

ATTACHMENT "A"

24/05/2010

Jabiru Place CTS 19169

Committee update

The Resumption

13/04/2010

Body Corporate Services received

Taking of Land Notice (No. 1985) published in the Government Gazette of Friday 09 April 2010.

Jabiru Place Body Corporate interest in the Land has been converted into a right to claim compensation.

Letter received by Chairman on 20/04/2010

I have spoken to Samuel [REDACTED] on 25/05/2010.
Program Development and Management
Property Services Branch
Our Ref: 510/06952 czj

He advised we will need to obtain the services of a Registered Valuer and a Solicitor. The Body Corporate will need to pay fees up front but we will be compensated for reasonable fees in the settlement.

He is not aware of a construction timetable or if sound proof barrier is to be built on overpass.

Samuel advised for any other details on project to contact
Neville [REDACTED]
Project Manager
[REDACTED]

I spoke to Grant Kerrison of BCS it is OK to engage the services of a Registered Valuer and a Solicitor. He was unable to provide a recommendation.

I spoke to Tanya McLaughlin Committee member she had an excellent experience with Bushnell Power Lawyers on [REDACTED]

I called Bushnell Power Lawyers on [REDACTED]
Have set up meeting with

Clark Bushnell
42 Roderick Street Ipswich
27/05/2010 at 10.00am
For a half hour initial consultation
They require \$99.00 cash or direct deposit

26/05 E-mail to Grant to direct deposit initial consultation fee

27/05 Attended Solicitors office.
Clark was ill meeting cancelled.
Was advised to call Propell Valuers

27/05 Called Neville [REDACTED] 07 [REDACTED] left message
Neville returned call he does not have answers but has set up a meeting
to update the Committee at 11.00am 28/05/2010.

27/05 Called Propell Valuers. They have taken details will check on the plan and call
back.

28/05 Attended meeting with Ralph and Allan McLaughlin

28/05 Allan & Ralph to organise plant audit on resumed area - ASAP

08/06 Meeting with Clark Bushnell of Bushnell & Power Lawyers at 3.00pm
MM attended

08/06 Valuer Propell Craig Ashford has called Origin Alliance and asked for elevation
plans

10/06 Origin Alliance – Danny [REDACTED] [REDACTED] advised want to clear Jabiru
Place block ASAP. Will hold work till 15/06/2010

11/06 Arborist visit – only 4 plants of value but not enough to warrant audit as is costs
\$45.00 - \$60.00 per tree. Common species have no value ie Palms, Jacaranda,
Poinciana, Mulberry. Other species are class 3 which are pests.
He will Invoice at \$70.00 for call out.

15/06 Wrote notice to owners and occupants

15/06/2010

Notice from the Committee of the Body Corporate to all owners of Jabiru Place CTS 19169

In May 2010 Body Corporate Serviced received a letter from the Queensland Government Department of Transport and Main Roads. It was a Taking of Land Notice (No. 1985) published in the Government gazette of Friday 09 April 2010.

This means 793 square metres east of the Tennis Court has been resumed.

This will not affect any of the 42 Units buildings or yards.

This will not affect the Tennis Court area.

This will only affect the common property area.

Jabiru Place's interest in the land has been converted into a right to claim compensation under the *Acquisition of Land Act 1967*.

The Committee has engaged the services of a Valuer, Solicitor and Arborist.

Clark Bushnell of Bushnell & Power Lawyers

Craig Ashford of Propell National Valuers

Reasonably costs will be covered by the resumption process. Please do not attempt to contact the Solicitor or Valuer as they have instructions to only deal with the Committee.

The Committee has liaised with Origin Alliance (the contractors building the Dinmore 2 Goodna section of Ipswich Motorway upgrade)

They are going to build a Railway overpass into Monash Road to provide access to the developing industrial estate on the Redbank Peninsular area. This will involve building an 8 metre high section of Road with the earth wall starting at the base of the Tennis Court.

They have advised work will commence as soon as possible as they need to work in with Qld Railways in building the bridge over the railway lines. They expect the construction process to take 12 - 18 months.

This project will affect Jabiru Place on three sides.

