

38 Mambi Village.
Saturday 12/11

Dear Terry,
I am wanting to
put in a removable Hills
Hoist and the only feasible
position is out the back of
my house, a bit over towards
Virginia Ballards (would not
be visible from here, however).
Do you think I would
need BC official permission?

Yours,
Landra H.

1000
1000
1000

Dear [Name]

I attach copies of the 1974
specifications for structures
in which you will see that
Hills' hoist are not very popular.

I have been told, and I
am in a part, that acceptable
alternatives are the Hills' "Pac" line
which are holding. Both lines
can be attached to the wall of a shed
or the wall of the house — or the

"Expansion" line system which
is also attached to a wall.

If you are firmly committed
to a Hills' hoist, please get your
draft a letter to the Hill (through me)
enclosing a sketch plan.

Please contact me if you
need any more information.
Yours,
Terry Goyette

ABBOTT TOUT CREER & WILKINSON
SOLICITORS

CANBERRA:
DAVID C. D. HARPER, B.A., LL.B.

PAMELA M. COWARD, B.A., LL.M. (ASSOCIATE)

SYDNEY: ROBERT JOHN MCCOURT, B.A., LL.B. AND AT 60 MARTIN PLACE SYDNEY
(ASSOCIATE)

JAMES NEILL CREER
PETER MARSHALL WILKINSON, LL.B.
KENNETH LEA ADDISON
VICTOR FRANCIS KELLY LL.B.
KENNETH JOHN PALMER, B.A., LL.B.
ROBERT WILLIAM MCCORMACK
WILLIAM JAMES HENTY, LL.B.
MICHAEL LANCASTER OATES
JOHN DAVID EDELMAN

92-96 NORTHBOURNE AVENUE
CANBERRA CITY

TELEGRAPHIC & CABLE ADDRESS
"ABATOUT," CANBERRA

TELEPHONE: 49-7788
CANBERRA DOCUMENT EXCHANGE 22

PLEASE ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 828
CANBERRA CITY, A.C.T. 2601

YOUR REF.
OUR REF. RM.8249

23rd May, 1977.

The Secretary,
Urambi Co-operative Community Advancement Society Limited,
P.O. Box 666,
CIVIC SQUARE, A.C.T. 2608

Dear Sir,

Re: SALE OF UNIT 38 TO HAWKER

We confirm that settlement of this matter was effected on the 5th January, 1977. A settlement statement giving financial details of the transaction is enclosed.

As you are aware, the rates on the unit had not been paid at the time of settlement, and accordingly an appropriate undertaking was handed over at settlement. No doubt you will sort this matter out with purchasers in due course.

We have notified the Department of the Capital Territory of the change of ownership of the unit, and all future rates and notices should be forwarded to the new owners at their home address.

We enclose a memorandum of our costs and disbursements for acting for you on this sale.

Yours faithfully,

ABBOTT TOUT CREER & WILKINSON

Per:



Geoff & Sandra Hawker
No 38

Urambi Village Body Corporate
Committee,
c/o 20 Urambi Village
2 August 1981

Dear Geoff & Sandra,

In the undated Urambinews which appeared in mid-March, the Body Corporate Committee published its intention to survey tree plantings so that some of those which may, in time, prove costly to remove, should be identified & notified now.

The reasons for which particular trees are being recommended for removal are:

- that the tree is planted too close to a building and will damage footings, walls and facilities if allowed to mature;
- that the tree will damage drains or other facilities if allowed to mature;
- that the overcrowding of specimens will spoil the development and shape of individual trees, and that thinning is required.
- that other residents' views and amenity will be adversely affected if the tree is allowed to mature.

In your case, we suggest that two of the small self-seeded eucalypts on the bank be removed.

The underlining above indicates the appropriate reason(s).

If you wish, we can arrange for this to be done with or for you by one of the resident "experts".

Please contact me if you have any problems or queries.

