

There were no early records
stored for this house

From: David Ritchie davidritchie48@hotmail.com
Subject: Fw: Structures application from unit 52
Date: 5 March 2017 at 6:19 pm
To: David Keightley david@dara.com.au

DR

The attachments are what you had in mind, I think.

From: Ellen Shipley <yikido@gmail.com>
Sent: Wednesday, 23 March 2016 7:32 AM
To: Alastair Swain; Brian Candler; Clinton Jacka; David Ritchie; Ellen Shipley; Hobbes David; Joseph Nadler; Louise Curham; Peter Shaw; Tanya Wordsworth
Subject: Structures application from unit 52

All,

At our last meeting, we spoke about the application from unit 52 to replace their deck and fence, for which objections closed on 23 March. It was agreed they should speak to neighbours about their plans, particularly as they were keen to begin demolition of the unsafe deck before the Easter long-weekend.

Conversations between Azure and Mark and the residents of unit 39, Chris and Annie Lang, resulted in the attached letter, which seeks to significantly escalate the requirements placed upon the owners of unit 52. As a result I consulted with Tim Maly at City Strata, particularly with reference to my own experience as an owner who replaced a deck a few years ago with like-for-like, and with minimal consultation with neighbours.

Urambi's guidelines, including those quoted in the letter, cover new structures or significant alterations. Tim's advice is that neither the fence, nor the deck is a new structure within the meaning of the Act. The proposal is for replacements for existing approved structures and does not represent an alteration or a change to the structure, and the Act allows for changes in structure where, as is the case here, the deck is unsafe and alternative options needed to be found. The extensive consultation required for new structures does not apply in this case. I have written to the Langs to confirm this, and advise

that they did not need to sign off on plans, but that the EC would consider their expressed concerns. They have responded with six objections (see second attachment).

David and I spoke on Tuesday with Azure and Mark, and urged them to take into account the concerns expressed by Annie and Chris. I spoke to Mark tonight, and they are willing to compromise and meet the Lang Objections on several items: placement of their gate, clothes line and proposed shed, and the spacing of the uprights on the deck; they propose to have their fence align with unit 51, which seems reasonable (fencing to meet the Langs' demands would need to be unnaturally high). The demand that the fence be completed by end July cannot be guaranteed as they have a large workload of renovations in the house, and the fence will be completed after repair of the deck, and other works including landscaping.

Some of the stipulations the Langs sought in their original letter on use of the access way, the placing of skips and timings for completion of the fence seem unduly restrictive

in terms of work practices and completion of the works in a timely way (eg placement of the skip may cause more work and increase time and costs). We have asked the owners of unit 52 to consult with the Langs as appropriate and they have agreed. I appreciate the Langs' desire to minimise the impact of project-work on their amenity, but many of us have had to live with skips and work vehicles while neighbours have had work done.

I recommend we give out-of-session approval to the proposal by the owners of Unit 52, and that follow up include an email to the owners of unit 52, and a separate, short email to the Langs. To expedite works, it would be great to have a sign off by the 5pm on Thursday (tomorrow), so I can send emails that night.

Happy to discuss.

Ellen

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Ellen Shipley
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160321 Azure
and Ma...ry.docx



Lang objections
to Unit...3.docx

Azure and Mark Hermes
House 52 Urambi

House 39 Urambi
20 March 2016

Azure and Mark

Thank you for outlining, when we met at House 52 yesterday Saturday 19 March, your plans to construct a new balcony, to install a new kitchen and to redesign and develop your courtyard.

It was important for us to hear your plans, of which we only became aware on 18 March when we read your notification dated 16 March.

When we made inquiries we learned that the Executive Committee (EC) posted a written plan for a new structure at House 52 on the Noticeboard at the Community Centre on 2 March 2016.

You told us yesterday that the only documented plan of your proposed new balcony was the one you had given to David Hobbes. This document was on the Noticeboard at the Community Centre.

For some reason in relation to your balcony proposal the procedural actions required by the Urambi Structures Guidelines failed to occur. As a consequence there was no notification to us about your plans for a new balcony. As we did not know about your plans we had no opportunity to give our views on your plans before you passed them to the Executive Committee.

