

# 25

6 Jan 81

Secretary

Body Corporate

Dear Amiel

Structures & Common Areasin Strategic  
New

Not long ago you asked for  
 views on whether there should be more or less  
 control of structures and the development of  
 common areas.

It is my view that while local  
 consultation should be encouraged (perhaps  
 by subsidising materials and plants for  
 joint ventures), there should be no  
 relaxation of body corporate oversight  
 and control of common areas and structure.

I would for example ask  
 whether the structure at the front of House 32  
 is approved, and if so when; if not,  
 has the owner been asked to do  
 anything about it?

Also, I think it is necessary to  
 use your co-ordinating role with respect  
 to car access to the common areas. Why  
 is there no barred access next to the bins  
 enclosure at Entrance B; this is the most

used and abused access point?

I will take this opportunity to report that the log & chain barrier between # 25 and # 24 was removed in December by person or persons unknown, although I don't think that particular barrier achieved much.

Finally, could you consider advising the current policy of the body cooperate with respect to development of common areas, not close to houses, which requires extra ~~work~~ development and planting. If a policy does not exist, could I suggest that a sound policy would be to provide materials and plants for approved "local enterprise" which is maintainable.

Keep up the good work - I'm with your good endeavours and hard work,

Sincerely  
David Watson

# Structurals.

1 Krambi Village  
(Ph. 45.8431 b.h)

Dear Ian,  
CARPORT HOUSES 1-3.

Guy Robert has provided me with the relevant section of the Unit Titles Ordinance in regard to our carport proposal. It appears that this requires a "unanimous resolution".

Since owners of 1, 2 & 3 still wish to have a flat-roofed car-port erected, I am writing to request that a meeting be convened to discuss the issue of a carport on this site. It appears that a number of members of the Body Corporate are in favour of such a ~~port~~ structure in this area and a recommendation along these lines might be sufficient to get the resolution needed.

If you have any ideas or <sup>matter</sup> suggestions as to the way in which such a restrictive covenant in the Ordinance can be circumvented, please let me know.

Yours sincerely,  
W. J. Hixson.

## STRUCTURES GUIDELINES.

In the light of 4 years experience the BCC feels that modifications to the last structures guidelines (issued 1977) need to be made. While the specific guidelines on the nature of structures (eg pergolas, fences, sheds etc\*) remain unchanged, the procedures ~~involved~~ involved do need changing to

- (a) facilitate <sup>a clarify</sup> the process of BCC approving structures when there is no objection from neighbours
- (b) tighten the process of approval in the case of structures ~~so~~ eliciting objections from neighbours.
- (c) clarify the process of erecting structures on common land

### STRUCTURES WITHIN A UNIT ENTITLEMENT:

The overriding principles in relation to structures within unit entitlements are:

- (a) approval from the BCC. to erect a structure must be sought prior to its construction. (As per the Schedule of Articles as amended Oct '76 Section 4 (e))
- (b) That the BCC. allows maximum freedom for structures within unit entitlements subject to commonly accepted limits on nuisance, loss of amenity, etc.

Taking these principles into account, the BCC asks that Urumbi members adopt the following procedures when planning a new structure:

1. After consulting the guidelines of 1977 on the nature of structures which can be approved, draw up a plan of the structure specifying location, dimensions, fabric to be used etc.
2. Consult with all neighbours & 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 daily basis to garages etc) & ask them to sign the plan stating their consent or objection to it.

3. Submit the plan to the B.C.C. convenor or structures person.

4(a) If no objections are recorded & the structure is in accord with architectural guidelines, approval will be given at the next B.C.C. meeting & the resident will be notified of such approval in writing.

(b) If an objection is recorded, then section 4(e) of the Schedule of Articles will apply. The plan will be described in Urnski News & ~~after 21 days have elapsed interested residents will be invited~~ & residents will be invited, thru' Urnski News, to attend the B.C.C. meeting 3 weeks later to discuss & vote on the matter.

If these procedures are adopted we will hopefully prevent some of the problems experienced over the past couple of years.