Yours sincerely,


SECRETARY

MALLESONS STEPHEN JAQUES

ATTORNEYS, SOLICITORS AND NOTARIES

NATIONAL CHAIRMAN DW HOWARD

CANBERRA
R V CATER
R B TOPFER
R G KEMP
J F STANWIX
P K CARGILL
R J ARTHUR
N J TOPFER

PERTH
A E BLANCKENSEE
M E WRIGHT
J F O'HALLORAN
M H SHEDDEN
P G C FOSS
A J MELLOR
R J ANSLIE
C D B HOVELL
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A G THOMPSON
U B GIANOTTI
P W MACHIN
L K WARNICK
P D MARTINO
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J L NAUGHTON
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D W NEWNES
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G J ROGERS
J L WADE
G C THOMAS
J F GARVEY
G J PINT
C P STEVENSON
M D KNOWLES
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R LADBURY
A J HOLLAND

MELBOURNE CONSULTANTS
M R HAM
C C TRUMBLE
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W G SMITH
THE HON K D MARKS Q C
W D LESLIE

SYDNEY
S J HOWARD
W M BLANSHARD
R J WOODFIELD
R J NETTLETON
R G WAGLAND
K J BURGESS
H M SCHRIBER
A D EASTERBROOK
R H ALSTEAD
D W HOWARD
G D BATES
A G BANCROFT
P M CLARK
P C CELLIS
G J RAFTESATH
J H BENNETT
J C KING
D J TAYLOR
E W WALLACE
R M WILLCOCKS
I FRANKS
R C FEETHAM
I R JAMES
G B ROBERTSON
F F ZIPFINGER
P W ARDY
D G FAIRLIE
R J MARSHALL
J G H STUMBLE
R A CHALMERS
B J McWILLIAMS
G F BUGDEN
J L MANSFIELD
G W LEWIS
D J ROHR
D J P WILLIAMS
R M WILEY
I RATLAS
M J GAMMANS
P J DOYLE
C W O'HARE
R G FEATHERSTON
D A STORR
E KERR
S J TUEN
J ATKIN
E A SUTER
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A SHOWERING
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CONSULTANT
I J BRIDGE
(Resident Washington DC)

MELBOURNE
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D A WALSH
G J F DETHRIDGE
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I A MURRAY
M J WALSH
T E BOSTOCK
A P J KELLY
D I BROOKER
J W A WELLS
J W A HIGGINS
R A LADBURY
J C LAHORE
R D VAGLE
D B BRETHERTON
A H R BORDER
G D MUM
H A SCOTT-MACKENZIE
C M BERRY
P FOX
G L J RYAN
A M D'ALOISIO
F C BRIEN
T E D HAMMON
J C HAMBLY
R J KEANEY
D B MOORE
A W ERIKSON
B F SHINNERS
J M HAMER
R M RUSSELL
A J HOLLAND
P H HAYDEN
J T WATERS
P J DICKSON
P W COLLINSON
I D MARTINDALE

SENIOR ASSOCIATES
A GRAY
M SHEEHAN
L G CLEMENTS
A F J CLEMENTS
A H DUFFY
P G WILLIS
K E KINGS
A H DENEHY
B N SHERIFF
J C TURNER
D C LEWIS
B J AKHURST
D ICKERINGILL
R J MALON
E J MCCracken
A F BROWN
C J FURNESS
N G H DEBNEY
M E WILTON
S E HILLIARD

NATIONAL CAPITAL OFFICE

CANBERRA HOUSE, 40 MARCUS CLARKE STREET,
CANBERRA, 2601, AUSTRALIA

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International: + 6162 48 5222

Fax: (062) 48 9118

Telex: MLSJ AA62643

SYDNEY

AMP Centre,
50 Bridge Street,
Sydney, 2000, Australia
Telephone (02) 250 3000
Telex: MLSJ AA121332
Fax (02) 233 3133
DX 113 Sydney

MELBOURNE

Rialto,
525 Collins Street,
Melbourne, 3000, Australia
Telephone (03) 619 0619
Telex: MLSJ AA30931
Fax (03) 614 1526
(03) 614 1329
DX 101 Melbourne

PERTH

Law Chambers,
Cathedral Square,
Perth, 6000, Australia
Telephone (09) 421 2444
Telex: MLSJ AA92646
Fax (09) 325 6322
DX 60103 Perth

NEW YORK

Suite 1929,
30 Rockefeller Plaza,
New York, NY 10112, USA
Telephone (212) 489 1777
Telex: 225038 MLSJ UR
Fax (212) 245 3984

LONDON

Leith House,
47-57 Gresham Street,
London, EC2V 7EH, England
Telephone (01) 606 2072
Telex: 859206 MLSJ G
Fax (01) 606 0802

Our ref: GRH:MH:EDWA7150-003
Your ref:

23 November 1987

The Secretary,
Body Corporate Committee Unit Plan
No. 119,
Crozier Circuit,
KAMBAH A.C.T. 2902

Dear Sir,

EDWARDS PURCHASE FROM HAWKER - UNIT 38 UNITS PLAN 119 KAMBAH

We act on behalf of the abovenamed in relation to the purchase of the above unit.