When we asked you said that you had discussed your plans with no neighbours nor with other Village residents, apart from EC Members David (Hobbes) and Ellen (Shipley).

We hope this regrettable oversight might be overcome through discussion so that you can proceed with your plans.

Thank you for giving us, as we requested yesterday, a copy which Annie received from Azure this morning, of the plan displayed on the Community Centre Noticeboard.

We have a significant interest in your building plans, just as you would have in your neighbours' building plans for new structures at their house. You may recall that we discussed yesterday how new structures and existing structures can affect neighbours.

House 52's exterior and interior is visible from House 39 during daylight and when lit from within during non-daylight hours.

Your house is visible from House 39, while a view of House 39 is almost indiscernible from House 52.

All of the Kitchen windows, the Sitting Room windows and the Front Door windows at House 39 give a line of sight view upwards to House 52. By contrast the view, which you confirmed yesterday from House 52 is of tree canopy.

In compliance with the Structures Guidelines, we must sign a copy of the plan of your proposal, stating our objection or consent to it.

For compliance process actions in accordance with the Urambi Village Structures Guidelines [*StructuresGuide2004v2_000*], relevant sections that relate to legal approval for your plans include

In general, the following structures must have Corporation approval before work begins:

- *new structures, additions and alterations requiring ACTPLA development approvals*
- *pergolas*
- *fences*
- *garden sheds*
- *awnings*
- *fireplaces*
- *Consult with all neighbours and residents who may be affected by the structure (this includes anyone who will see the structure from their unit entitlement or who passes by on a regular basis) and ask them to sign the plan, stating their objection or consent to it.*
- *Submit two copies of the plan (with signed approval from neighbours and affected people) to the EC's Structures person.*

We list below our views in relation to your plans. We outlined aspects of these views when we met yesterday.

Today (Sunday 20 March) we examined a copy of the plans submitted to the EC on 2 March; taken account of details in your notification to neighbours of 16 March 2016; and taken account of the information you gave verbally to us yesterday (Saturday 19 March) about your building and other intentions.

1. The Structures Guidelines provide the process to take account of interests of all parties affected by changes to structures.
2. There was a failure in late February/early March 2016 to apply the Structures Guidelines at the consultation stage.
3. We are affected neighbors, as House 39 directly and completely faces House 52.
4. The Executive Committee must have a plan signed by us in order to consider a decision on approving/rejecting your proposal;
5. As an owner, you are bound by law to obtain the permission of the Executive Committee, acting on behalf of the Owners Corporation (Units Plan 119), for the work on the new proposed balcony before starting that work;
6. The only gate in the northern courtyard stay at its current position on the western boundary;
7. The vertical railings on the northern edge of the new balcony have spacing identical to the existing balcony;
8. Position the clothesline to the eastern wall of the northern courtyard similar to the position of the clothesline in House 51;
9. Position the new garden/tool shed on the eastern boundary and not on the northern boundary;
10. The new fence of the northern boundary is of a height such that it prevents sightlines from the southern windows in House 39, prevents sightlines to people using the spine path into the interior of House 52; does not give sightlines of clothes on the clothesline, and does not give sightlines of a garden/tool shed in the courtyard.
11. The new Brush Fence be finished by end July this year.

12. That skip be positioned close to the western boundary of House 52 out of the line of sight from House 39;
13. The building workers park their vehicles in car park D and/or Crozier Circuit and not use landscaped common area for convenience parking.
14. Vehicles of people involved in work at House 52 only use the easement between Houses 38 and 39 for operationally unavoidable purposes.
 - this will help minimize impact on neighbours, avoid unnecessary compaction of the landscaped common area and damage to other common area assets, especially the spine path, grasses and other ground covers, shrubs and trees.

We are available to discuss the above views so that we can sign off on your plans.

