me as a member of the Subcommittee (or of any other subcommittee to which I may be appointed in the future).

Signature:

Date signed:


---

**Karen Dyson**

---

**From:** Alan Burley <burleya2@bigpond.com>  
**Sent:** Thursday, 30 January 2014 4:03 PM  
**To:** Karen Dyson  
**Cc:** Peter Napier  
**Subject:** RE: Brookwater Heights CTS 30713lot 2124 Brookwater

Karen

I would imagine that this would have to go to BHOC. Not sure when the next meeting is on as I thought it would not have been on last Monday (public holiday).

Alan

**From:** Karen Dyson [<mailto:karen@prudentialctm.com.au>]  
**Sent:** Friday, 10 January 2014 5:23 PM  
**To:** 'Alan Burley'  
**Cc:** 'Peter Napier'; [francoisw@theinsideperson.com](mailto:francoisw@theinsideperson.com); 'Kopp, Paula'  
**Subject:** Brookwater Heights CTS 30713lot 2124 Brookwater

Hi Alan

Please find below an email from Grant Green the owner Lot 2124 in relation to a tree stump requiring stump grinding for your information and attention.

Regards  
Karen Dyson

---

PRUDENTIAL BODY CORPORATE MANAGEMENT PTY LTD  
Address: 4/1293 Logan Road, Mt Gravatt, QLD 4122  
Postal: P.O. Box 4, Holland Park, QLD 4121  
Phone: 0011 61 7 3219 3633  
Fax: 0011 61 7 3219 3644  
Email: [info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)

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**From:** Grant Green [[mailto:grant\\_maria\\_green@bigpond.com](mailto:grant_maria_green@bigpond.com)]  
**Sent:** Friday, 10 January 2014 3:40 PM

**To:** Karen Dyson  
**Subject:** lot 2124 Brookwater

Karen

As discussed, back around August some gentlemen purporting to being from the Ipswich council attended my property and cut down one of the trees on the nature strip.

I approached the men during this exercise and they informed me that a representative from Ipswich council had been around Brookwater and identified trees that needed to be removed.

I asked the men what would happen with the stump that remained and they advised that another area of the Ipswich council would attend and have the stump ground down.

To this date this has not occurred and in fact this stump could create a hazard should a child be riding a pushbike down the verge amongst other things.

There is also another property up the road which also has the stump remaining although the tree across the road that was removed has also had the stump removed.

If you could advise the relevant authority that something needs to be done about this stump it would be appreciated as I didn't feel it was necessary to remove the tree as it was starting to come back but I was too late to stop them removing it.

Regards

Grant & Maria Green

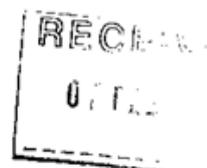
PO BOX 864  
IPSWICH QLD 4305  
3960 40171224

### Maintenance Valuation Notice

000104 000



BODY CORPORATE FOR 'BROOKWATER HOME  
OWNERS CLUB' COMMUNITY TITLES SCHEME 29222  
C/- PRUDENTIAL BODY CORPORATE MANAGEMENT PTY LTD  
PO BOX 4  
HOLLAND PARK QLD 4121



Re: Valuation of property at: GRANGEWOOD AV, BROOKWATER QLD 4300  
Issue Date: **5 February 2014**  
Property ID: 40171224  
Local Government: IPSWICH CITY  
RPD: L1001-1094 SP133270 & L2102,2116,2126-2148  
SP143600 & L1-17 SP148913 &  
L2095-2101,2103-2115,2117-2125 SP151193 &  
L1095-1141 SP154984 & L2149-2193 SP158202 &  
L19,2194-2229 SP163078 & L1-25,51 SP163128 &  
L1199-1223 SP172783 & L1142-1152,1176-1188  
SP189004 & L1189-1198,1224-1227 SP189079 &  
L1153-1166,1168-1174 SP195218 & L101-123  
SP214127 & L53,55-56 SP214218 & L2,10,19-22,100  
SP251821:PAR STAPYLTON & L3001-3015,3020-3069  
SP160029 & L3070-3152 SP163080 & L4-13 SP195370  
& L3378-3384 SP195375 &  
Area: 102.7586 HA