Please advise where and when the body corporate records may be inspected.

Yours faithfully,
MALLESONS STEPHEN JAQUES


G. R. Hay

*replied 26/11/87
RL (5) & RLJ (18)*

From: David Keightley david@dara.com.au

Subject: Response to your correspondence about the shed at house 38

Date: 16 October 2016 at 4:24 pm

To: Christopher Lang dublin63@gmail.com, Annie Lang annie.lang@gmail.com

Cc: Nicolas Brown nic.k.a.brown@home.netspeed.com.au, Tanya Wordsworth bezmoz@homemail.com.au



Chris and Annie Lang

I write in response to your communication dated 15 September 2016 regarding the shed at house 38.

The owners of Units Plan 119 are not in dispute with the owners of house 38.

The shed at house 38 replaces one which was in that location, and has been formally approved.

Because the builder initially did not take into account the gas line that passes along the north wall of house 38, the pitch of the roof is slightly lower than that on the plan. However, the EC does not consider that this constitutes a substantive modification.

Similarly, the doors had to be changed slightly to accommodate a gas meter. This change is minor.

Painting the shed was postponed by wet weather, and has now been completed.

There is no evidence that the shed in any way lowers property values in Urambi Village.

Therefore, the EC considers that this matter is closed.

David Keightley
Structures Coordinator

David Keightley
55/85 Crozier Circuit
Kambah ACT 2902
02-6296.1092
0414-927.591

From: bezmoz bezmoz.tw@gmail.com
Subject: RE: Urambi EC date of next meeting - correction; & letter to Urambi EC
Date: 14 October 2016 at 9:10 pm
To: David Keightley david@dara.com.au
Cc: Nicolas K A Brown nic.k.a.brown@home.netspeed.com.au

B

Hi David,

The EC agreed to the wording of the response to the Lang's correspondence dated 13 September 2016 regarding shed structure.

Thoughts are with you.

Regards

Tanya (Sec Urambi EC).

Begin forwarded message:

From: Christopher Lang <dublin63@gmail.com>
Subject: Re: Urambi EC date of next meeting - correction; & letter to Urambi EC
Date: 10 October 2016 3:49:23 pm AEDT
To: Nicolas K A Brown <nic.k.a.brown@home.netspeed.com.au>
Cc: Annie Lang <annie.lang@gmail.com>, "John O'Keefe" <jlokeefe@bigpond.com>

Nic, I acknowledge receipt of your email.

Christopher Lang
m 0427317353

On Mon, Oct 10, 2016 at 11:53 AM, Nicolas K A Brown <nic.k.a.brown@home.netspeed.com.au> wrote:

Christopher

Your letter of 13 September has been received and seen by members of the EC.

David Keightley is handling structures issues for the EC this year and has been away from Australia for the past month. He returns in the next week or so. Tomorrow's meeting of the EC (Tuesday 11 October) will note receipt of the letter and request David to respond when he returns.

Regards

Nic

> On 20 Sep 2016, at 4:46 pm, Christopher Lang <dublin63@gmail.com> wrote:

>

> Nic

>

> I write to correct my understanding re the date the EC will next meet.

>
> I now understand the next meeting of the EC is advised for Tuesday 11
> October, and that there is no meeting planned for September.
>
> Regards
>
> --
> Christopher Lang
> [+61\(0\)427317353](tel:+61(0)427317353)

--
Christopher Lang
+61(0)427317353

From: Nicolas K A Brown nic.k.a.brown@home.netspeed.com.au
Subject: Re: Urambi EC date of next meeting - correction; & letter to Urambi EC
Date: 10 October 2016 at 11:53 am
To: Christopher Lang dublin63@gmail.com
Cc: Tanya Wordsworth bezmoz.tw@gmail.com, David Keightley david@dara.com.au



Christopher

Your letter of 13 September has been received and seen by members of the EC. David Keightley is handling structures issues for the EC this year and has been away from Australia for the past month. He returns in the next week or so. Tomorrow's meeting of the EC (Tuesday 11 October) will note receipt of the letter and request David to respond when he returns.

