

ABBOTT TOUT CREER & WILKINSON
SOLICITORS

CANBERRA PARTNER:
DAVID CLEMENT DAROLD HARPER. B.A., LL.B.

ASSOCIATES:
ROBERT JOHN McCOURT. B.A., LL.B.
RICHARD CHARLES FITZGERALD MOLONEY. LL.B.
LAURENCE GUY PROBERT. B.Ec., LL.B.

SYDNEY PARTNERS:
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
PAUL JOHN GREGORY. LL.M.
ROBERT JOHN GEORGE MILES. LL.B.
JOHN KERIN MORGAN. B.A., LL.M.

N.R.M.A. HOUSE
92-96 NORTHBOURNE AVENUE
CANBERRA CITY

AND AT 60 MARTIN PLACE SYDNEY

TELEGRAPHIC & CABLE ADDRESS
"ABATOUT," CANBERRA

TELEPHONE: 49-7788
DX 5622 CANBERRA

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

YOUR REF.
OUR REF: RM.11178

28th July 1978



The Property Manager,
Allen Curtis & Partners Pty Ltd,
24 Morrisett Street,
QUEANBEYAN N.S.W. 2620

Dear Sir,

re: URAMBI to SPRING - UNIT 53

We refer to the above matter which is due for settlement in the near future, and request that you supply us with a Section 39(2) Certificate as soon as possible.

Yours faithfully,

ABBOTT TOUT CREER & WILKINSON

Per:

A handwritten signature in cursive script, appearing to read 'R. K. Moloney'.

NOTICE OF CHANGE OF PROPRIETOR

TO: The Proprietors - Units Plan No. 119

RE: Unit 53 Units Plan No. 119

Notice is hereby given that the above unit changed hands recently. Full details are set out below.

Date of Change of Ownership: 8 August 1978

Previous Proprietor: Urambi Co-operative Community
Advancement Society Limited

New Proprietor: Phillip Michael Spring

Address for service, etc. Unit 53 "Urambi Village",
Crozier Circuit, Kambah, A.C.T. 2902



Yours faithfully,

ABBOTT TOUT CREER & WILKINSON

Per:

Richard Motaney

Solicitors for the new proprietor

Date: 9th August 1978

Mrs Bradford - Cheque for all levies to date, \$259.19, attached

RM.

S/R ✓
Comp ✓
Letter

owner/occupation

MARTIN & BARKER

BRIAN M. MARTIN
FREDERICK J. BARKER
TREVOR J. BARKER
WAYNE F. BARKER
MICHAEL A. MARTIN

SOLICITORS

COMMONWEALTH BANK HOUSE (1st FLOOR)
CNR. AINSLIE AVENUE & LONDON CIRCUIT,
CIVIC SQUARE. CANBERRA. A.C.T.

TELEPHONE: 49 1044

P.O. BOX 295,
CIVIC SQUARE,
A.C.T. 2608
DX ~~5605~~ 5605

IN REPLY PLEASE QUOTE WFB:CH.41917

14th August, 1978.

The Secretary,
Body Corporate,
Units Plan 119,
Unit 36, Urambi Village,
Crozier Circuit,
KAMBAH ACT 2902

Dear Sir,

Re: Spring from Urambi Co-operative Community Advancement
Society Limited Unit 53 Units Plan 119, Kambah

We advise that we act on behalf of Mr. P.M. Spring on his purchase of the abovementioned unit, settlement of which took place on the 8th instant. Mr. Spring will occupy the unit and all further notices should be forwarded to him at that address.

Yours faithfully,
MARTIN & BARKER

*Original
Copy sent
to A. Curtis
2/8*

Copy for Terry Cooggin 30 August.

Dear Phil

The Body Corporate Committee has been told that you have erected a shed without first seeking permission. I had hoped that you would have contacted us about this matter by now.

This letter doesn't seek to debate the merits or otherwise of your structure. It is to formally remind you of the long standing requirement for residents to seek prior approval from the B.C.C., in addition to whatever the Department might require. Given your past involvement with structures issues, and knowing that guidelines have been sent to all residents on several occasions, I find it strange that you seem unaware of your obligations.

