



## STAY IN TOUCH WITH WHAT'S HAPPENING ON BUNDAGEN!

**Community Online Notice Board** – contact bundagenonline@gmail.com. Contributions to be sent by noon Sunday for the weekly Monday email.

**The Bundy Flyer by email** – send an email to bundagensecretary@gmail.com to be added to the list or to send a contribution.

**Bundagen website** – get a password from bundagenwebsite@gmail.com.au and browse through bundagen.com.au. Lots of info in the members' section!

## Possible upgrade of common areas for Public Use

### *What came out of the forum?*

A forum was held on 25 November regarding the possibility of upgrading Bundagen's communal areas for Public Use. Background information was first presented on past decisions leading to this forum, including information on the relationship between Public Use upgrade and insurance. The team working on the possible upgrade then presented reports outlining the scope of works and an estimate of the costs involved, as agreed at the Special CM 9/5/15:

*Copies of the reports presented can be accessed through our website or by emailing the Secretary.*

*"We will engage consultants to work with a Bundagen team (those already involved and any other people committed to see the project through) and come up with a scope of works/costs to upgrade the New Mainhouse communal area to compliancy for the level of use from past years. The*

*results of this (works /costs) will be presented to the community so members can decide if they want to go ahead with this project and negotiate with Council if this is the case".* Therefore, the reports that were presented by the workgroup at the forum were in line with the brief they got from the community: **compliance for the level of use from past years** (that is, an average of one café per week and workshops & events akin to what the community had already approved in the past).

A Conversation Café consisting of groups of people chatting in groups of 4 or 5 was held afterwards to tease out feelings about the possible upgrade and to find future direction. Below is a summary of what participants explored during the rounds of conversation.

### Main ideas explored during the forum

#### Upgrading for Public Use: "Opportunities"

*-Financial:* opportunities for members to make a living on the land. Also, money invested in infrastructure constitutes a community asset, while money in the bank generates limited benefits for the community and can be lost in the case of a banking collapse. It could be an investment in communal working opportunities, not only individual enterprises. Another financial concern is that if we further delay this work it will probably cost a great deal more in the future.

*-Possible grant funding:* We may be able to fund a large part of the project cost via NSW Government grants.

*-Creativity and fun:* having the legalities sorted out allows the community to carry out activities that otherwise are difficult to undertake under the

restrictions imposed by the outside world (e.g. insurance).

*-Clarity:* upgrading could provide clarity on the activities we can carry out and peace of mind.

*-Tightening of regulations:* if we do the upgrade now, it is likely that it will entail less stringent regulations than in the future, including fire protection requirements.

*-Alternative beneficial uses:* a public use kitchen could be used for aged care (as in 'Meals on Wheels').

*-Increased community interaction.* Return of Tuesday cafés, food coop and market stalls. Possibility of doing some of the work together in working bees. Also, more hook-up opportunities for our single population with more people coming from the outside.

*-Momentum: concern that the opportunity is here now and that if we do not do the upgrade, the momentum may be lost.*

#### **Upgrading for Public Use: "Concerns"**

*-Financial: Concern over how much money would be used out of the frozen funds and whether financial resources would not be better utilized in other projects.*

*-Who would do the work? There is considerable work to be done in terms of project management. Concern that there may not be the energy to carry it through within the community.*

*-Values: Are we placing too much emphasis on making money and would this move make Bundagen vulnerable to losing community values while fostering business and individualism? Would we be bowing to externally imposed values and giving up resistance in accepting what is required from outside authorities?*

*-Possible impact on the land: issues of increased traffic and number of people using our infrastructure. Would we get flooded by outsiders and lose the feeling of home?*

*-Safety and security: concern over decreased personal safety and security of our homes if there is an increased number of people from outside Bundagen.*

*-Aesthetics: how would the suggested changes affect the aesthetic aspect of the common areas, including from fire requirements to upgrade the buildings?*

#### **Questions and Answers**

##### Costs

- What are the costs associated with upgrading the kitchen? *Around \$20,000.*
- Would the work be carried out with RFWs or for pay? *Possibly both. It depends on the degree of community involvement in doing the work.*
- Need to have a more detailed budget. *The budget was estimated from previous quotes and material estimates. The final cost will depend on the degree of community participation: project management of the work involved was not budgeted for, for example, and could increase the costs considerably if it is not carried out internally.*

##### Insurance

- Currently, our communal structures are not council-compliant (for either residential or commercial use). Are our insurers aware of this? *Yes, they are. If it is for our own private use, they don't seem to be worried about Council approval as such, as long as the structures comply with the required safety standards. However, if conducting commercial activities, they are not willing to insure us if we are*

