

Contracts Sub-Committee: Charter

1 Preamble

- 1.1 Under By-Law 12 of the Cape Cabarita Community Management Statement, Community Association DP 270193 ("the Community Association") is responsible for the control, management, operation, maintenance and repair of Cape Cabarita community facilities
- 1.2 To give effect to that responsibility the Association Committee of the Community Association DP 270193 ("the Association Committee"), acting on behalf of the Community Association, has entered into contracts for the supply of goods and services to the Community Association
- 1.3 The Association Committee is aware that Strata Plans 61542, 63114 and 65157 ("the Strata Plans") have each let separate contracts for the supply of goods and services to the Strata Plans
- 1.4 The Association Committee and the Strata Plans have agreed that in the interests of cost effectiveness there needs to be a unified approach to the letting of contracts which have common outcomes across the Cape Cabarita estate
- 1.5 On 11 November, 2002, acting in consultation with the Strata Plans, the Association Committee resolved to establish the Cape Cabarita Contracts Sub-Committee ("the sub-Committee") to:
 - 1.5.1 Assist the Association Committee in the administration of Community Association contracts
 - 1.5.2 Work with the Association Committee and the Strata Plans to maximise cost effectiveness in regard to contracts which have common outcomes across the Cape Cabarita estate
- 1.6 The Establishment of the Sub-Committee is not intended to impinge on the autonomy of the Strata Plans to enter into discrete contracts in their own right

2 Role

The role of the Sub-Committee is to:

- 2.1 Identify contracts entered into by the Community Association and the Strata Plans from time to time
- 2.2 Ensure that copies of all contracts identified under 2.1 are readily available for perusal by the Association Committee and Strata Plans as appropriate
- 2.3 Summarise and maintain a detailed record of contracts let by:
 - 2.3.1 The Committee where there are outcomes relevant to the community facilities only;
 - 2.3.2 The Committee and the Strata Plans where there are common outcomes across the Cape Cabarita estate

- 2.4 Review all contracts identified under 2.1 to determine if they are:
 - 2.4.1 Appropriate in terms of scope and contractual conditions
 - 2.4.2 Cost effective given the commercial advantage the Cape Cabarita community possesses in terms of collaborative buying power
 - 2.4.3 Satisfactory in terms of the goods and services provided
- 2.5 Identify alternative suppliers of goods and services
 - 2.5.1 The Sub-Committee may from time to time seek assistance from the Estate Manager, the Managing Agent, or other persons with special expertise, in identifying alternative suppliers of goods and services
- 2.6 Prior to the date on which contracts are to be renewed make recommendations concerning their renewal, periodicity, and/or termination. Recommendations are to be made:
 - 2.6.1 In the case of a matter which affects community property only, to the Association Committee
 - 2.6.2 In the case of a matter which affects both the community and the Strata Plans, to the Association Committee and to the Strata Plans
- 2.7 If requested to do so, assist the Committee and Strata Plans in the documentation, finalisation and implementation of contracts
 - 2.7.1 With the approval of the Committee the Sub-Committee may from time to time second other persons with special expertise to assist the Sub-Committee in the documentation and finalisation of contracts
 - 2.7.2 The Sub-Committee may seek assistance from the Estate Manager or Managing Agent in the implementation of contracts

3 Relationship with Managing Agent and Estate Manager

In carrying out its role the Sub-Committee shall have regard to:

- 3.1 The involvement of the Community Association's and Strata Plans' Managing Agent/s with contracts entered into by the Community Association and Strata Plans
- 3.2 The role of the Estate Manager in the on-site management of work being carried out by contractors working for the Community Association and Strata Plans

4 Structure and Membership

- 4.1 The Sub-Committee shall:
 - 4.1.1 Have members who are members of the Association Committee
 - 4.1.2 Elect from among its members a Secretary
- 4.2 Having regard to 3.2 the Estate Manager shall be invited to contribute to the Sub-Committee's deliberations but is not a member of the Sub-Committee

5 Secondments

With the approval of the Committee the Sub-Committee may from time to time second other persons with special expertise to assist the Sub-Committee

6 Meetings

6.1 The Sub-Committee shall determine its meeting requirements

6.2 A record shall be kept of proceedings at Sub-Committee meetings

7 No Financial Gain From Sub-Committee Activities

No member of the Sub-Committee is permitted to make any financial or other gain from activities of the Sub-Committee

8 Withdrawal from Membership of the Sub-Committee

The Committee or Strata Plans may withdraw from membership of the Sub-Committee at any time

9 Dissolution of the Sub-Committee

9.1 The Committee may resolve to dissolve the Sub-Committee

9.2 Members of the Sub-Committee shall be advised in writing of the Resolution with reasons

Association Committee, Community Association DP 270193**Document Control**

Date	Action
11 November 2002	Charter issued
3 March 2003	Clause 2.6 amended, new clause 2.7 added
17 June 2024	Charter modifications approved by the Association Committee