It may be that you find the approval process to be particularly onerous or unnecessary for structures within unit entitlements. However, I remind you that the requirements stem directly from the Ordinance under which all activities in our chosen type of development are governed. Indeed, successive Committees have chosen to interpret the approval process more leniently than the Ordinance might require. The aim has been to preserve the spirit whilst creating a more workable system. Because of that leniency, I think that it is more than ever important and fair that everyone should go through the laid down procedures. That is the attitude that this B.C.C. will take. Otherwise some residents might, understandably, seek to have all the sanctions of the Ordinance applied. That would be to your detriment and that of all others who want to carry out modifications to their homes and surrounds.

It is not very satisfactory to attempt to go through the approval process in respect of a structure which is already in place. Nevertheless I ask that you now seek permission and that you act correctly in respect of any future structures.

Yours sincerely
Geoff McAlpine
Convener B.C.C.

30 August.

Dear Phil

The Body Corporate Committee has been told that you have erected a shed without first seeking permission. I had hoped that you would have contacted us about this matter by now.

This letter doesn't seek to debate the merits or otherwise of your structure. It is to formally remind you of the long standing requirement for residents to seek prior approval from the B.C.C., in addition to whatever the Department might require. Given your past involvement with structures issues, and knowing that guidelines have been sent to all residents on several occasions, I find it strange that you seem unaware of your obligations.

It may be that you find the approval process to be particularly onerous or unnecessary for structures within unit entitlements. However, I remind you that the requirement stems directly from the Ordinance under which all activities in our chosen type of development are governed. Indeed, successive Committees have chosen to interpret the approval process more leniently than the Ordinance might require. The aim has been to preserve the spirit whilst creating a more workable system. Because of that leniency, I think that it is more than ever important and fair that everyone should go through the laid down procedures. That is the attitude that this B.C.C. will take. Otherwise some residents might, understandably, seek to have all the sanctions of the Ordinance applied. That would be to your detriment and that of all others who want to carry out modifications to their homes and surrounds.

It is not very satisfactory to attempt to go through the approval process in respect of a structure which is already in place. Nevertheless I ask that you now seek permission and that you act correctly in respect of any future structures.

Yours sincerely
Geoff McAlpine
Chairman B.C.C.

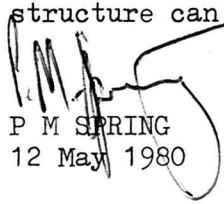
Chairperson
Structures Committee
Urambi Village

As suggested by the Convenor at a Board meeting around April I hereby ask for your comments on the possibility of me having a two-flight staircase constructed from my courtyard (see Attached copies of a sketch of the proposed staircase) to the balcony.

Although the proposal is for a two-flight staircase the external appearance will be matched as far as possible with the external appearance of the spiral staircase at House No 10.

