REQUISITIONS - UNIT TITLES A.C.T.

Unit Plan No. 119 Folio 72

Unit No. 72

Volume

652

Transfer/Nortgage

From:

ANGUS BAYLEY HOUSTONE

To:

JAMES MURRAY WEIRICK

These requisitions are forwarded in duplicate. Please return one copy with answers endoused thereon.

/17/3/03/3

- 1. In these requisitions the word "Vander" includes all Vendors where there is more than one, and where the proposed dealing is a Mortgage the word "Vendor" means "Fortgager" and the word "Purchaser" means the "Hortgagee."
- 2. In these requisitions "the Ordinance" weams the Unit Title Ordinance 1970 as emended.
- 3. If any reply to any requisition or part thereof marked X is in the affirmative, particulars must be given and the matter must be satisfied, or the Purchaser's rights are reserved.
- 4. On completion the Vendor must be registered as the proprietor of the Unit Title free from encumbrances and the Lease of the common property must be free from all encumbrances, restrictions and coverants other than those to which the same are expressly made subject to the contract.
- 5. All rates, taxes and charges levied on the Unit and the common property must be paid to the date of completion, and evidence of payment furnished. Kindly give details.
- 6. (a) Is the Vendor under any legal disability by reason of bankruptcy, infancy or otherw
 - (b) Are there any lites pendentes, judgments, orders, decrees or executions against the Vendor or the body corporate in any Court or affecting the lease of the unit or the lease of the common property?
 - (c) Has any order or application been rais to wind up the body corporate or has any special resolution been passed or proposed for that purpose?

- 7. X Has any part of the structure of the Unit or any drainage or plumbing or electrical service been added to or altered since the date of the original certificate of fitness for occupancy or use. If so, a further certificate must be obtained and handed over on completion.
- 8. All necessary approvals and consents of the apprepriate responsible authority under any haw of the Territory to enable the purchaser to use the unit for the purpose for which it was purchased must be obtained by the Vendor before completion.
- 9. The unit entitlement of the unit lease as set out in the Contract must correspond with the unit entitlement of the unit lease as shown on the said Unit plan. If not disclosed in the Contract please give the Unit entitlement of the subject unit lease and the aggregate unit entitlement.
- 10. Evidence must be furnished of payment in full to date of completion of the contribution provided for by s.38(2) of the Ordinance, and any necessary adjustments should be made on completion. In this regard, what levies have been made to date and have the same been paid?

(a) Is the Vendor aware of any application to a Court under Sections 97,100 or 113

of the Ordinance?

- (b) Are any moneys awed by the Vendor pursuant to Sections 33,47 or 49 of the Ordinance?
- 11. Please furnish full particulars of the existing Fire Insurance Policy, Public Risk Policy, Workers' Compensation Policy and any other insurance effected by the Vendor and the body corporate over the unit and the subject building or otherwise and advise us when and where we may inspect the same.
- 12.X Are any of the fixt as, fittings or appurtenances on or in the unit or on the common property the subject of any hire purchase or hiring agreement, charge or bill of sale?
- 13.X Has any resolution been made pursuant to Sections 42,44,45 or 46 of the Ordinance? Please supply particulars.
- 14. Survey of the lot and of the land and building containing the lot should prove satisfactory. Has the Vendor any such survey reports or copies thereof and if so will the Vendor loan the same to the Purchaser?

See 39(2) Certificate

No.

See 39(2) Certificate

Building \$3,847,129 Hs1078-0211
Public Liability \$1,500,000 PL1071-3905
Workers Compens'n Unlimited H51075-428
Mortgagee Concurr.
All policies with SBU current to 1/11/83
Policies may be inspected by appointment with Secretary, R Goldstein, 65 Urambi.

No.