Current Site Valuation:	\$107,000,000
Date of Valuation:	1 October 2012
Date of Effect:	30 June 2013

New Site Valuation:	\$107,000,000
Date of Valuation:	1 October 2012
Date of Effect:	17 December 2013
Valuation Reference:	00523855392

The State Valuation Service undertakes maintenance valuations when required, in accordance with the *Land Valuation Act 2010*. For information on why valuations are undertaken, the method used to calculate a **New Valuation**, the Department's Privacy Statement and other matters of interest, see the enclosed *Maintenance Land Valuations* brochure or the Department's website listed below.

If you do not agree with a **New Valuation** and wish to lodge an objection, you must do so within 60 days of the issue date of this notice. A separate objection must be lodged for **each new valuation**. Objections can be lodged online or at the address shown at the top of this notice and must be in the approved form. Grounds explaining why the valuation is incorrect must be provided. An objection kit, including the form, guidelines and information on online lodgement, is available from the department's website or from your local DNRM office by phoning the number below.

The **New Valuation** replaces the **Current Valuation** of your property and may be used as a basis for local government rating and State land tax from 17 December 2013.

Councils determine their rates based on services they intend to provide to the community and how much revenue they need to pay for those services. A change in valuation does not therefore necessarily mean a change will occur with your council rates.



Land tax may be payable if the total taxable value of your land holdings in Queensland exceeds the threshold on 30 June. For more information on land tax, please visit the Office of State Revenue's website [www.osr.qld.gov.au](http://www.osr.qld.gov.au).



Neil Bray  
**Valuer-General**  
**Department of Natural Resources**  
**and Mines**

<b>For further information:</b>	
Department's website	<a href="http://www.dnrm.qld.gov.au">www.dnrm.qld.gov.au</a>
Valuations enquiries	(07) 3884 5353

Your reference [Their Reference]  
Our reference [Our Reference]  
Contact Officer Colin Russ  
Telephone 07 3810 6666



**Ipswich City Council**

45 Roderick St  
PO Box 191  
Ipswich QLD 4305  
Australia

**Tel** (07) 3810 6666  
**Fax** (07) 3810 6731  
**Email** council@ipswich.qld.gov.au  
**Web** www.ipswich.qld.gov.au

BODY CORPORATE FOR  
BROOKWATER HOME OWNERS CLUB 29222  
c/- PREDENTIAL BODY CORPORATE  
MANAGEMENT PTY. LTD.  
P.O.BOX 4  
HOLLAND PARK Q4121

Dear Sir /Madam

**Re: Access to Easement EESP148913 in 30 Oakview Circuit Brookwater  
For the purpose of cleaning out drainage outlet**

In order to carry out the works it will be necessary for Council staff to enter your property described as "Brookwater Home Owners Club 2922 and located between No 24 and No 30 Oakview Circuit. Attached is a plan of the location of the work and the access route. Every effort will be made to minimise any inconvenience to the resident, and any disturbance caused to your property will be reinstated on completion of the works.

Council requires written permission to enter private property and the attached "Authority to Enter Property" is therefore required to be signed by the property owner or authorised agent and returned to Council within fourteen days of the date of this letter in the enclosed reply paid envelope.

Your co-operation and patience in helping Council to facilitate the undertaking of these works will be greatly appreciated. Should you wish to discuss the project before the work team arrives on site please contact the undersigned on 07 3810 6666.

Yours faithfully  
Colin Russ  
Acting Principal Officer Roads Drainage





IPSWICH CITY COUNCIL

# Authority to Enter Property

I,

the owner / owner's agent hereby give permission for staff of the Ipswich City Council's Engineering Services Department to enter the property situated at

for the purpose of

Name

Telephone (Business Hours)

Mobile

### PRIVACY STATEMENT

Ipswich City Council is collecting your personal information in accordance with *Local Government Act 2009* and *Local Law No 12 (Roads)* so that we can assess your application. We will not disclose your personal information outside of Council unless we are required by law or have given your consent.