The Front Section

They will end Bridge Street at house [REDACTED] They will then dig up Bridge Street and our driveway to the front gate then re build a new driveway to give us access.

The Side Section

They will demolish the house at number [REDACTED] Bridge Street.
The fig trees will not be affected.

The Back Section

A Hydrologist will be engaged to design suitable drainage that will flow into the Peace Park. (If they get this wrong we have a potential flooding problem)

To protect the safety of occupants the Tennis Court and walk way next to Tennis Court will be secured as a no access area and a notice via letter box will inform all occupants.

The Committee will keep owners informed with updates via mail or at the Garden Committee meeting held 1st Tuesday of each month at BBQ area at 6.00pm.

If you want to get involved in this process the Annual General Meeting will be set down for August or September 2010. The Committee is allowed seven members. It has only had four members over the last three years. All positions are vacant and can be filled from the floor by attending the Annual General Meeting. If you can not attend meeting you can still have a vote by completing ballot form or by giving a proxy form to someone who will attend the meeting.

If you have any questions on construction please contact Origin Alliance 1800 465 682

If you have any issues or concerns about Jabiru Place please do not hesitate to contact

Matthew Morgan
Chairman of the Body Corporate for Jabiru Place

[REDACTED]
Regards

The Committee of the Jabiru Place Body Corporate

16/06 MM Purchased locks, chain, signs and roll mesh to fence off Tennis Court and walk way next to Tennis Court.
Purchased envelops, stamps, ream of paper, ink cartridge and printing of notices.
Total cost - \$294.65
Placed Occupant notice 1 in every letter box
Printed address labels for every owner
Placed Owner Notice 1 envelop in 17 owner / occupied letter boxes

Posted Owner Notice 1 with Origin Alliance Monash Road connection – work begins notice to all 25 rental property owner

- 17/06 Secured Tennis Court with chain and padlocks.
Erected safety fence across walk way
Placed warning signs on Tennis Court gate and roll mesh fence.
- 21/06 Origin Alliance – Danny [REDACTED] Block to be cleared on 24/06/2010
- 23/06 Unit [REDACTED] owner Jannifer called Ralph, Origin Alliance
MM e-mailed Owner and occupant letter.
- 23/06 Rod of Automatic Gates & Doors attended for quote
- 23/06 Jason of ETS Integrated Systems attended for quote
- 24/06 Origin Alliance – Work has started to clear block of trees via chainsaw and mulcher
- 24/06 Origin Alliance – Danny [REDACTED] visited Jabiru Place - project could be fast tracked if Origin Alliance has work force available from 18 months to 6 months.
Drainage has been designed for drainage into Peace Park
Access to back block will be via back of tennis court. (plan recently changed)
Has spoken to Unit [REDACTED] owner Janiffer
- 24/06 Unit [REDACTED] owner Casey called in for update
- 25/06 Origin Alliance – Danny [REDACTED] visited Jabiru Place with 2 engineers to measure ground vibrations. Equipment set up at back of Unit [REDACTED] (as closest to road works) Engineer remained with equipment.
- 25/06 E-Mail to Unit [REDACTED] owner Janiffer with update
- 25/06 Letter to BCS for MM reimbursement of \$294.65
- 25/06 Origin Alliance – Danny [REDACTED] re visited Jabiru Place
Sewer and Storm water next to Tennis Court to be replaced from 29/06/2010
Job expected to take 1 week
Water main at front gate to be rerouted parallel to driveway in house [REDACTED] easement at East section of Jabiru Place
- 01/07 Department of Transport and Main Road settlement of resumption offer
\$10,000.00 as full and final settlement
Letter e-mailed to Propell and Solicitor