- 15. Who are the members of the committee of the Body Corporate?
- 16.X Has an investment fund been established under Section 37(2) of the Ordinance? If so, please give details of same.
- 17. A certificate by the Body Corporate pursuant to Section 39(2)(a) of the Ordinance should be furnished by the Vendor at his own expense on or before completion.
- 18.X Has any resolution been passed or proposed by the proprietors or any order been made by the Court pursuant to Section 97 of the Ordinance?
- 19.X Has the Body Corporate or anyone on behalf of the Vendor received any notice or notices affecting the common property or the subject unit from any public Author :--
 - (a) regarding resumption or intended resumption or acquisition or intended acquisition?
 - (b) prohibiting, restricting or affecting user or enjoyment?
 - (c) requiring the carrying out of work alterations or repairs?
 - (d) of intention to carry out any work upon or in connection with the property or upon the streets or paths adjoining the same?
 - (e) of re-alignment or intended re-alignment of any streets adjoining property?
- (f) of any breach of the lease of the common property or the unit lease? If so particulars of such notice or notices must be furnished and the purchaser's rights are reserved in respect thereof.
- 20.X Has any resolution been passed or is the Vendor aware of any proposal to pass a resolution with regard to the creation of easements or covenants, affecting the common property, or to transfer, lease or otherwise deal with the common property? If so please furnish particulars thereof.

G McAlpine, C Lang, D Watson, A Kay, T Goggins, L Vidler, H Kortlang, B O'Reilly, M Burton

Civic Permanent account - \$437.

Enclosed.

No.

Not to our knowledge.

21.X Have there been any additions to, amendment. See enclosed motion passed at the AGM or repeal of the constitution of the Eody on 19/6/83 by special resolution.

Corporate as set out by the said Ordinance?

If so, please furnish particulars thereof.

Is the Vendor aware of any proposed alterations?

- 22. A written authority signed by the Vendor should be made available to enable the Purchaser to inspect the constitution of the Body Corporate.
- .23. What is the name and address of the Secretary of the Body Corporate and where my the books of the Body Corporate be inspected?

24. Has Section 37(1) of the Ordinance been complied with?

25.X Has any application been made or proposed to appoint an administrator of the Body Corporate?

26.X Are any moneys owing by the Vendor to the Body Corporate or to any public Authority in respect of the subject unit lease?

- 27. The relevant Certificate of Title should be handed over on settlement.
- 28. Vacant possession of the subject lot must be given to the Purchaser on settlement.
- 29. Have Sections 36,58 and 106 of the Ordinance been complied with?
- 30.X (i) Was the unit leased on 1st January 1973?
 - (ii) If so at what rental?

X

X

- (iii) Has the Rent Controller made a determination in respect of the rental. If so please supply particulars rent fixed and date of operation.
- (iv) Is there any pending application to the Rent Controller or appeal to a Fair Rents Board for determination of the fair rent or variation of the fair rent?
 - (v) Are the premises excluded from the operation of any provisions of the Landlord and Tenant Ordinance?

R Goldstein, 65 Urambi until hand over to incoming committee. Financial records at Allen Curtis & Part 128 Bunda St, Canberra City.

Yes.

No.

See 39(2) Certificate for any money owin to body corporate.

Yes.

If so please supply particulars.

- 31. (a) Will any of the instruments to be handed over by the Vendor on completion be executed under the power of Attorney?
 - (b) If so, the Vendor must produce the power, satisfactory evidence of registration and that the instrument has been executed by the donee under the power.
- 32. We reserve the right to make further requisitions on your replies and following searches and enquiries.

DATED: 7/6(15

POWER CONN & CO.,

Per:



ABBOTT TOUT CREER & WILKINSON SOLICITORS

CANBERRA PARTNER:

DAVID CLEMENT DAROLD HARPER, B.A., LL.B.

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

TELEGRAPHIC & CABLE ADDRESS
"ABATOUT." CANBERRA

ASSOCIATES

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RICHARD CHARLES FITZGERALD MOLONEY, LL.B.
LAURENCE GUY PROBERT, B.EC., LL.B.