*not compliant for Public Use, which is how the whole legalising issue started in the first place.*

- What are our Public Liability requirements? *According to the NSW Department of Fair Trading<sup>1</sup>, the Associations Incorporation Act 2009 does not require associations to take out and maintain any specific type of insurance. However, as part of their corporate governance obligations, committee members (that is, what we call 'coordinators') are responsible for assessing the risks applicable to the activities of the association and determining if insurance is required, and, if so, the type and level of cover. Public Liability insurance covers the costs of a claim involving personal or property damage to third parties. The coordinators have in the past and continue to contract Public Liability insurance to protect the coop from possible claims involving large sums of money; such incidents could jeopardise the community, as we would have to pay for them with our assets (the land) if uninsured. At the moment, our Public Liability insurance will cover internal (that is, not public) activities carried out by the coop as an entity, but not those done for profit. To be able to be covered by Public Liability insurance while conducting commercial activities (such as a café where the individual makes a profit), insurance companies require that we become compliant for Public Use.*
- Does compliance ensure insurance cover? *Compliance with Council for Public Use does ensure that we can contract Public Liability, Contents & Buildings and Directors & Officers insurance policies for commercial activities to be carried out in our common areas (which we cannot do at present). However, whether contracting insurance does indeed provide cover will largely depend on the claim itself (on whether we have fulfilled our duty of care by adhering to WH&S regulations, for example).*
- The kitchen group would need their own public liability. Would this allow cafes to still be spontaneous? *Cafes would be able to happen every week, as in the past. However, those involved would need appropriate training and insurance cover. Spontaneity would therefore depend on how many people would be willing to fulfil these requirements in order to have a big enough pool of cooks to get the cafes happening.*

##### Council compliance

- How certain are we to get this through Council? *During previous meetings, Council has expressed*

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<sup>1</sup> <https://www.fairtrading.nsw.gov.au/associations-and-co-operatives/associations/starting-an-association/insurance>

that the project seems reasonable and that they would support it. However, there may be adjustments as the process of negotiation unfolds.

- What are realistic timeframes for completion? *From 2 to 5 years, largely dependent on the level of community involvement.*
- What would the fire-proofed Mainhouse look like? *Very similar to now, but with metal screens on some windows and possibly roll down shutters on other windows and doorways.*
- Is the playground included in the plan to submit to Council? *No, it isn't.*
- The two fire reports are quite different. Is there the same variation for other aspects? *No, there isn't.*

#### Use

- What would the Old Mainhouse be used for if upgraded? *Possibly as an additional fire refuge (the New Mainhouse would be the most cost-effective fire refuge). Any other use would have to be decided by the community. However, as refuge, the building is required to have clear floor space to accommodate people in case of a fire emergency.*

#### Alternatives

- Can we do these opportunity-creating activities under the current situation? What about the food

coop? *To be discussed at a future workgroup. Those interested, please contact John.*

#### Questions to be answered by the community as a whole

- Which out of the three fire refuge options should we adopt if we proceed with this project?
- What else could we spend the money on?
- What about an aged care facility?
- Will this support a sustainable Bundagen future?
- Is this response to upgrade based on fear or an imagined threat?
- Do we need another forum before making a decision?

#### Possibilities for future direction

-*Old Mainhouse*: a fire refuge, a space for arts & crafts, a Men's Shed, demolished...?

-*New Mainhouse*: make it fire safe regardless.

-*Government Grants to help meet the project costs.*

-*Ideas on process:*

- Workgroup and then take it to a GM.
- Special GM to discuss the issue including the 3 fire refuge options presented to the forum.
- Steering committee to delegate jobs if an upgrade is approved by the community.
- Put the matter to a GM to decide whether to make the communal structures Council compliant for commercial use or for residential use only.

## ♦ Outcome of the forum ♦

To put up a proposal to a future Special GM including the three fire refuge options presented at this forum to upgrade the communal areas for Public Use, plus a fourth fire refuge option (two people objected to the fourth option).