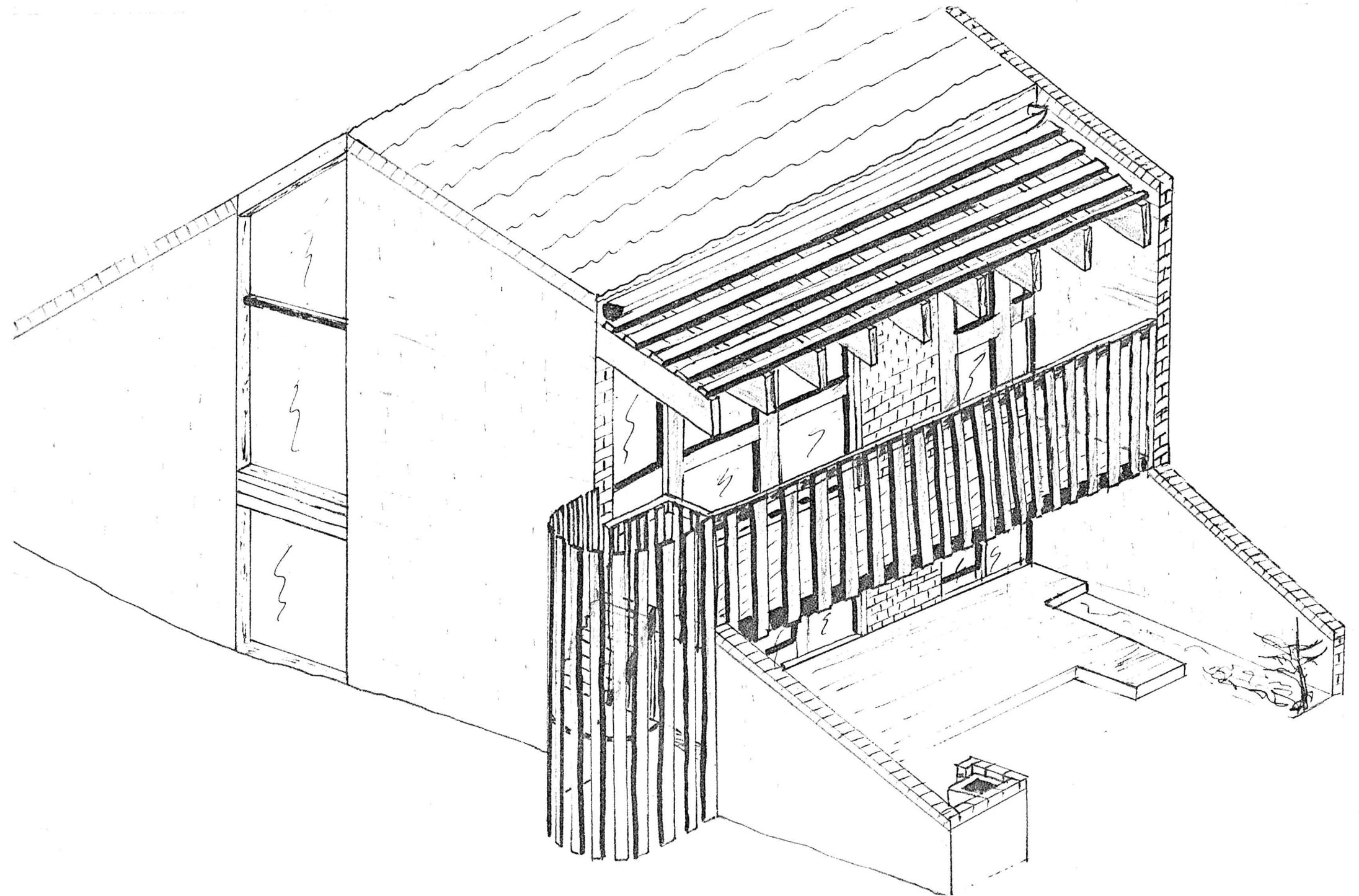
I acknowledge the communal nature of the area the staircase will cover and that therefore such structure that is placed over this area cannot be given over to me legally - this area will measure approximately 2 metres X 2 metres.

I therefore apply for in-principle approval so that detailed plans of the structure can be commenced as soon as possible and lodged with DCT.



P M SPRING
12 May 1980

Approval can't be granted under
that Titles Ord. However approval
in spirit given but Phil was
warned that this is not legal.



Charles,

I have looked at Phil Spring's proposal, as conveyed in his letter of 12 May.

I have also looked at Bill Cushing's "approved" (augmented specimen) spiral staircase

Bill's only projects some 500-600 mm outside his brick wall

I don't see that Phil could achieve his objectives with that sort of projection - he seeks approximately 2 metres

I believe that it might look aesthetically in keeping if he were allowed to project a maximum of 1.0 metres - ie the same as the width of the opening in his wing wall - he would then have an exact semi circle outside the wall. Even that might look peculiar (the Cushing one is mostly within his area)

Timber would have to be exactly as in balcony railing ie out of 70 x 20 mm cedar with 50 mm gaps, stained Kamm timber.