AND AT 60 MARTIN PLACE SYDNEY

TELEPHONE: 49.7788

DX 5622 CANBERRA

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JAMES NEILL CREER
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KENNETH JOHN PALMER. B.A., LL.B.
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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.

YOUR REF.

OUR REF. RM. 7846

PLEASE ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 828

CANBERRA CITY, A.C.T. 2601

12th August 1977

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

Dear Sir,

re: SALE OF UNIT 72 TO HOUSTONE

Settlement of this matter took place on Thursday, the 30th June 1977, and a settlement statement is enclosed. Rates on the unit were not adjusted at settlement, and no doubt you will sort this matter out with the purchaser in due course. We have notified the Department of the Capital Territory of the change of ownership of the unit.

We hold \$200.00 of the settlement monies in our trust account for release to you upon the rectification of the items listed in our letter to Stocks & Holdings (Canberra) Pty.Ltd. of the 29th June 1977.

We enclose our memorandum of costs and disburse-ments.

Yours faithfully,

ABBOTT TOUT CREER & WILKINSON

Per:

c.c. Stocks & Holdings (Canberra) Pty.Ltd.

Anons Houstone N°72

Urambi Village Body Corporate
Committee,
c/o20 Wambi Village
2 August 1981

Dear Angus,

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 to 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 share of individual trees, and that thinning is required.
- that other residents' views and amenity will be alversely affected if the the tree is allowed to mature.

In your co	ase, we	suggest t	that. the	two.	small	eucalyp	ts
near th	ne pa	th at	the	top c	of you	r bank	be.
remove	ed.						

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

STEPHEN JAQUES STONE JAMES

INCORPORATING

DAVIES, BAILEY & CATER

ATTORNEYS, SOLICITORS AND NOTARIES

CANBERRA

SYDNEY

RUPERT VANCE CATER
JOHN DESMOND BUTTON
JAN ADRIAN CURLEWIS
RONALD BRUGE TOPFER
RICHARD GEORGE KEMP
JUSTIN THOMAS STANWIX

PERTH
ROBERT ERNEST BLANCKENSEE
ALAN ERIC BLANCKENSEE
JOHN RENNELL ADAMS
TERENCE EDWARD O'CONNOR
DONALD MICHAEL WATT
KEVIN JOHN EDWARDS
MICHAEL EDWARD O'CONNOR
DONALD MICHAEL WATT
KEVIN JOHN EDWARDS
MICHAEL LEOWARD O'CONNOR
DONALD MICHAEL WATT
KEVIN JOHN EDWARDS
MICHAEL BOWARD O'CONNOR
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MICHAEL BOWARD O'CONNOR
DONALD MICHAEL WATT
KEVIN JOHN EDWARDS
MICHAEL BOWARD O'CONNOR
DONALD MICHAEL WATT
KEVIN JOHN ADRIAN SANSULE
CLIVE DE BERT THA CONCICAD FOSS
ALFRED JOHN MELLOR
ROBERT JAMES AINSLIE
CLIVE DE BERT THA CONCICAD FOSS
ALFRED JOHN MELLOR
ROBERT JAMES AINSLIE
CLIVE DE BERT THA CONCICAD FOSS
ALFRED JOHN MELLOR
ROBERT JAMES AINSLIE
CLIVE DE BERT THA CONNOR
ANDREW GERARD THOMPSON
PUBBERT RENNETH O'CONNOR
ANDREW GERARD THOMPSON
PUBBERT ON THE MICHAEL
MICHAEL SON THE MICHAEL
MICHAEL SON

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

Postal Address: P.O. Box 388, Canberra City, A.C.T. 2601 DX: 5610 CANBERRA

TELEPHONE: (062) 48 5222

International: + 616 248 5222

Telex: 62643

PERTH

Law Chambers. Cathedral Square, Perth, 6000, Australia Telephone (09) 325 0431 Telex 92646

SYDNEY

50 Bridge Street, Sydney, 2000, Australia Telephone (02) 239 1111 Telex 21332

NEW YORK

30 Rockefeller Plaza, New York, NY 10112, U.S.A. Telephone (212) 489 1777 Telex 225038 RCA

LONDON

47-57 Gresham Street, London, EC2V 7EH, England. Telephone (01) 606 2072 Telex 889206

Our Ref. MMM: SA: 321237

Your Ref.