Regards
Nic

On 20 Sep 2016, at 4:46 pm, Christopher Lang <dublin63@gmail.com> wrote:

Nic

I write to correct my understanding re the date the EC will next meet.

I now understand the next meeting of the EC is advised for Tuesday 11 October, and that there is no meeting planned for September.

Regards

--

Christopher Lang
+61(0)427317353

From: barkingbard@gmail.com
Subject: Re: Response to correspondence from house 39
Date: 22 September 2016 at 7:24 AM
To: David Ritchie davidritchie48@hotmail.com
Cc: David Keightley david@dara.com.au, Tanya Wordsworth bezmoz@homeemail.com.au, Peter Shaw Peter.shaw54@gmail.com, Steve Nichols maxcents@gmail.com, Joseph Nadler joseph@antijoe.com, Martin Miles martin@canberrahouse.com.au, Louise Curham lcurham@yahoo.com.au, Nicolas Brown nkabrown@hotmail.com, Nicolas Brown nic.k.a.brown@home.netspeed.com.au



Hi All and David,

I think this is a sound response. The only change I would make is to the 5th paragraph. Instead of 'trivial' let's make it 'minor'. They could read between the lines that their concerns are trivial. And we wouldn't want them to think that!

Other than that, excellent job holiday boy! I am just amazed there isn't a photo attached of you swilling wine on a piazza. I am not jealous at all.

Kind regards

Paal Burnett
"Urambi Village"
10/81 Crozier circuit
Kambah A.C.T. 2902

On 22 Sep. 2016, at 6:07 am, David Ritchie <davidritchie48@hotmail.com> wrote:

Looks good to me.

Steve: is there some way the EC can cover the harassment issue, or do you want to do this direct with the Langs, by asking them not to trespass?

David

From: David Keightley <david@dara.com.au>
Sent: Wednesday, 21 September 2016 5:15 PM
To: Tanya Wordsworth; Peter Shaw; David Ritchie; Steve Nichols; Joseph Nadler; Martin Miles; David Keightley; Louise Curham; Paal Burnett; Nicolas Brown; Nicolas Brown
Subject: Response to correspondence from house 39

Hi all

As I am the structures coordinator, I propose that I should send an email to the Langs in response to their most recent correspondence regarding the shed at house 38. However, members of the EC should have a chance to comment on and agree to the response as I write on behalf of us all. This can wait for consideration at the October EC meeting.

I suggest the following, now that I have information from Steve regarding the reasons for the changes to the shed from the original plan.

Chris and Annie Lang

I write in response to your communication dated 15 September 2016 regarding the shed at house 38.

The owners of Units Plan 119 are not in dispute with the owners of house 38.

The shed at house 38 replaces one which was in that location, and has been formally approved.

Because the builder initially did not take into account the gas line that passes along the north wall of house 38, the pitch of the roof is slightly lower than that on the plan. However, the EC does not consider that this constitutes a substantive modification.

Similarly, the doors had to be changed slightly to accommodate a gas meter. This change is trivial.

Painting the shed was postponed by wet weather, and has now been completed.

There is no evidence that the shed in any way lowers property values in Urambi Village.


Therefore, the EC considers that this matter is closed.

David Keightley
Structures Coordinator

Comments are welcome.

David

David Keightley
55/85 Crozier Circuit
Kambah ACT 2902
02-6296.1092
0414-927.591

From: Steve Nichols maxcents@gmail.com 
Subject: Re: Your shed
Date: 21 September 2016 at 9:39 AM
To: David Keightley david@dara.com.au



Hi David

You shouldn't have to be chasing this up while you are on holidays, but thank you very much

Attached is the original plan as supplied by Deb Fleming, I have also attached 2 photos of the finished shed, one which shows the gas meter on the rear wall and a view from in front of the Langs' kitchen window.

The changes to the plan are:

The doors do not go from side to side as depicted in the plan, as the gas meter is on the rear wall, so the door was moved out 600cm, otherwise the door would not open;

The gas line runs along the wall over the top of the shed, the roof line had to remain below the gas line;

The shed is slightly shorter in length (now 2800 vice 2950) due to the water heater on the wall behind the shed.

