

## **Minutes of the Special Committee Meeting of the Body Corporate for St James Community Titles Scheme 19922**

**Meeting details:** Held at Lot 19, 50 Boblynne Street, Chapel Hill, on Tuesday, 25 August 2026.

**Present:** Averil Cook (Chair)  
Peter White (Secretary)  
Kevin Huckel (Treasurer)  
Warwick Henry (Ordinary Member)  
Pam Killer (Ordinary Member)  
Margaret Luscombe (Ordinary Member)  
Gerry Vanderstoep (Ordinary Member)

**Quorum:** A quorum was established, with all committee members present.

**Chair:** Averil Cook chaired the meeting and declared it open at 8:00 am

The Chair welcomed Jocelyn Henry, Ken Finney, Gill Lewis and Noel Taylor, who attended as observers.

### **Confirmation of Previous Minutes**

Averil Cook moved that the minutes of the committee meeting held on 5th August 2026 be confirmed as a true and correct record. The minutes were confirmed with one abstention.

### **General Business**

#### **Lot 32 Lawn**

Averil provided a thorough rundown of the issue to date, including emails from lot owners, open letters, discussion papers, and a report that had been circulated within the committee.

Peter requested that a paper be tabled so that the committee can remind themselves where the journey started. ( Copy Attached) Peter went on to say that he does not object to the removal of the tree at lot 32, but to the process that was followed.

After a brief discussion, attention turned to a lengthy report produced by Ollie Hardt. [(Copy Attached) Peter pointed out that Ollie Hardt's report specifically concludes that poor turf performance should not automatically be attributed to allelopathy.

The report recommends a staged assessment involving an evaluation of the tree, an evaluation of turf and soil conditions, and identification of the actual cause of the turf decline.

Averil gave a brief rundown of the poor state of the lawns on common property, and there was open discussion about which lawns have been affected by Golden Penda and lawn whitening, which other properties have been returfed, and which have had root problems.

Averil summarised the problem at #32:

Cause: possible allelopathy, shade, over- or underwatering

Treatments: returfing twice (2020 is most recent); Ollie has applied various treatments for many years;

Time length: well over 6 years.

Averil went on to say that Peter handed out his Special Meeting Paper to the observers (committee already had their copy). My summary is

- Request we delay decision (re removing tree #32 and tree #1) until November
- Consultant could fully evaluate remediation options
- Soil testing
- Returfing every 6 years

It is noted that the same advice (delay the decision, soil testing) was in the 2020 minutes.

Peter's paper for discussion recommended that tree 32 be separated from tree 1. #32 is a maintenance problem, but #1 is a 'symmetry'.

Gerry went on to say that he believes the removal of the tree at lot 1 is the issue and, in light of a discussion paper from Peter, he is happy to proceed based on the removal only of the tree at lot 32. (Copy Attached)

After ongoing debate, Peter made the following statement:

*I have repeatedly urged the committee to consider all available alternatives, because it is responsible for conducting a thorough, impartial, and evidence-based assessment of the matter. However, the majority have not adequately evaluated the available options or the report. Having raised these concerns, I can do no more. I have therefore reluctantly withdrawn from the process.*

Averil referred to the Common Property Tree Management Policy adopted at our August 2026 meeting and the following:

*Basis for tree removal: Removal will be considered only where clearly justified by one or more of the following: • Significant structural defects or irreversible decline in tree health; • Elevated risk to people, private property, or common property; or • An ongoing impact on private or common property that cannot reasonably be rectified.*

The last point is exactly our situation.

Averil proposed that we adopt this policy to address the issue. The exact cause is not important when it has been ongoing for so long.

Kevin proposed to make the issue of removing two trees null and void. Then we can move on with a new motion. He moved that we declare the resolution to remove two trees agreed at our last meeting null and void. The motion passed with 1 abstention.

Averil conferred with the committee, and the majority agreed that they had sufficient evidence to proceed. The motion: The Golden Penda at #32 be removed.

Four members of the committee approved the motion. (Pam had already left the meeting)

Gerry proposed that we proceed with the pruning of the trees and remove the tree at Lot 32. The revised quote from Heartwood is \$7,865. This was approved.

### **Termite Lot 17 Golden Penda**

Below is an email from Susie Willis, Equity Trustees

*As you would be aware, Equity is the owner of the above property in its capacity as trustee of a testamentary trust.*

We recently obtained a pest inspection of the above property, which confirmed the presence of active termites in a tree in the common area outside the front of the property. Those termites pose a very high risk to the property, and the inspector recommends implementing a suitable termite treatment without delay.

*As this is on common property, our understanding is that this treatment plan is the responsibility of the body corporate and should be undertaken at its cost.*

*Could we please trouble you to review this as a matter of urgency and advise on next steps?*

Peter confirmed that there are termites in the tree, as he had Hogan Pest Management on site on Friday 21<sup>st</sup> August 2026.

There was general discussion, and it was agreed that whilst owners are responsible for ensuring that their property is protected against termite infestation, the body corporate should have all the trees inspected.

Gerry moved to accept the quote from Slug a Bug. (\$ 1,595 inc GST)

This quote is for the inspection of all common property trees in the estate.

The motion was accepted with one abstention.

Kevin thanked Averil for her efforts to bring this together, achieve an outcome, and move forward.

#### Item 5: Next Meeting

The next meeting will be held at 8:00 am on Wednesday, 9 September 2026, at Lot 19.

#### Close of Meeting

There being no further business, the Chair declared the meeting closed at 9:05 am.

#### Confirmation of Minutes

Chair's signature: \_\_\_\_\_ Date: \_\_\_\_\_

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