21st June, 1983

The Secretary Body Corporate of Units Plan 119 C/- Allan Curtis & Partners 128 Bunda Street CANBERRA CITY A.C.T. 2601

BY HAND

Dear Sir,

HOUSTONE SALE TO WEIRICK UNIT 72, UNITS PLAN 119 KAMBAH

We act for Mr. Houstone who has agreed to sell the above property.

We enclose the requisitions on title which we have received from the buyer's solicitor. Would you please answer those questions marked with an x in the space provided. When replying please let us know your fee.

Settlement is due to take place on the 24th of June, 1983, and we would appreciate your early reply.

Yours faithfully, STEPHEN JAQUES STONE JAMES

mmelisch

M. M. Meibusch.

Encl.

Rough scale drawing of Unit 72 "catparks" proposals Front courtyard – to scale Catpark Unit 72 – not to scale (obviously!) Balcony - to scale Catpark Overhanging Bottlebrush Callistemons Rear Courtyard Boundary wall with unit 65

THE ABOVE CORPORATION HEREBY CERTIFIE ORDINANCE SECTION 39(2) AS FOLLOWS:	S PURSUANT TO THE UNITS TITLE
NO AMOUNT IS PAYABLE UNDER SECTION 38 BY VITHE ABOVE UNIT AND IS UNPAID.	VAY OF CONTRIBUTION IN RESPECT OF
ANNUAL ADMINISTRATION LEVY FOR ABOVE UNIT	T IS \$ 235:72
AND IS PAID TO30,6/8.3	(PAID ON A QUARTERLY BASIS)
DATED AT CANBERRA THIS Twenty -se	cond DAY OF Jose 1983
THE COMMON SEAL OF THE PROPRIETORS OF UNITS PLAN	
	For the Managing Agent
S/POOL MAINTENANCE CONTRIBUTION POUE INSURANCE LEVY SPECIAL LEVY	1.4.83 of \$50 PAID TO 30.6.83
Insurance Levy	1.10.82 \$53.56 " " 30.9.83
SPECIAL LEVY	1.4.83 21.86 " " 30.6.83
TE:	Oo 0 7"
	1.7.83 PAID IN ADVENCE \$39.62.
1883-84 Framin levy quartorly \$61.78	- 1.e. 8247.12 annually

Allan Sharp

From: "Ellen Shipley" <Ellen.Shipley@ausaid.gov.au>

To: <allan.sharp@homemail.com.au>
Sent: Monday, 14 November 2005 12:28 PM

Attach: Catnip Pet_Door_through_Wall_tnail.jpg; Catnip Direct_Exit_tnail.jpg

Subject: FW: seeking approval for renovations planned for Unit 72

Dear Allan,

I'm forwarding this to you in case Libby has already headed off overseas. I am in the process of getting "agreement" signatures from neighbours. It's amazing how often people in Urambi are out of town! What a busy lot we are! I won't be able to get a response from Peter Gniel until Thursday, but hope to catch the others this week.

Cheers,

Ellen

Ellen Shipley
Director Community Programs Section
AusAID
GPO Box 887
Canberra ACT 2601
Australia
(612) 6206-4950 (tel)
(612) 6206 4870 (fax)
email Ellen.Shipley@ausaid.gov.au

From: Ellen Shipley

Sent: 09 November 2005 1:15 PM **To:** 'libri@homemail.com.au'

Subject: seeking approval for renovations planned for Unit 72

Dear Libby,

Sorry to be late with this email. I was off work on Monday and Tuesday with the 'flu, and I don't have email at home. I spoke to Geraldine yesterday, and she indicated that you had already sent an email to the EC. Thanks. I hope I have managed to catch you before you head off overseas.