I believe that homeowners of 52, 38 and 39 in particular and probably 36 and 37 who use those garages would have to approve (as well as the Body Corporate Committee)

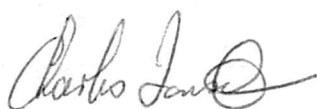
Geoff McEneaney 16/6

Dear Householder,

The attached plan has been received from Phil Spring of House 53. Should you have any comments to make, for or against, the proposed staircase, please make them in writing to Charles Inouise, House 59, as soon as possible, but in any case by 30 June 1980. If you make no comment by this date, no objections in the future will be treated sympathetically, in relation to this proposal.

From what I can ascertain, the proposed staircase would cover an area of some 2m x 2m, and, if allowed, would be in the nature of an easement granted to Phil, somewhat along the lines of those already granted to Houses 10, and ~~19-21~~ 19-21, for varied reasons.

Please let me know your comments on this proposed structure as soon as possible.



CONVENOR
STRUCTURES COMMITTEE

Unit No 53
Urambi Village

The Convenor
Body Corporate
C/- House No 12
Urambi Village
KAMBAH ACT 2902

I refer to my attempts over about the last two years to seek Body Corporate approval for a non-spiral courtyard staircase - you might be aware that the previous Structures Committee recently gave in-principle approval to an alternative type of staircase.

It is with pleasure, and some relief, that I now advise that it will be possible to construct a spiral staircase and that the design will occupy less common land than indicated in the previously approved alternative style. Again, the external surround will be matching the existing style used for the spiral staircase at House No 10.

I am sure that the style and shape of the final product will accord with all the parameters previously specified by the various Committees, sub-committees and neighbours I have discussed this structure with.

If required I would be happy to discuss the blending of this staircase into the Urambi environment further.

Yours sincerely



P.M. Spring
20 October 1980

letter sent - see Sec. file

53 Urambi Village
KAMBAH ACT 2902

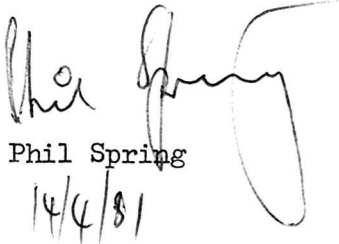
Sylvia Blomfield
Convenor
Body Corporate
Urambi Village
KAMBAH ACT 2902

Dear Sylvia

I attach a list of queries which I hope you will have time to discuss next Monday.

I will be travelling interstate during next week, but would be happy to discuss any of the issues with you before I leave on Saturday.

Yours sincerely



Phil Spring
14/4/81

1. REIMBURSEMENT OF MONEY SPENT ON NATIVE PLANTS

As requested I discussed with Jan Robbins the matter of reimbursement of monies spent on native plants for communal land areas.

I hereby attach photocopies of bankcard receipts for \$68.00 spent on native plants for the mounds on communal land at the front and back of my property and apply for reimbursement of this amount.

2. APPROVAL FOR FUTURE DEVELOPMENT AND REIMBURSEMENT

I understand that now it is preferred to approve expenditure on plants before they are purchased. As I am contemplating developing the grassed area between the side of my unit of the footpath I would appreciate someone contacting me to discuss this - eg types of plants, retaining walls, any reimbursement.

3. PAYMENT FOR PURCHASE OF LOGS

Jan Robbins asked me to write to you in relation to some logs a previous Body Corporate Committee asked to purchase from me some 12 or 18 months ago. I understand that there were four logs taken from a pile I had at the time. These cost me \$1.50 each and it would appear that reimbursement of the \$4.50 has been overlooked.

4. ^{\$6.00} REIMBURSEMENT OF GARAGE RENTAL

I discussed with Jenny Noyce the matter of reimbursement of advance payments for leasing of garages.

After several telephone calls with people at Allen Curtis and Partners over the last 3 months it appears that they will not make reimbursements without a specific letter from the Body Corporate - as they are not paid for "secretarial" (this was not defined) services they could not write a letter to you to seek approval. This is despite the fact that Jenny wrote to them on 29 October stating that I had vacated the garage as of 30 September.