When Deb drew the plan I don't believe she took into account the gas meter, at the time of the drawing the old shed was in position and the gas line ran along the wall above the shed as it is now. I think the size of the shed now compared to the previous shed emphasises the difference in the roof line.

I had a new water heater installed adjacent to the rear door, after Deb had completed the drawing, this meant that the shed had to be 150cm shorter, which does not detract from its use.

The Langs complained to me the day after the shed was erected and prior to it being painted, the cladding was a cream colour which made it stand out, I have since painted it Mission Brown and I think it blends in satisfactorily.

I have also planted a further 3 pittosporums along the boundary line which will provide further screening

Cheers

Steve

On Tue, Sep 20, 2016 at 8:26 PM, David Keightley <david@dara.com.au> wrote:

Hi Steve

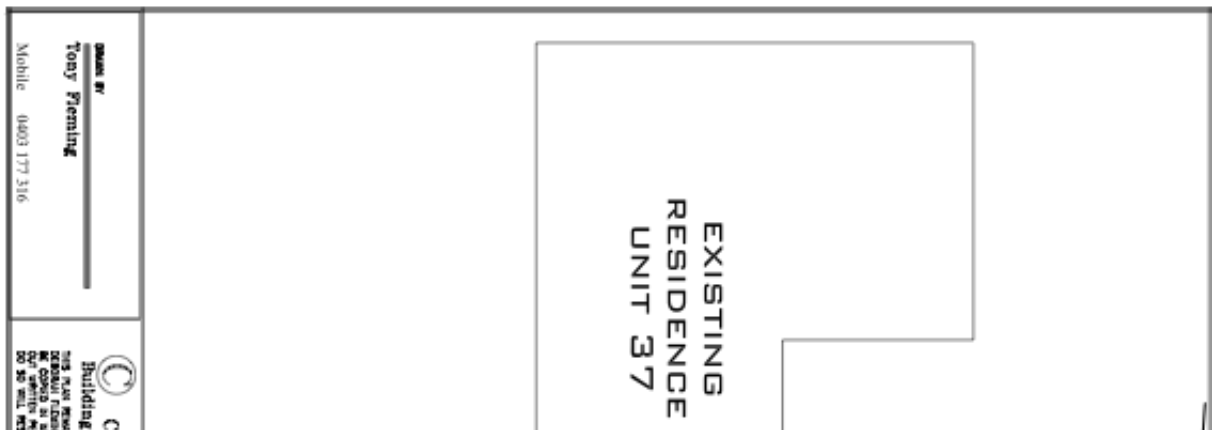
I'm going to propose to the EC that as the Structures Coordinator I reply to that latest note from the Langs.

To do so I need to know precisely how the pitch of the roof differs from the original plan. And a reason for the difference (better rain proofing, builder went off plan etc). Can you also send me a copy of your original plans so I can at least say to the Langs that I've seen them. If they ask.

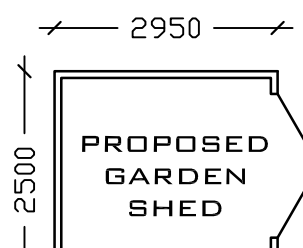
My intention is to address each point they raise in the briefest way I can. But the EC should approve what I want to send. They may even want the response to come from the EC rather than me. But I want to cut the Langs off from any further harassment of you if I can.

David

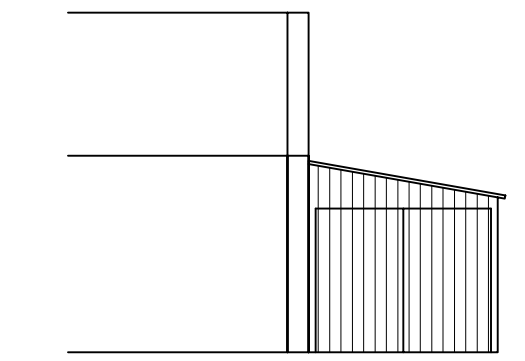
David Keightley
55/85 Crozier Circuit
Kambah ACT 2902
02-6296.1092
0414-927.591