From examining your plan, from your notification of 16 March and from what you told us on Saturday **we set out below our understanding of the main features of your plans:**

1. To install of a new kitchen in House 52.
2. To build a new balcony, different in design and materials; i.e. use four weight bearing structural posts to support the balcony, concrete sheeting floor with tile floor-top, wider than existing spacing between the railings on the new balcony, alteration to the joists for the balcony roof, and a new impermeable cladding for the balcony roof.
3. To redesign the north facing courtyard to include a new surface, a new brush fence in the next 3-4 months, agreement by you for a single court yard gate in its current position on the western side, a garden shed and relocation of the clothes line similar in position in the north courtyard of House 51.
4. To plant native plantings within your entitlements and on the western and northern boundaries of your entitlement.
5. To strip back the north facing courtyard and to remove the existing kitchen 22-25 March.
6. To dismantle the existing balcony structure from 26-28 March (Easter Long Weekend).
7. To have a skip on site, from 22 March to 29 March as notified by you, to contain refuse from the court yard, the existing balcony and the existing kitchen.
8. To have your builder on site from 29 March for up to two weeks.
9. To facilitate the work involved in your plans vehicles would use the common area between Houses 38 and 39.
10. To achieve the scheduled timings outlined above for the work on your house on the basis the Executive Committee indicated to you that getting approval would be straightforward.

We look forward to hearing from you about our views on your proposal.

Sincerely

Annie and Christopher Lang

Lang objection to #52 plans – 23 March 2016

Inbox x



13:49 (3 hours ago)

Annie Lang

to David, me, Christopher

Ellen and David,

We refer to email this morning from Ellen. We have read it and we note its contents.

Plans for a new balcony and a new brush fence for House 52 are posted on the Community Centre noticeboard.

The notice with these plans states:

"House No 51 (sic)

An application has been made to replace the upper rear deck which is rotten. The new deck will appear substantially the same as the original except that it will be supported on timber posts and will have a tiled floor, which will not be readily visible.

If no objections have been received by Wednesday 23 March the application will be approved by the EC."

Langs object to these plans.

EC assurances on the six points listed below would have the effect of voiding Langs' objection to these plans:

1. The space between each vertical railing of the new balcony to be no wider than the space between each vertical railing of the current balcony.

NB: increase in space between each vertical (see plan) altering the appearance of the balcony is not noted in the EC written notice quoted at the start of this letter.

2. The clothesline at House 52 to be located out of sightlines of House 39 and out of sightlines of the spine path.

3. The proposed new tool/garden shed to be located out of sightlines of House 39 and out of sightlines of the spine path.

4. The gate to the north courtyard of House 52 to remain in its current location on the western side of that courtyard and not located on the north boundary.

5. The new brush fence on the northern boundary to be of a height such that it
 - a. prevents sight lines from windows of House 39 into bedrooms at House 52;
 - b. prevents sightlines from windows of House 39 to clothesline at House 52;

c. prevents sightlines from windows of House 39 to (new)tool/garden shed planned for erection at House 52.

NB: a change (F on plan) to the design of the current brush fence is not noted in the EC written notice quoted at the start of this letter.

6. The new brush fence to be constructed by end July 2016.

Regards,
Christopher and Annie Lang.

From: David Keightley david@dara.com.au
Subject: Your three structures applications
Date: 25 July 2018 at 11:29 am
To: Azure Hermes azure.hermes@anu.edu.au



Hi Azure

As there were no objections to your three structures applications, they have been approved. This was confirmed at the EC meeting last night.

David

David Keightley
55 / 85 Crozier Circuit
Kambah ACT 2902
Mobile: 0414-927.591

Three Separate Urambi Structures Applications House 52

Application 1 (Air conditioner)

The owners of house 52 wish to install a split system air conditioner (Fujitsu ASTG24KMCA 7.1kW Reverse Cycle Split System Inverter Air Conditioner) that has a low noise level when operating. The unit will be located at ground level against the western wall of the house.

While this unit will be installed on common land, there is considerable precedent for this even at nearby houses. Furthermore, the owners have planted out adjacent raised garden beds that will screen the unit from view.

Further details can be obtained from the owners of house 52, or from me.

Objections must be submitted to me by **5pm on Thursday 19 July 2018**.