Any assistance you can give would be appreciated.

496 31 719 878915

5066504

bankcard

MR PHILLIP M SPRING
EXPIRES END 09/81

Sales Voucher

Date: 30-10

| Quant. | Description | Price for Unit | \$ | Amount | c |
|--------|-------------|----------------|-------------------|--------|-------|
| | Plants | | 45 | 00 | |
| | | | | | |
| | | | | | |
| | | | | | |
| Take | Dept. | Clerk Int. | Authorisation No. | Total | 45 00 |
| Send | | | | | |

496 82 126 84138 0
KAMBAH GARDEN CTRE
KAMBAH ACT M

I acknowledge receipt for services and goods and liability for charges as recorded hereon.

Cardholder's Signature

Cardholder's Copy - Please Retain

496 31 719 878915

bankcard

MR PHILLIP M SPRING
EXPIRES END 09/81

Sales Voucher

Date: 29-3-81

| Quant. | Description | Price for Unit | \$ | Amount | c |
|--------|-------------|----------------|-------------------|----------|------|
| | Plants | | 23 | - | |
| | | | | | |
| | | | | | |
| | | | | | |
| Take | Dept. | Clerk Int. | Authorisation No. | Total SA | 23 - |
| Send | | | | | |

496 82 126 84138 0
KAMBAH GARDEN CENTRE
KAMBAH 2902

I acknowledge receipt for services and goods and liability for charges as recorded hereon.

Cardholder's Signature

Cardholder's Copy

5700040

Please retain for statement verification

53 Urambi Village
KAMBAH ACT 2902

Sylvia Blomfield
Convenor
Urambi Village Body Corporate
51 Urambi Village
KAMBAH ACT 2902

Dear Sylvia

The Building Section of DCT will be writing to you in the next few weeks seeking comment (and attachment of the seal I think) on my proposal to build a fireplace in the middle of my upstairs lounge room.

Some time ago there was a move to have the shiny chimneys coloured to suit the environs. I would be happy to do this. The installation is being carried out by Burning Log (Fyshwick) as soon as DCT approval is received.

The purpose of this letter is to see if your Committee could consider the fireplace proposal at its next meeting, just in case the DCT letter does not reach you in time.

If there are no problems as far as the Committee is concerned may be "prior approval" can be granted so that when the DCT letter is received a quick response can be given - we would like to take advantage of as much of the winter as we can.

I will be happy to discuss any aspects with you or your Committee at any time.

Yours sincerely


Phil Spring
4.6.81

*Replied by telephone that there
is no problem - 15.6.81.*

53 Urambi Village
KAMBAH ACT 2902

13 July 1981

Convenor
Urambi Village

Your recent notice asked me to pay \$45.62 a year if I did not work 11 hours and 25 minutes at working bees.

I commend the concept as a means of equalising contributions by unit owners to the maintenance of a proper Urambi environment.

There may be a few matters that will need clarification and I raise one with you now.

Although I have attended few working bees over about the last 12 months, I have still put in many hours both developing and maintaining common ground near my unit. You will recall your recent agreement that John Vickary and I maintain the grassed area in front of units 53 to 55 inclusive. I have also discussed with members of your committee the development of the area adjoining my unit and the park. As well as this, I spend a not inconsiderable amount of time maintaining common ground on the three sides of my unit, as well as attending to edges and watering of the park next door. Although this is not much work in winter the summer months can see this maintenance quite time consuming.

My guess is that in any year the work would be well in excess of your nominated 11 hours and 25 minutes.

In the light of the above I have four questions:

- (i) Do you agree that my work on common land is equivalent to that work performed at working bees?
- (ii) Do the 11 hours and 25 minutes have to be performed only at times that working bees are performed?
- (iii) How do you propose that work performed outside of nominated hours for working bees be recorded for the purposes of this levy?
- (iv) For those who work in excess of their "levy time" do you also propose a crediting facility at your \$4.00 per hour?

As this could very well be an issue at the AGM, I would appreciate your comments before then.