Just to fill in the details of what I propose:

Catparks – I am planning two small catparks, to enable my cats to enjoy the outdoors without endangering themselves or the birds and other wildlife. The first will be on the second storey verandah, facing units 27, 28, 29, 30. It will measure 1.8m high, 850cm deep and 1.7m wide. The parks are galvanised mesh, with hammocks for the cats to lie on. I have attached some indicative photos. The park will not extend beyond the confines of the verandah, nor over the roofline. The second park will be in my front courtyard, facing the pool, on the left of the courtyard as you face

the unit. This unit will also measure 1.8m high, 850cm deep and 1.7m wide, and will cover part of the existing brick paving. In addition, it will have a gable cover of green vinyl. Again, it will not extend beyond the confines of the courtyard, nor over the sloping wall. It will also contain hammocks for the cats to lie on. Both parks will attach to the unit via a short tunnel and a catdoor. Once these are completed, I would be happy for them to be inspected by any residents who wanted to provide similar catparks for their cats. The catparks could be completed by the contractor in two to three weeks from my order to proceed. My sense is that they will not be any more intrusive than the aviary that Fiona had in the front courtyard. The parks are not permanent structures, in that they can be removed, leaving only the catdoors.

Front steps to Unit 72: I have obtained a quote for replacement of the steps from the spine path near the pool down to unit 72. The timber sleepers holding up the steps have rotted and need replacing. I understand that these are on common land, but propose to replace the existing timber and earth steps with brick steps to match the existing brick.

Back fence and gate to rear courtyard: I propose to replace the 1.5m high paling fence at the rear of the unit (again facing units 27, 28, 29, 30) with a 1.8m brush fence. I also intend to replace the gate with 1.8m brush fencing. The rear courtyard looks directly into my bedroom, and as it is a thoroughfare, I would feel more secure with more privacy.

At the same time as the back fence is replaced, I will have the existing paving in the rear courtyard re-laid, and will have a raised garden bed constructed, all of which will be within the confines of the courtyard. I understand that no approval is needed for these items.

My contractor indicates that he can complete these works by Christmas, and I would be grateful for the Executive Committee's urgent approval. I will be contacting my neighbours to obtain agreement to the proposals, and will provide a signed hard-copy of this email as soon as possible. If there are any further issues or requirements, I can be contacted during working hours at the number below, and on 6161-2126 after hours (or at Unit 72!)

Ellen

Ellen Shipley
Director Community Programs Section
AusAID
GPO Box 887
Canberra ACT 2601
Australia
(612) 6206-4950 (tel)
(612) 6206 4870 (fax)
email Ellen.Shipley@ausaid.gov.au

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Peter

Peter Gniel

Director, Energy Policy

Australian Petroleum Production & Exploration Association (APPEA)

GPO Box 2201, Canberra, ACT, 2601

Tel: 02 6267 0910

Mob: 0422 800 202

Email: pgniel@appea.com.au

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From: Ellen Shipley [mailto:Ellen.Shipley@ausaid.gov.au]

Sent: Wednesday, 16 November 2005 12:56 PM

To: Peter Gniel

Subject: renovations at unit 72 - Executive Committee meeting is on

Thursday 17 November.

Dear Peter,

NOT to hassle you, but I've heard from Allan Sharp that the Executive Committee is meeting at 8pm on Thursday evening (tomorrow), so I would be most grateful if you could respond to my email (and copy to Allan) during the day tomorrow. All other neighbours are okay with my plans. Allan's email is allan.sharp@homemail.com.au

Many thanks

Ellen

From: Ellen Shipley [mailto:Ellen.Shipley@ausaid.gov.au]

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To: Peter Gniel

Subject: renovations at unit 72 - Executive Committee meeting is on

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Many thanks

Ellen

Ellen Shipley

Director Community Programs Section

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(612) 6206-4950 (tel)

(612) 6206 4870 (fax)

email Ellen.Shipley@ausaid.gov.au

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From "Peter Gniel" <pgniel@appea.com.au>

Subject RE: renovations at unit 72 - Executive Committee meeting is on Thursday 17 November.