Application 2 (Laundry window)

The owners of house 52 would like to brick in one of the three windows in their laundry. A new two-bay window will be installed. This window is not visible to residents as it opens to an enclosed front courtyard and garden bed. The window to be removed is indicated by the crossed section in the photograph.

Further details can be obtained from the owners of house 52, or from me.

Objections must be submitted to me by **5pm on Thursday 19 July 2018**.

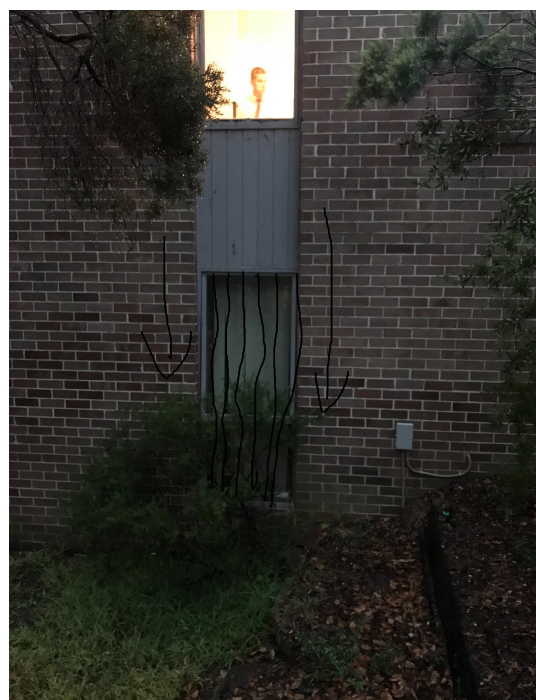
Application 3 (Side window)

The owners of house 52 would like to remove the window on the western side of their property which looks into their walk-in wardrobe. They would like to keep with the original look of the unit by continuing the wood panelling on the side of their property all the way to the ground. The window to be removed is indicated by the highlighted section in the photograph.

Further details can be obtained from the owners of house 52, or from me.

Objections must be submitted to me by **5pm on Thursday 19 July 2018**.

David Keightley (Structures Coordinator)
House 55 (david@dara.com.au)
28 June 2018



From: Azure Hermes azure.hermes@anu.edu.au
Subject: Structure application
Date: 28 June 2018 at 9:25 am
To: David Keightley david@dara.com.au

AH

Good Morning David

Application one:

Reverse cycle airconditioner:

The owners of house 52 wish to install a split system air conditioner that has a low noise level when operating. The unit will be located at ground level against the western wall of the house.

While this unit will be installed on common land, there is considerable precedent for this even at nearby houses. Furthermore, the owners have planted out adjacent garden beds that will screen the unit from view.

Unit Details: Fujitsu ASTG24KMCA 7.1kW Reverse Cycle Split System Inverter Air Conditioner

- Cooling energy star rating 2.5
- Heating energy star rating 3
- Automatic air flow adjustment
- Auto positioning louvre
- Auto restart - after power failure
- Auto changeover between heating and cooling
- Human sensor
- Sleep timer
- Program timer
- ON-OFF timer can be set for once every 24 hours
- Weekly timer
- Economy mode
- 4 Fan speed
- Filter cleaning period indicator
- Lower electricity loss and power consumption
- Blue fin heat exchanger - improved corrosion resistance
- 49dB Indoor sound pressure
- 52dB Outdoor sound pressure
- Outdoor unit HxWxD: 620 x 790 x 290mm

Application 2: Laundry window:

There is a three bay window in the Laundry. Unit 52 would like to brick in one of the bays. (Please see picture for more details). A new two bay window will be installed. This window is not visible to the village. Unit 52 has enclosed front courtyard and the window is blocked by a garden bed.

Application 3:

See Picture. Unit 52 would like to remove the window on the side of their property which looks into their walk in wardrobe. They would like to keep with the original look of the unit by continue the panelling on the side of their property all the way to the ground.

Further details can be obtained from the owners of house 52, or from me.

Objections must be submitted to me by **5pm on Tuesday 17 July 2018**

Your Sincerely

Azure Hermes

Azure Hermes

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