Project costs (excluding a fire refuge) of around \$100,000 (greywater, paths, parking, disability toilet, commercial kitchen upgrade, signage, DA application, bring Meditation Space to BAL 12.5, possible second fire report) PLUS one of the following Fire Refuge Options:

- **Option 1:** Creating a new, stand-alone building to BAL 12.5 (fire safety rating of structure) - \$40,000 for a 100m<sup>2</sup> shed on slab or \$60,000 for a 200m<sup>2</sup> shed on slab. This structure would be located near the volleyball courts and would also need its own power and water - add another \$20,000 to \$30,000 results in a total cost of \$60,000 to \$90,000.
- **Option 2:** Upgrade the New Mainhouse to BAL 12.5 (screening windows and doors, fire proof paint, gutter guard, safety glass). Total cost of \$20,000.
- **Option 3:** Rebuild the Old Mainhouse to BAL 12.5 (new stumps and piers, internal and external cladding, new roof, insulation, wiring). Total cost of \$150,000.
- **Option 4:** Upgrade of the Mainhouse for Public Use to BAL 12.5 and rebuild the Old Mainhouse to BAL 12.5. Total cost of \$170,000.

#### Total costs WITH fire refuge:

**Option 1:** \$160,000 to \$190,000

**Option 2:** \$120,000

**Option 3:** \$250,000

**Option 4:** \$270,000

Ando, Bass, Dave Plant, Marijo, Seb & Tim Walsh  
Names in alphabetical order/Formatted by Marijo

# Other business

The Secretary position will need to be filled at the next GM on 2 February 2019, as I will be resigning. Below is a bit of info on what the role entails, for those of you who may be wondering whether you would like to take it on!

**Very important:** There is a lot of support through a team of clerical assistants, and I will be easing the new Secretary into his/her new role. 😊 Marijo

## ROLE AND RESPONSIBILITIES OF COORDINATORS

### Functions of the Coordinators

- Take action on advice from, and on behalf of, the community.
- Ensure that agreements made at GMs and CMs are acceptable, and followed, and that rules and policies agreed to are kept.
- Act as an agent for the Co-op with respect to correspondence and dealings with the Registrar and other similar agencies.
- Represent the interests of the whole community, not just the interests of a particular committee or cluster.
- Educate and inform the community of works and actions required.
- Act as an agent for conflict resolution.

### Duties of the Coordinators

- Attend CoordMs punctually or send an apology, attend CMs and GMs as much as possible.
- Read the agenda prior to meetings and look up appropriate policy and rules.
- Listen to what members and residents are expressing when meeting them informally around the community. Coordinators should be aware of the opinions and feelings of the community as much as possible: not all of the members and residents are able or interested in attending meetings, so their opinions will not be heard unless the Coordinators seek out their opinions and try to represent them.
- Be prepared to work on at least one current project.

### Legal duties of Coordinators

According to statute and common law, a Coordinator has an obligation to:

- **Act honestly and to exercise powers for their proper purposes.** Coordinators must act openly and honestly at all times in the performance of their duties. They must ensure that they do not use information acquired by virtue of their position to gain directly or indirectly an advantage for themselves or any other person or to do any harm to the co-operative.
- **Avoid conflicts of interest.** Coordinators should avoid actual or potential conflicts between their duties to the board and their personal interests or their duties to others.
- **Act in good faith.** Because of their position of trust, coordinators' actions and standards of behaviour are required to be exemplary. Coordinators should act bona fide in the interests of the cooperative and not in their own interest or to pursue personal agendas. Coordinators are expected to act in the best interests of the board, the membership, the coop and the community.
- **Exercise diligence, care and skill.** Coordinators must ensure that they exercise diligence, care and skill in the performance of their duties to the extent that a reasonable person in their position would do. They must also take reasonable steps to inform themselves about the functions of the board, its business and activities and the circumstances in which it operates. A Coordinator should obtain sufficient information and advice and exercise an active discretion at all times to enable him/her to make conscientious and informed decisions. A Coordinator should also maintain confidentiality of Coordinators meeting and of information made available.

**General Qualifications to be a Coordinator:** Ability to work as a team, good verbal & written communication skills.

## SECRETARY

*The Secretary is the front person of the Co-op. It is the only compulsory role, although it is necessary to elect 15 Coordinators.*

### **Duties & Responsibilities**

- Prepare & follow-up meetings (GMs, CMs & CoordMs). Assist proposers to frame proposals if necessary.
- Prepare and circulate agendas for meetings, incoming and outgoing correspondence, workgroups reports received. Display minutes of meetings on the community boards and make them available by email. Ensure notice board displays current documents.
- Record meetings minutes and agreements.
- Keep calendars of dates for review of issues, future meetings, workshops and events.
- Liaise with Coordinators, Managers, workgroups, etc. re proposals, reports, etc.
- Keep address list for non-resident members and resident members not living on the land.
- Phone & correspondence: respond to, or redirect requests where necessary, record ingoing and outgoing mail.
- Keep Co-op records up-to-date. Maintain an ordered electronic record of all above minutes, with safe backups.

**Specific Qualifications:** office experience, demonstrated ability with IT functions & office equipment.