- 22/07 Origin Alliance – Danny [REDACTED] and Head Engineer called by to discuss front drive. Plans are not finalized yet.
Confirmed Bridge Street sewer main has been completed under overpass.
Confirmed Jabiru Place storm water outlet cut but not extended under overpass yet.
They will install 3 x 2.1 metre storm water pipes that will handle 1 in 100 year flood.
Bridge Street 100mm water main will be relocated after house at [REDACTED] demolished.
- 22/07 Propell National Valuers – Craig Ashford e-mails valuation and invoice
- 27/07 BCS at Toowong with David [REDACTED] discussed AGM
- 27/07 Origin Alliance – Danny [REDACTED] called to advise House [REDACTED] to be demolished over 3 days starting on 30/07/2010. The demolition crew will take care to check if site has asbestos and will be demolished under state and federal guidelines.
- 28/07 Propell National Valuers – Craig Ashford advised have 3 years to settle on injurious affection claim. Will need this time to allow audio tests, how fencing has been constructed, access to Peace Park, line of sight.
3 types of claim.
Loss of amenities (Access to Peace Park for all owners)
Visual claim Sight (for affected Units)
Audible claim (for affected Units)
- 29/07 Notice to Occupant 2 placed in letterboxes
- 29/07/2010

Jabiru Place CTS 19169

Notice from the Committee of the Body Corporate

Origin Alliance advised the house at number [REDACTED] is due for demolition starting on 30/07/2010. The demolition crew will not work over the weekend.

This job will take 3 days as asbestos is present in the building.
The demolition crew will take all precautions as advised in the building code.

If you have any questions or issues about this job please feel free to contact

Origin Alliance on 1800 465 682.
The Chairman of the Body Corporate on [REDACTED]
Your Managing Real Estate Agent.

Regards

The Committee of the Jabiru Place Body Corporate

04/08 E-Mail to Unit [REDACTED] owner Janiffer with update

05/08 Origin Alliance – Contractors divert 4inch water main (big blue) down by fig trees through where house [REDACTED] was.

05/08 ICC - Origin Alliance – Danny [REDACTED] advised requires meeting for 09/08/2010 at 1.00pm to give update on time table for over pass construction

09/08 ICC - Origin Alliance – Danny [REDACTED] advised Head Engineer not at work today. Need to postpone meeting

21/09 Called Origin Alliance – Danny [REDACTED]
Asked for 8 copies of plan at Jabiru Place. OK to collect them at 1.30pm today

21/09 Attended at Bushnell & Powers Solicitors at
44 Roderick Street Ipswich QLD 4305
Matt, Ralph, Michael attended

Gave Docs for Resumption

- 1/ Dept of Transport and Main Roads Settlement offer File No 510/06952
- 2/ Statutory Declaration
- 3/ Expenditure voucher
- 4/ Acquisition of Land Act 1967. S18 – S23

- 5/ Propell National Valuers Compensation Assessment
 - 6/ Propell National Valuers Invoice
 - 7/ Chairman's letter for AGM 2010
 - 8/ Minutes of AGM for Jabiru Place held on 26/08/2010
 - 9/ Committee contact details
-

23/09 E-mail update on Solicitor visit to Committee

E-mail 01/11/2010 (after Committee Meeting)

Matt,

Please address issue as soon as possible

**18/ Ipswich Motorway upgrade Dinmore to Goodna
-- Construction update**

Refer Maps of Construction site

Origin Alliance has started to dig next to the 3 x 2.1 metre drainage pipes. They are going to add 2 more 2.1 metre drainage pipes

Matthew Morgan Chairperson to follow up with Origin Alliance.

Origin Alliance new contact liaison: Angela [REDACTED]

03/11/2010 @ 11.09am MM called Angela [REDACTED] Community Relations Officer

Planning on completing Railway overpass late January 2011. This will be night works
So work has commenced on raising batter and building retaining walls

She was not aware drainage pipes have increased from 3 to 5.
She will try to get answer of why.

03/11/2010 @ 1.36pm Angela [REDACTED] Community Relations Officer advised
Has spoken to head Engineer [REDACTED] and the 2 extra pipes installed are to improve
flood mitigation for Jabiru Place. They are not aware of any thing happening with QLD
railways

Night works to start soon from Sunday to Thursday for 3 – 4 weeks
A flyer will be delivered to letterboxes shortly.

Jabiru Place has 3 Units in line for exceptional circumstances.
To be sorted early next year

Mon, 8 November, 2010 2:13:16 PM

Resumption Update

From: Jacinta McLaughlin [REDACTED]

[View Contact](#)

To: M W B C Wilkinson [REDACTED] Matthew Morgan
[REDACTED]

Matt and Mike,

I called Bushnell and Power again yesterday at 9.30am. Left message with Cory, who is the secretary.