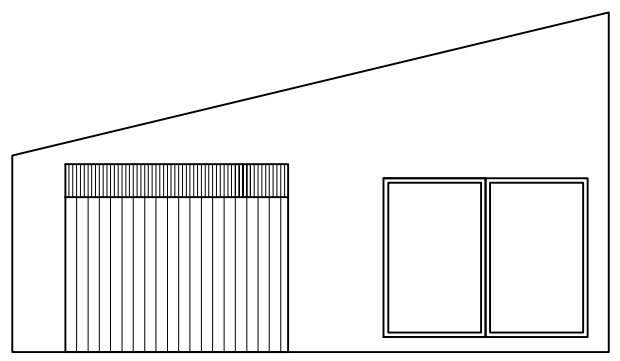
UNIT ENTITLEMENT BLOCK BOUNDARY



PROPOSED GARDEN SHED



FRONT ELEVATION



SIDE ELEVATION

EXISTING RESIDENCE UNIT 37

EXISTING RESIDENCE UNIT 38

FLOOR PLAN

- NOTES,
- 1, CONCRETE SLAB FLOOR
 - 2, STUD FRAME CONSTRUCTION WITH WEATHERTEX OR SIMILAR TIMBER LOOK GROOVED CLADDING
 - 3, METAL GATES WITH SAME CLADDING FOR DOORS
 - 4, CLEAR CORRUGATED LASERLIGHT OR SIMILAR ROOFING
 - 5, CLADDING TO BE PAINTED MISSION BROWN

DRAWN BY
Tony Fleming

Mobile 0403 177 316

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Building Footprints ACT
THIS PLAN REMAINS THE PROPERTY OF DEBORAH FLEMING, AND MAY NOT BE COPIED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. FAILURE TO DO SO WILL RESULT IN LEGAL ACTION.

project **Shed**
unit **38** block **1** section **192** suburb **Kambah**
client **Steve & Maxine Nichols**

All levels dimensions aspects etc are to be confirmed by client/builder prior to ordering or placing of any materials.
Any discrepancies must be reported to the designer prior to commencing with any works.
All work is to be carried out in accordance with the Building Code of Australia.
Dimensions take preference over scaling
Do not scale of drawing to gain information.

scale
1 : 100
date
Apr 16

dwg no
1



From: David Ritchie davidritchie48@hotmail.com
Subject: Fw: Structures Application Unit 38
Date: 5 March 2017 at 5:47 pm
To: David Keightley david@dara.com.au

DR

From: Annie Lang <annie.lang@gmail.com>
Sent: Wednesday, 1 June 2016 1:54 PM
To: Ellen Shipley; Libby Amiel; Tanya; Clinton Jacka; David Ritchie; David Hobbes; Joseph Nadler; Peter Shaw; lcurham@yahoo.com.au; Christopher Lang
Subject: Fwd: Structures Application Unit 38

Re EGM.

Christopher and Annie Lang.
Unit 39.

----- Forwarded message -----

From: "Annie Lang" <annie.lang@gmail.com>
Date: 25 May 2016 23:32
Subject: Structures Application Unit 38
To: "Christopher Lang" <dublin63@gmail.com>
Cc: "David Hobbes" <daverhobbes@gmail.com>

We object to the Structures Application Unit 38.

We could agree to a plan for a "new, larger" (Structures Application Unit 38) garden shed garage at Unit 38 if it were to comply with the following conditions (1-6 below):

1. The new, larger garden shed garage "should not be visible from a neighbouring property".**
 2. The new, larger garden shed garage "should not be seen by someone walking past the unit".**
 3. The doors of the new, larger, garden shed garage should be located only to the north and should open only to the north (towards the golf course) and its doors should not be located to the east nor open to the east (towards the family/kitchen/bedroom/study windows of the unit to the east of Unit 38).
 4. Given its larger size and its prominent not discreet proposed location beyond the north wall of Unit 38 in clear view from the property to the east of Unit 38 the new, larger garden shed garage should be constructed of materials consistent with "Urambi Village architectural aesthetics" (Urambi Village Information Kit 2012, page 12).
 5. Outside clothes drying arrangements at Unit 38 should comply with Urambi Village Guidelines and should be located discreetly and screened from view.
 6. Vehicle located at Unit 38 should be parked discreetly and screened from view.
- Furthermore, this Structures Application should be properly evaluated in light of values that underpin Urambi including values of privacy and consideration of neighbours (Urambi Village Information Kit 2012 and Urambi Village Structures Guidelines 2004 specify "obligations" and "procedures").