By completing and signing this form and returning it to Council, we will consider that you have given us your consent to manage your personal information in the manner described in Council's Privacy Statement, Personal Information Digest and this collection notice.

Signature

Date

### Return completed form to:

**Ipswich City Council**  
**Engineering Services Department**  
PO Box 191, Ipswich Q 4305  
Phone: (07) 3810 6666  
Fax: (07) 3810 6731  
Email: council@ipswich.qld.gov.au

### Office Use Only

Service Request Number

Project Number

Technical Officer

Date Received

[www.ipswich.qld.gov.au](http://www.ipswich.qld.gov.au)

Email:  
[info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)



**PRUDENTIAL**  
**BODY CORPORATE MANAGEMENT PTY. LTD.**  
A.C.N. 010 440 963  
A.B.N. 76 010 440 963

PHONE: (07) 3219 3633

FAX: (07) 3219 3644

Correspondence to:  
P.O. BOX 4  
HOLLAND PARK Q. 4121

Unit 4  
1293 Logan Road  
MT GRAVATT Q. 4122

24 January 2014

Landscape Solutions Pty Ltd  
PO Box 6254  
Logan Central, QLD 4114

FILE COPY

Dear Andrew

**RE: BROOKWATER LANDSCAPE MAINTENANCE**

We are writing to you on behalf of the Brookwater Home Owners Committee (BHOC). The BHOC has concerns regarding the quality, frequency and standard of the landscape maintenance in Brookwater which is currently being undertaken by Landscape Solutions. Of particular concern is the fulfilment of the specification standard which includes the following:

- **Turf Fertiliser** – as previously mentioned in our committee meeting prior to Christmas all turf areas in Brookwater require fertilizing (as per the contract specification). This has not occurred to date and the committee has been invoiced for the full amount of service under the agreement.
- **Turf Maintenance Frequency** – It has been noted that the ground crew have been previously behind on the maintenance of turf areas, particularly with the mowing frequency of the front entry statement (Grangewood Avenue) and Mirvac Fairways maintenance. This was primarily evident during early December 2013 after a period of rainfall where some areas were not mowed as per the specification.
- **Maintenance Diary** – the committee to date have not received a weekly maintenance diary from your team as previously confirmed.
- **Streetscape Edging** – it has been noted that the grass edging detail has not been undertaken to a 'square edge' standard as detailed in the Brookwater specifications document.
- **Garden Maintenance** – there are a number of verge gardens on the southern side of the project which require urgent weeding attention.
- **Watering** - via installed and operating BHOC irrigation systems needs to be undertaken as per the specification document on Grangewood Avenue.

To move forward the committee would like to meet with you on Wednesday 29<sup>th</sup> January 2014 at 4:30pm to discuss the matters further and review the maintenance standard documentation. Can you please confirm your attendance at this meeting via return email to Peter Napier [pnapier@ipswich.qld.gov.au](mailto:pnapier@ipswich.qld.gov.au) and Nick Kostellar [n.kostellar@springfieldland.com.au](mailto:n.kostellar@springfieldland.com.au)

Yours sincerely

  
Matthew Joosen  
For Brookwater Home Owners Committee

**BROOKWATER HOME OWNERS CLUB  
CTS 29222**

Correspondence to:  
PO Box 4  
HOLLAND PARK QLD 4121  
Phone: 07 3219 3633 Fax: 07 3219 3644  
Email: [info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)

4 February 2014

**BROOKWATER SECURITY UPDATE**

Dear Brookwater Resident

I am sure you will join the Brookwater Home Owners Club (BHOC) Committee in congratulating the Queensland Police Service (QPS) for the arrest on Friday night of the person allegedly responsible for the spate of recent arson attacks in Brookwater and nearby areas. The individual – a resident of Bellbird Park – has been charged with 43 offences in total including arson, wilful damage, entering premises with intent, stealing and trespass. These charges relate to incidents in the Brookwater and Bellbird Park area and bring to an end one of Ipswich's biggest police operations dating back to April 2012.