Today, I sent an email to Annette [REDACTED] Please see below:-

"I'm wondering how progress is going on the Jabiru Place Resumption Letter. I live in Jabiru Place and was voted on the committee a few weeks ago. I have called the office a couple of times about it, spoke to Clark once who said he would chat to you about it and let me know.

Other members of the committee had an appointment with Clark on 21 September 2010 where the resumption was discussed (among other things) and they were told they would have a draft letter within two weeks. As it is now 9 November 2010, it has been 7 weeks since the meeting, the Chairman has had enough of leaving messages and has asked me to contact you any way I can to get a result.

We need a letter with a counter offer. Clark was given the details.

The situation has become pressing for the committee for the reasons below:-

Main Roads/Origin Alliance are completely changing the whole area, changing the layout of the road on Bridge Street and building us a new driveway, a) to fit the new plan, and b) because they need to dig the existing driveway to shreds to get to pipes and cables underneath. Origin Alliance will be providing a temporary vehicular access to the complex.

Part of the rebuild is the front security gate, which the owners are all paying for. Most

monies have already been raised by the committee, however part of the funds were to come from the Resumption. The work needs to be done at the same time as the driveway rebuild because new foundations will be laid and easy to work with, rather than digging it all up again when they are already done, and the temporary access will be provided. We have now received notice from them to say that are working around the clock. They are getting ahead of schedule and are now likely to be starting work on our driveway in late January, whether we are ready or not.

Raising another \$20,000.00 from the owners can be done, but shouldn't be necessary. In any case, I do have to agree with what the rest of the committee are thinking, that taking two months without even starting a matter is below standards.

I have to go to Ipswich next week for another matter. I would like to come and pick up the draft when I am there, and have lunch with you and Theresa (if she is still there) and catch up for a while. Please let me know what day you are available."

Will advise further when details come to hand.

Cheers,
Jacinta

Wed, 10 November, 2010 8:26:56 AM Origin engineers

From: Anton Rush [REDACTED] [View Contact](#)

To: Matt Morgan [REDACTED]; Mike Wilkinson [REDACTED]
cinna [REDACTED]

Hey blokes,

Have been in contact with Origin Alliance and wanted to point out to them how drainage is now flowing differently onto our tennis court and under our pool foundations since they have been building their new drainage system under the mc aulliffe street bridge/roadway.

Origin got back to me after my statement and said they had been in contact with Mr. Mathew Morgan and their engineers. The engineers should be getting back to me today to arrange an onsite appointment to view my concerns. Will either of you be able to attend this at all today? Carol on phone advised it is likely to be around 2pm, give or take 4 hours.....

This is an item I wanted to raise with them to add to their list and ensure it wont be affecting our grounds and to add them into their plan for drainage on their side of the property line.

Water flow from the first property onto the second property is the responsibility of the first property holder. I intend to have Origin look at this as it is part of the roadway construction which has changed the flow of water and where it now sits, stagnating.

The property is being handed back to ICC after the project is complete, adding to the time and likely less budget thrown at fixing the drainage along our fence line.

Do you have any other thoughts that I should bring up with them today?

Keep in mind we will hopefully be able to have a say in how we would ideally like to drainage to be set up, this will be the first step for Origin Alliance, making them aware of the situation. Plans of action to be taken will hopefully coincide with us so long as we keep the pressure on.

Anton

Melissa [REDACTED]
Community Relations Officer Community Engagement Team
Origin Alliance
Dlmore2Goodna
Chalk Street
Redbank QLD 4301

Copy of E-mail sent to Melissa 01/12/2010.

Dear Melissa,

RE: PROPERTY AT JABIRU PLACE, 13 BRIDGE STREET REDBANK

The Jabiru Place Committee has concerns with the progress of development in the Dinmore2 Goodna Project in the area that affects the owners of Jabiru Place. Our concerns are based in the scope of works with McAuliffe Street, the rear block, and the drainage allowed around our front gate.