Actions impact neighbours hence the explicit written instruction contained in Urambi Village Information Kit 2012 (p 12) to ensure prospective residents (buyers and tenants) "are aware of the Community ethos and the legal requirements of living in a

body corporate".

For example, residents are required to show consideration to neighbours by placing washing to dry discreetly out of view of neighbours and passers-by and by parking vehicles out of view of neighbours and passers-by.

The Structures Application Unit 38 neither accommodates the right to reasonable privacy by neighbours nor maintains the Urambi aesthetic.

Christopher and Annie Lang.

**Urambi Village Information Kit 2012 and Urambi Village Structures Guidelines, published on website.

From: Annie Lang annie.lang@gmail.com
Subject: Request for action on installation at Unit 38
Date: 5 February 2017 at 12:11 pm
To: nic.k.a.brown@home.netspeed.com.au
Cc: Tanya bezmoz@homemail.com.au, joseph@josephnadler.id.au, martin@canberrahouse.com.au, Steve Nichols maxcents@gmail.com, Peter Shaw peter.shaw54@gmail.com, david@dara.com.au, David Ritchie davidritchie48@hotmail.com



Nic Brown
Chair
Executive Committee
Units Plan 119.

Dear Nic,

I seek your urgent response to the matters raised below relating to the relocation and re-installation of a rotary hoist clothes line at Unit 38.

The Unit Titles Management Act 2011 refers.

It was interesting to read, in January 2017 Urambi News, soon after the 40th Anniversary celebrations for Urambi Village and visit by Michael Dysart, visionary architect of Urambi, that the Australian Institute of Architects has nominated Urambi Village to the ACT Heritage Register, citing Urambi's significant qualities "in terms of architecture, planning and community", (Urambi News January 2017 'Heritage registration of Urambi Village').

The report also states: "Heritage protection will provide statutory protection for the unique values of the Village".

These "significant qualities of architecture, planning and community", embodied in Urambi Village Structures Guidelines, reflect the unique values of Urambi Village.

A Unit Title Owner acting in accordance with the Guidelines preserves, honours and expands the unique values and significant qualities of Urambi Village.

A Unit Title Owner who acts in a way that fails to comply with the Guidelines dismantles, dishonours and diminishes the unique values and significant architecture, planning and community qualities of Urambi Village.

A recent example:

For clothes lines the Guidelines state:

"Hills Hoists or similar are not allowed. Clothes lines should be discreetly situated and/or screened. Extenda lines are preferred. Rotary hoists may be used if they are demountable so they can be removed at the completion of clothes drying."

The rotary hoist clothes line installed on Friday 3 February 2017 in the north east corner of the courtyard at Unit 38 is not discreetly situated, is not screened, and appears to be non-demountable and set into a concrete base.

The current installation of the rotary hoist clothes line at Unit 38 fails to meet Urambi Village Structures Guidelines (information on website).

In this case a commonsense and reasonable application of the Guidelines requires the relocation of the rotary clothes hoist to effect a discreet location and/or screening, and its re-installation to permit removal after each use.

I seek your agreement to effect a prompt remedy to align and re-install the rotary hoist clothes line at Unit 38 so that it meets the Guidelines.

Annie Lang.

Unit 39.

The saga of the evaporative cooler

Back in February the owners of house 38, Maxine and Steve, wanted to install an evaporative cooling unit on the roof of their house. The notices duly were placed on each set of letterboxes, and on the Community Centre noticeboard. They were there for the required 21 days. Then at literally one minute prior to the expiry time for objections, the Langs at house 39 handed me an objection, stating that they had concerns about the noise that the unit might make, and that they did not want to see it from their house. At any time during those 21 days, the issues raised by the Langs could have been resolved had they bothered to ask anyone. Theirs was the only objection.

Over the next couple of weeks or so, information was provided to the Langs that indicated that any noise from the unit would be unnoticeable by them. A box was installed on the roof of house 38 to demonstrate that the Langs would be unable to see the unit from inside their house. Steve and the Langs met with the assistance of a member of our community in an attempt to mediate the dispute. Eventually the Langs agreed that the installation could proceed.