Many residents will have witnessed the presence of a police helicopter on the western side of the Brookwater community on Friday night. At 8.20pm police responded to a report of a fire in a portable toilet (a much preferred target for the alleged arsonist) on the construction site at Ridgewood Drive, off Pardalote Drive. Police searched nearby bushland and, with the aid of the helicopter and dogs, arrested the suspect a short time later.

The suspect appeared before Ipswich Magistrates Court on Saturday and was remanded in custody to appear again on Friday.

While this is an important development for Brookwater residents, the police still have to finalise their investigation.

In order to improve the BHOC's communications with the Brookwater Community, a Facebook page called 'Brookwater Residents' has been set up which provides a forum for everyone living in Brookwater to share news and raise issues relating to our community. To access the page please log onto Facebook, search for the Brookwater Residents closed group and ask to join.

Regards

Yours sincerely



Peter Napier  
Chairman, Brookwater Home Owners Club

Email:  
[info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)



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Correspondence to:  
P.O. BOX 4  
HOLLAND PARK Q. 4121

Unit 4  
1293 Logan Road  
MT GRAVATT Q. 4122

11 February, 2014

**FILE COPY**

Linda and William Bede Welsh  
43 Scoparia Drive  
Brookwater QLD 4300

Dear Linda and Bede,

This firm acts as body corporate manager for Brookwater Home Owners Club CTS 29222.

The Brookwater Home Owners Club would like to thank you for the hard work and dedication you have both shown while performing the Caretaking services for the Brookwater Estate over the last two and a half years. The BHOC appreciates the time and effort you spent in undertaking the multitude of functions associated with the caretaking role.

The BHOC wishes you every success in your future endeavours.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'K. Dyson', written in a cursive style.

Karen Dyson  
for the Brookwater Home Owners Club CTS 29222

**Karen Dyson**

---

**From:** Karen Dyson  
**Sent:** Thursday, 13 February 2014 11:04 AM  
**To:** 'info@securityrangers.com.au'  
**Subject:** Brookwater Home Owners Club CTS 29222

To whom it may concern

We act on behalf of the body corporate for the above building.

I have been instructed by the Body Corporate Committee for Brookwater Home Owners Club that effective from Monday 17 February, 2014 the security patrols performed by Security Rangers for the Brookwater Estate are to be conducted on Saturday and Sundays only.

Regards  
Karen Dyson

---

PRUDENTIAL BODY CORPORATE MANAGEMENT PTY LTD  
Address: 4/1293 Logan Road, Mt Gravatt, QLD 4122  
Postal: P.O. Box 4, Holland Park, QLD 4121  
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**Karen Dyson**

---

**From:** Karen Dyson  
**Sent:** Friday, 14 February 2014 2:29 PM  
**To:** 'info@securityrangers.com.au'  
**Subject:** Brookwater Home Owners Club CTS 29222

**Importance:** High

To whom it may concern

The Body Corporate Committee for Brookwater Home Owners Club would like your advice as to which combination of days would be more beneficial for the security of the Brookwater Estate for patrols:

Saturday and Sunday or

Friday and Saturday

Regards  
Karen Dyson

---

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Address: 4/1293 Logan Road, Mt Gravatt, QLD 4122  
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---

**From:** Karen Dyson  
**Sent:** Thursday, 13 February 2014 11:04 AM  
**To:** 'info@securityrangers.com.au'  
**Subject:** Brookwater Home Owners Club CTS 29222

To whom it may concern

We act on behalf of the body corporate for the above building.

Email:  
[info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)



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Correspondence to:  
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HOLLAND PARK Q. 4121  
Unit 4  
1293 Logan Road  
MT GRAVATT Q. 4122

Bede Welsh  
43 Scoparia Drive  
Brookwater QLD 4300

FILE COPY

14 February 2014

Dear Bede

**Re Brookwater Home Owners Club Committee Meeting 20 January 2014**

This firm acts as body corporate manager for Brookwater Home Owners Club CTS 29222.

Reference is made to your request for an explanation as to the apparent delay in the payment of your invoices submitted in respect of caretaking duties for the Brookwater Home Owners Club.