We had a meeting to discuss some of these concerns with Councillor Paul Tully on 18/10/2010.

We also had an onsite meeting with Angela [REDACTED] and David [REDACTED] where concerns were raised but have not been addressed at this stage.

Jabiru Front Gate area

- 1/ Kerb and channeling not planned for at our front gate so the whole area will drain through our front gate entrance.

- 2/ Due to our loss of amenity of Street parking, can a car park be built at the front of property adjacent to House [REDACTED]
- 3/ Noxious Class 3 plants need removing (Chinese Elm, Pepperina etc)
- 4/ The Committee would like the Kauri Pine Tree in front of the property at 13 Bridge Street be protected.
- 5/ The Committee would like a copy of the lighting Plan for area adjacent to front entrance, as quotes are being obtained to replace front fence gate and security lighting will be a significant concern.

Vacant Block of Land between Jabiru Place and the Railway line

- 1/ Open drain from Railway storm water has been over grown with what looks like a water reed. This is diverting water out of the drain and against the Tennis Court, under cutting the slab.
- 2/ The whole area needs slashing.
- 3/ Noxious Class 3 plants need removing (Chinese Elm)
- 4/ A spill way entrance needs to be designed on both sides of the five 2.1 metre pipes to prevent erosion.
- 5/ Promised replacement of damaged north-east fence post of tennis court
- 6/ Replacement of fence adjacent to driveway after utilization of temporary driveway access.

McAuliffe Street

- 1/ No allowance has been made for storm water to pass over or under McAuliffe Street.
- 2/ Privacy for residents using complex amenities (pool, tennis court) needs to be addressed.

Yours sincerely,

The Committee of the Body Corporate for Jabiru Place

16/12/2010 - Anton Rush notes

Hello all,

Met with Owen [REDACTED] again this morning, just a few quick notes on the back area.

After they go into a 2 week shutdown as of tomorrow, they should be doing the slashing as soon as they are all back to work, and it should be the whole grass area between our complex and the rail line.

The fencing work is going to be relatively difficult to work on due to soil being in a poor state and position. It is a very steep slope and many of the support poles have been replaced or pitched up with extra poles, simply means deeper holes for the concrete pillars supporting the fence.

We will have to inform Origin Alliance at least a week prior to anyone coming out to do work, and they will put up a temporary fence, away from our fence, allowing room to work.

There are a few Chinese Elm, fair bit of Lantana and those apple thingy things that kill the bee's (funny named one in front of 44 :D) Origin will need to be informed we will have to remove some trees, if they don't remove the trees themselves. He doesn't see this being a problem, as it is 50+ metres from their site.

There will be a 2 metre "access" way though not designed for pedestrians, it will be a permanent access for walking around our complex.

Owen advised that he is pretty sure there is a minor update on the plans to do with our driveway, and there may be able to put a second car park on the South side of the driveway as well.

Owen also feels it may be a viable method of just "building" our car park, and wait to see who complains i.e. Council

Funny bloke.

Chat later,
Anton

Thu, 16 December, 2010 1:34:36 PM

Resumption offer revised

From: [REDACTED]

Add to Contacts

To: [REDACTED] Anton Rusl [REDACTED]

Hello,

Spoke to Craig at Propell National Valuers today. The Department of Transport and Main Roads valuer has revised offer to settle on resumption to \$15,000.00 plus reasonable costs of valuation, EGM and legal.

I have instructed Craig to go back and explain we need 100% approval from all owners. It will be

easier to do this if we could agree to \$20,000.00 plus costs.

Craig advised if we fail to agree next step Land Court which would take 12 months to get a hearing date.

Craig will go back and ask for more but is not confident in raising offer.

Explained legal quotes of 20k and 2k to review paperwork. He advised these are not reasonable costs and the Department of Transport and Main Roads would reject invoices leaving Jabiru Place liable.

Cheers

Matthew Morgan [REDACTED]
[REDACTED]
[REDACTED]

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17/12/2010 – Melissa [REDACTED] of Origin Alliance left message on MM vm

Origin Alliance will be on holidays from 17/12/2010 till 04/01/2011. Will reply to e-mail received 01/12/2010 in writing when we return to work in January 2011.