Yours sincerely



Phil Spring

The Urambi Village Body Corporate C'tee
40 20 Urambi Village,
KAMBARI.

4 August 1981

Dear Phil,

Thank you for your letter of 13 July 1981, concerning the Working Bee levy. We are pleased that you see it as it is meant: "as a means of equalizing contributions by un. it owners to a proper Urambi environment."

The Committee discussed your four questions at its last meeting, & we agreed that an article on the running of the levy should be put in Urambinews before the AGM, as other residents may well have similar queries.

To answer your questions in order:

- (i) No. It is intended that the Working Bee levy rebate should apply only to work nominated by the Development Committee. (Of course, anyone may negotiate with the Development Committee to have a particular task included in the Working Bee priority list.)
- (ii) No. Working Bee tasks can be (and are) carried out at other times, with the agreement of the Development Committee.
- (iii) It is hoped that such work would be self-regulating, under the general supervision of the Development Committee. "Let your conscience be your guide."
- (iv) No. Any work in excess of the time specified for a unit entitlement will be gratefully accepted by the Community as a gift, in the way that all Working Bee labour has hitherto been accepted.

Please feel free to discuss the matter further with any member of the Committee.

Yours sincerely,

Ann Phipps
Secretary

53 Urambi Village
KAMBAH ACT 2902

Mary Hodge
Convenor
Body Corporate
Urambi Village
C/- House No 42

Dear Mary

I hereby apply for permission to construct a sun-blind on the rear balcony of Unit No 53.

As you are no doubt aware this sun-blind is already in position and I now seek formal agreement to its presence. I am happy to change the present appearance/structure if suggestions are made - I have already coloured the blind to suit the other colours. The structure is not subject to DCT approval and my request is therefore for visual acceptance only.

Yours sincerely



Phil Spring
25.2.82

Unit 53

1 September 1983

Dear Geoff

I agree totally with the spirit referred to in your letter. As you say I have been involved in a number of structures in the past.

I have previously practised, where appropriate, constructing something and then seeking approval without the reproach I find now. My aim was to try one alternative and then indulge in adjustments in an attempt to satisfy adverse comments. This technique, although not strictly correct, was very successful.

The structure I am referring to here was blinds on the rear verandah. The only unfortunate aspect of this process was the refusal of the Structures Committee Chairman to give me written approval - he thought oral approval was the furthest he need go.

In past years you have invited me to 'stir' the BCC and perhaps part of my present inaction stems from such invitations - as well as a feeling of carefree treatment of my previous attempts to do the right thing. This latter feeling has not been helped by "BCC" inaction in other financial matters recently.

Despite these feelings it has always been my intention to entertain any objections to the present temporary shed with the aim of making changes where necessary.

I still hold the intention to make changes, despite the appearance of many structures around our unit, over the years, that have been constructed without any consultation with ourselves. In fact, the impression I gain is that our structures are the only ones that are subject to widespread analysis and approvals.

After canvassing a number of neighbours, I have found three in support of the present appearance and others have not made adverse comments. In fact only one resident has made a claim against the shed and that was without any specifics to allow me to consider any possible changes.

As well as this lack of specification, I consider that signature of his letter as "Treasurer" is an irrelevant and unnecessary abuse of his position on the BCC. In this matter Chris is one unit holder only. I am tempted to go as far as to say that I refuse to apply for formal approval of the structure until Chris removes reference to his position on the BCC in his letter, particularly as ostensibly the BCC is the governing body in approvals.

As you can see I have many reservations about the BCC system. Despite these, however, I do believe in the spirit you referred to and hereby apply for approval of the visual impact of the temporary shed.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Phil".


13 Urambi Village,
KAMBAH A.C.T. 2902

9 September 1983

Mr Phil Spring,
53 Urambi Village,
KAMBAH A.C.T. 2902

Thank you for your letter of 1 September 1983 containing your application for approval for the construction of a small building on the area entitlement of Unit No. 53.

I am pleased to advise that the Body Corporate Committee has no objections to your proposal concerning this building.