Residents are reminded that should a structure be erected & without prior B.C.C. approval, then under the Schedule of Articles (which were drawn up specifically for Urnski Village & approved by residents at that time), the B.C.C. can authorise its removal if complaints from other residents are forthcoming.

#### STRUCTURES ON COMMON LAND:

The above guidelines do not apply to structures erected on common land. The Unit Titles Ordinance forbids the alienation of common land for <sup>the</sup> private use of an individual except where a unanimous resolution at a general meeting approves. (U.T.O. 1970 44(2) & 46). Because of this, the

B.C.C. asks that residents who may wish to apply for either the granting of an easement or any special privilege in respect of common property, do come forward planning & seek such permission from an A.E.M. ~~The B.C.C.~~ ~~will~~. Should structures be erected on common land without the prior approval of an A.E.M. then the B.C.C. will seek approval at the next A.E.M. for that structure. If there is not unanimous agreement, then again, in line with the ~~substance of~~ ~~Article~~ Unit Titles Ordinance (???) please ask A.L. what ~~the~~ penalty there is for those who do erect structures on common land without approval. The Ordinance talks of how to get an easement or special privilege 44(2)(a), & 46(1) but does not mention sanctions against those who go ahead regardless.) the B.C.C. will <sup>now</sup> ~~request~~ <sup>co-act</sup> residents to remove the structure.

1977

URAMBI VILLAGE  
GUIDELINES FOR STRUCTURES

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As residents of Urambi Village settle in they may wish to erect structures such as fences, pergolas, storage sheds, as well as landscape adjacent areas. Given the emphasis on physical environment at Urambi, it is essential to ensure that such developments are compatible with the architecture.

The purpose of this circular is to set out guidelines for STRUCTURES and an approval procedure which, it is hoped, will ensure that architectural compatibility is maintained.

General responsibility for structures has been assigned by the Body Corporate Committee to a Structures sub-committee. Members of the sub-committee are:

Ian Kortlang (tel. 613553 b/h; home No.26)  
Bob Hodge (tel. 898802 b/h; home No.42)  
Bill Cushing (tel. 452210 b/h; home, No.10)

#### PROCEDURE

Members of the body corporate wishing to erect any form of structure additional to their house are asked to consider the guide to acceptable structures set out here. They are further requested to provide to the Structures sub-committee, through any of its members, details of the proposed structure. The sub-committee gives prompt attention to each case. All decisions are advised to the Body Corporate committee.

The intention is to treat each case on its merits, against the background of the guidelines and the overall architectural concept. The sub-committee intends to allow maximum freedom for structures within courtyards, subject to commonly accepted limits on nuisance, loss of amenity, and so forth.

As a general rule, the sub-committee consults with neighbours who may be affected by any proposal.

#### SPECIFIC GUIDELINES

##### • Pergolas

A pergola structure may serve a purely ornamental function. It may also serve as concealment for (or substitute for) a garden shed; and concealment for garbage bins, bicycles, clothes lines, garden tools, mothers-in-law, etc, and it may provide the means to enclose a courtyard area.

The architect has provided a design for pergolas that may be installed at front and rear of courtyard houses, and at the front of multi-level houses.

The general principle has been to achieve compatibility with the (planned) pergola for the pedestrian spine, and with features of the house designs.

Drawings are available from the structures sub-committee.

The design for the pergola at the rear of courtyard houses provides four modules, any combination of which is acceptable. The structure may be left open, or wholly or partially enclosed with 6" battens. It may also be roofed over with shallow corrugated Tuff Lite (clear or opal), or pre-painted Monodeck. Acceptable materials are hardwood uprights, and oregon cross-beams. Colour should match fascia boards.

Pergolas at the front of all houses should be oregon. They may be located on either side of the front door, and of any width desired across the frontage. Slope would be continuous with that of the roof joists. Battens (3") may be used for enclosure.

##### • Fences

Fences around/across courtyards are acceptable.

They may be:

- timber: 6" battens with 1" gap, height limit 12' (for privacy freaks), colour to match fascia boards
- cyclone swimming-pool enclosure fencing, colour to match fascia boards; this material must be planted for concealment from the outside
- cyclone wire mesh; this material must be densely planted for concealment from the outside

Also, remember the Fencing Act (1905) and the need for neighbours to agree on structures along common boundaries.