In the meantime, the Executive Committee had met to consider the structures application from house 38, and decided that the concerns raised by the Langs were baseless, and that the cooler would have almost no impact on them. The EC wrote to house 38 informing them that the installation could proceed. This information also was conveyed to the Langs.

At this stage, Libby Amiel stepped in to argue that the EC could not throw out the objections by the Langs. Brian Candler joined in. And so too did Chris Lang, who went back on his earlier agreement that the installation could proceed. At this stage Chris said that if house 38 went through the full structures approval process from scratch again, then they would not lodge any objections.

Now remember that there were no other objections to the installation. And if the Langs are not going to object, and they accept that the unit will neither be seen nor heard by them, what is the point of asking for this bureaucratic nonsense other than to delay the installation?

Furthermore, the process that was followed by the EC to reject the objection from the Langs and approve the installation, was perfectly correct and legitimate.

So now we have Brian Candler threatening legal action by taking Urambi to ACAT because he wants us to do as Chris Lang suggests, and undergo a new approval process for an evaporative cooler to which no one is raising any objection.

We on the EC are volunteers who are trying to look after our community, but it is this type of farce and bullying that deters us and others from wanting to be involved in the EC.

Can I please ask that this bullying and harassment stop so that we can all get on with more useful matters.

Evaporative cooler at house 38

Original complaint (11 March, 1 minute before 21 day deadline)

An email from the Langs.

We seek assurance that we will neither hear nor see the rooftop evaporative cooling system.

Upon receipt of written specifications about siting and noise that guarantee that neighbours will not see and will not hear the rooftop evaporative cooling system (ie no noise, no view) we will withdraw our objection.

EC response to the Langs (15 March)

Annie and Chris

At its meeting last night, the Executive Committee decided to dismiss your objections to the evaporative cooling unit proposed for house 38. As there were no other objections to the cooling unit, including from the house that shares a common wall with house 38, its installation has been approved.

The noise level from the unit as detected outside of your property should be no greater than about 34dB, the equivalent of somewhere between a whisper and a computer hum. Inside your house you should not hear the unit at all.

The unit will be installed in a location similar to that on the roof of house 42. Therefore, the EC believes the evaporative cooler will have no significant impact on you.

There also is precedent for such an installation, with the immediate neighbours of the one at house 42 reporting that they cannot hear that unit when it is operating.

Your objections, lodged literally one minute prior to the deadline, could have been resolved at any time during the three week notice period had you asked the owners of house 38, me, or another member of the EC.

David Keightley, Structures coordinator

Steve tries to discuss the issues with the Langs (16 and 17 March)

Steve Nicholls tried to talk to Annie at house 39 and she was unwilling to discuss the matter.

Steve supplied a document addressing the concerns about noise and location, but this was dismissed by the Langs as containing no 'validating information'.

Allan Sharp mediates a meeting between houses 38 and 39 (19 March)

At this meeting the Langs agreed that the installation of the evaporative cooler could proceed, providing that it was installed as far to the south on the roof as possible. The Langs acknowledged that the noise from the unit was no longer an issue for them.

Steve supplied a written assurance about the location of the unit.

As part of the discussion, a box representative of the size of the proposed cooler was placed on the Nichols' roof on the site originally proposed (similar to or identical to, the position of the cooler on the roof of house 42): it could not be seen from inside the Lang's house.

Chris Lang acknowledges the agreement (20 March)

In an email Chris wrote the following.

Steve has indicated in principle that the OC will be located as far south as technically possible from the southern skylight on the north south axis that bisects the skylights.

Our belief is that such a location could well meet our principal objective of "no noise no view".

Chris Lang reneges on the agreement (21 March)

In an email Chris wrote the following.

We are unclear what is meant by 'as far south as possible'.

When we have a verifiable message that the installer assesses such a placement is possible we would then have a reliable basis to consider our position to endorse your proposal.

Chris Lang phones Martin Miles (23 March)

In the phone conversation, Chris Lang stated the following.

The EC must declare its rejection of his objection to the structure null and void.

The process for the structure approval commences afresh and is advertised for the requisite period: if this happens then he will not lodge an objection.

He really doesn't want to take this to ACAT, but if we don't do as he requests, either he or Libby Amiel will be taking it to ACAT.

He is satisfied with the material Steve has provided, along with assurances about the unit's location.