T.J. Goggin
Structures Sub-Committee
Body Corporate Committee

The Department of Territories and Local Government has contacted the Body Corporate Committee to advise that several problems exist with uncompleted building work, especially fire-places, in several Urambi Village units. These could have serious implications in terms of insurance, for example, if the cause of a house-fire is traced to an un-approved fire-place which has not been inspected and approved after installation. There is also the question of a breach of the Building Ordinances 1972 (fine for an individual householder of up to \$500 on conviction).

The Department explained that the following steps have to be gone through for the building of fireplaces, pergolas and structural alterations. These are:-

- (a) Form "Application for Approval of Plans", together with the plans to be submitted. The plans must show the endorsement of the Urambi Body Corporate Committee (endorsement of the Form by the BCC is optional provided that the plans have been endorsed);
- (b) Form "Application for a Building Permit" - this is often completed by the builder, but the owner has to sign it.
- (c) If an owner/builder is involved, a separate form "Application for Owner-Builder Permit" has to be submitted. This form has to be endorsed by the BCC because of insurance requirements. Home insurance does not normally cover owner/builders, and a separate public liability cover might need to be taken out. Alternatively the BCC, by endorsing the application, has to agree to cover the owner/building under the present Urambi public liability cover. (There are no problems with tradesmen or licensed builders because they are required to carry their own insurance cover.)

~~From~~
 Individuals notes
 given to houses 62, 31,
 34, 44, 27, 40,
 49, 53, 41, 69 &
 56 & the swimming
 pool as attached.

- (d) Form "Application for Certificate of Occupancy or Use" must be submitted on completion of the work. This will enable an inspection of the work to be carried out by a Department inspector who, hopefully, will approve the finished work.

Forms, and further advice, is available from the Building Section, Department of Territories and Local Government, First Floor, North Building, Civic Offices. (Post - G.P.O. Box 158, Canberra 1601, tel. 49.1355).

About 12 units are at present involved in the above and are being contacted individually.

If there are any queries please contact Terry Goggin, House 13, Tel. 31.9537.

House No 53,

Phil,

The Dept. said that it issued a permit to construct a fire place on 27/7/81. - and it was inspected on 28/9/81. But the Dept has no completed form "Application for Certificate of Occupancy or Use". This is now needed by the Dept.

Terry Goggin

14/6/84.

53 Urambi Village
Crozier Circuit
Kambah ACT 2902
27 September 1997

David Keightley
Structures
Body Corporate Committee
House 55
Urambi Village

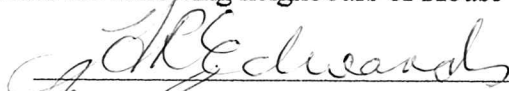
Dear David,

RE: PAINTING HOUSE 53 URAMBI VILLAGE

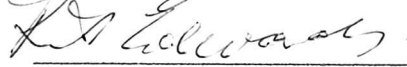
In confirmation of our recent conversations, I seek formal Body Corporate approval to paint the exterior of House 53. I propose to use Derby Brown for the roofline areas and guttering, and Kangaroo for other painted areas (eg balcony and around doors and windows). You will be aware it became necessary for me to paint the verandah roof and part of the balcony railing during this past week, because of building work being done. I consulted with yourself, Bob Edwards, Nick Brown and Alastair Swayn before this work was undertaken, to ensure that what was planned was in line with approved colourings.

I have obtained approval for these colours from the following neighbours of House 53:

House 52 (next door) - Hilary Edwards



House 38 (below) - Bob Edwards

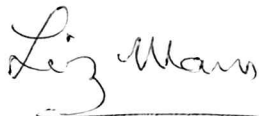


The owner of House 54 (next door) is an absentee landlord, and I have been unable to contact her. However, I understand she has recently given her approval for you to paint your house (on the other side of hers) in these two colours.

Please let me know if any further detail or information is required.

Thanking you in anticipation,

Yours sincerely,



Liz Marks

Approved BCC met 13 Oct 97