Date Thu, November 17, 2005 2:30 pm

To "Ellen Shipley" <Ellen.Shipley@ausaid.gov.au>

CC allan.sharp@homemail.com.au

Ellen

Suzanne and I have discussed your proposal and are happy for you to proceed. We are a little confused as to why you would have both cat runs, particularly the one out the front given the obvious imposition on the eyes, but at the end of the day, we have no great objection.

Happy to discuss further should you wish.

Regards

Peter

Peter Gniel

Director, Energy Policy

Australian Petroleum Production & Exploration Association (APPEA)

GPO Box 2201, Canberra, ACT, 2601

Tel: 02 6267 0910

Mob: 0422 800 202

Email: pgniel@appea.com.au

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From "Ellen Shipley" <Ellen.Shipley@ausaid.gov.au>

Subject RE: renovations at unit 72 - Executive Committee meeting is on Thursday 17 November

Date Thu, November 17, 2005 3:12 pm
To "Peter Gniel" <pgniel@appea.com.au>

CC allan.sharp@homemail.com.au

Thanks Peter - I appreciate your support.

Just a quick response to your point about why two cat-runs - During the summer the north-facing balcony gets very hot during the day, and I thought it would be good to have a choice of venues - so the cats don't fry! The south side gets the morning sun - and should be good on winter mornings.

Cheers,

Ellen

Ellen Shipley

Director Community Programs Section

AusAID GPO Box 887

Canberra ACT 2601

Australia

(612) 6206-4950 (tel)

(612) 6206 4870 (fax)

email Ellen.Shipley@ausaid.gov.au

From: Peter Gniel [mailto:pgniel@appea.com.au]

Sent: 17 November 2005 2:30 PM

To: Ellen Shipley

Cc: allan.sharp@homemail.com.au

Subject: RE: renovations at unit 72 - Executive Committee meeting is on

Thursday 17 November.

Ellen

Suzanne and I have discussed your proposal and are happy for you to proceed. We are a little confused as to why you would have both cat runs, particularly the one out the front given the obvious imposition on the eyes, but at the end of the day, we have no great objection.

Happy to discuss further should you wish.

Regards

Ms Fiona Lyall House 72, Urambi Village Kambah

Dear Fiona

I write on behalf of the Body Corporate Committee (BCC) following its meeting last night where we considered your requests for information regarding proposed structural and other changes to your house.

The following points were made at the meeting.

- Garden shed. Generally a shed is approved only if it is invisible to neighbours and passers by. The BCC would need to know the size, colour and location of the shed you propose to install before any approval can be given.
- Beam extension. This sounds as if it should be no problem, but formal plans must be submitted for approval.
- Cover front beams. The BCC does not like the idea of sheeting of the sort you
 describe over the front door. However, tiles or some other material that
 matches the colour of the beams and roof would be acceptable. BCC
 approval is needed as your house is so visible to so many people.
- Cover back beams. Generally awnings of the type you describe would not be approved by the BCC as they are not in keeping with the general appearance of Urambi houses. Tuff Lite acrylic sheeting has been used at the back, but it is preferred that this is combined with wooden beams over the top to make the sheeting less visible. This would need BCC approval.
- Extend upstairs room. This definitely requires BCC approval, and any
 extension must be in keeping with the materials and appearance of your
 house. I have enclosed part of my deck, and you would be welcome to look at
 this at any time.
- Convert doors. This would not be a problem provided the doors are made of wood and glass to match the current appearance of the sliding doors. I suggest that you submit rough sketches of the proposed new doors to the BCC before making changes.

We request that you continue to keep each of the above as separate items when seeking BCC approvals.

Hopefully the above information is helpful. If not, or if you wish to discuss anything further, please get in touch.

Yours sincerely

David Keightley

Structures coordinator Urambi Village BCC

17 March 04