As advised at the Committee Meeting, part of the delay was due to the large number of invoices submitted within a very short period of time. An analysis has shown the following delays:

<b>Period Ending</b>	<b>Date of Receipt of Invoice</b>	<b>Delay</b>
6 July 2013	18 August 2013	43 days
19 July	30 August	42 days
4 August	25 September	52 days
18 August	10 October	53 days
30 August	28 October	59 days
15 September	28 October	43 days
29 September	18 November	50 days
13 October	18 November	36 days
27 October	18 November	22 days
10 November	18 November	8 days
23 November	24 November	1 day
26 November	28 November	2 days

As you can see, there were considerable and unexplained delays in the submission of invoices covering the period early July to late October 2013. The escalation of these delays prompted the Treasurer to email on 25 October 2013 requesting submission of details of the work undertaken since the 18<sup>th</sup> August. This reminder resulted in your invoices for work to 30 August and 15 September being received within a few days, but no further invoices until the final flurry of invoices being received in mid/late November 2013.

The delays in the submission of your invoices of (at times) nearly two months made any verification of the work claimed extremely difficult and therefore time consuming owing to the then historical nature of the work claimed. Consequently, your invoices when finally received were held until such time as a reasonable verification was able to be conducted on the work itemised in those invoices.

It was unfortunate that this verification work was attempting to be done at a time of considerable other distractions which further delayed their approval and payment. You have stated that you feel hard done by with regard to the payment of your final invoices, but it appears that overall during your period of contract with the BHOC your invoices were almost always paid within a short period of their being received. The considerable delays in the submission of your invoices covering the period August to October directly contributed to the delays in your final payment. However, your final group of invoices were paid in full after appropriate committee verification was undertaken.

Yours sincerely

Matthew Joosen  
For the Body Corporate for Brookwater Home Owners Club CTS 29222

Email:  
[info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)



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Unit 4  
1293 Logan Road  
MT GRAVATT Q. 4122

14 February, 2014

**FILE COPY**

Mr A Bell  
5 Seanna Place  
BROOKWATER, QLD. 4300

Dear Andrew

**RE: BROOKWATER HOME OWNERS CLUB CTS 29222**

This firm acts as body corporate manager for the above scheme.

The Brookwater Home Owners Club would like to thank you for the hard work and dedication you have shown while performing as an active member of the GAMS Subcommittee. The BHOC appreciates the time and effort you spent in undertaking the multitude of functions associated with the GAMS Subcommittee.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'K. Dyson'.

Karen Dyson  
for the Brookwater Home Owners Club CTS 29222

Email:  
[info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)



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HOLLAND PARK Q. 4121

Unit 4  
1293 Logan Road  
MT GRAVATT Q. 4122

14 February, 2014

**FILE COPY**

Mrs V Sheward  
18 / 83 Birchwood Circuit  
BROOKWATER, QLD. 4300

Dear Vicki

**RE: BROOKWATER HOME OWNERS CLUB CTS 29222**

This firm acts as body corporate manager for the above scheme.

The Brookwater Home Owners Club would like to thank you for the hard work and dedication you have shown while performing as an active member of the GAMS Subcommittee. The BHOC appreciates the time and effort you spent in undertaking the multitude of functions associated with the GAMS Subcommittee.

Yours Faithfully

Karen Dyson  
for the Brookwater Home Owners Club CTS 29222

Email:  
[info@prudentialctm.com.au](mailto:info@prudentialctm.com.au)



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Unit 4  
1293 Logan Road  
MT GRAVATT Q. 4122

14 February, 2014

**FILE COPY**

Mr T Davidson  
11 Botanic Crescent  
BROOKWATER, QLD. 4300

Dear Trevor

**RE: BROOKWATER HOME OWNERS CLUB CTS 29222**

This firm acts as body corporate manager for the above scheme.

The Brookwater Home Owners Club would like to thank you for the hard work and dedication you have shown while performing as an active member of the GAMS Subcommittee. The BHOC appreciates the time and effort you spent in undertaking the multitude of functions associated with the GAMS Subcommittee.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'K. Dyson', written in a cursive style.

Karen Dyson  
for the Brookwater Home Owners Club CTS 29222