##### • Sheds

Metal garden sheds are generally acceptable, provided they are associated with some form of concealment.

Preferably, they should be located within a pergola structure. The sub-committee notes that the pergola itself can be modified to substitute for a separate garden shed. The sub-committee favours this latter approach.

- Clothes Hoists

Hills hoists, or similar, are verboten. Other drying arrangements are acceptable. However, the sub-committee suggests that members should use fence or pergola structures for concealment.

- Awnings

Rigid aluminium (or other metal) awnings fixed over windows are considered incompatible with the architecture. Folding metal awnings are also undesirable.

Canvas awnings are acceptable, provided they are in muted colours.

Bamboo blinds are fine.

- Storage areas

Some garages have roof overhang at the rear, which can be converted into storage space.

Members concerned should approach the structures sub-committee to discuss the architect's suggestion on how this can be done.

- Other

Some members may wish to extend the roof-line of courtyard houses within courtyard - eg. to create shade, or a garden room, or whatever. This is acceptable, given the overall principle of doing your own thing in your own backyard.

Such structures must, of course, comply with ACT building regulations.

#### COMMENTS

Comments/suggestions from body corporate members are welcome.

28 August 1977

BODY CORPORATE COMMITTEE



STRUCTURES GUIDELINES

In the light of 4 years experience, this Body Corporate Committee felt that the Structures Guidelines (issued 1977) should be modified and reissued. While the specific guidelines on the nature of structures (pergolas, fences, sheds, staircases, clotheslines and any other form of structure additional to a house) remain unchanged, the procedures involved do need changing to

- a. facilitate and clarify the process of B.C.C. approving structures when there is no objection from neighbours
- b. tighten the process of approval in the case of structures eliciting objections from neighbours;
- c. clarify the process of erecting structures on common land.

STRUCTURES WITHIN A UNIT ENTITLEMENT

The overriding principles in relation to structures within unit entitlements are :

- a. approval from the B.C.C. to erect a structure must be sought prior to its construction. (This is a legal requirement under Section 4(e) of the Schedule of Articles, as amended October 1976, of the Unit Titles Ordinance);
- b. the B.C.C. allows maximum freedom for structures within unit entitlements subject to commonly accepted limits on nuisance, loss of amenity etc.

The B.C.C. asks that Urambi members adopt the following procedures when planning a new structure :

1. Consult the guidelines on the kinds of structures permissible and the suggested design and material.
2. Draw up a plan of the structure specifying location, dimensions, materials to be used, etc.
3. 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 daily basis to garages etc) and ask them to sign the plan, stating their objection or consent to it.
4. Submit 2 copies of the plan to the B.C.C. Secretary.
5.
  - a. If no objection is recorded, all affected neighbours and residents have been consulted, and the structure is in accord with the architectural guidelines, approval will be given at the next B.C.C. meeting and the first copy returned, stamped accordingly, to the applicant.
  - b. If an objection is recorded, the matter may be referred to an AGM, OR details of the proposed structures will be published in Urambi news, and 'the committee of the body corporate shall call a meeting of all members of the corporation at which meeting a vote shall be taken; a two-thirds majority of the entitlements of members present and voting shall be required for the proposal to be permitted to proceed'. This meeting will be set to coincide with a B.C.C. meeting not less than 21 days after the publication of details of the proposal. (UTO - Schedule of Articles as amended, Item 4(e) ).

NOTE: Residents are reminded that should a structure be erected without prior B.C.C. approval, then under the Schedule of Articles the B.C.C. can authorise its removal if complaints from other residents are forthcoming.

STRUCTURES ON COMMON LAND

The Unit Title Ordinance forbids the alienation of common land for the private use of an individual except where a unanimous resolution at a General Meeting approves (UTO 1970 - 44(2) and 46). However, while the B.C.C. cannot approve structures on the Common Land, it has been the practice to notify applicants that no objection is raised, provided that the procedures and conditions applying to Structures on Unit Entitlement have been met. Any objections to such a structure will be handled in the usual way, or referred to an AGM.

Specific Structure Guidelines

. Pergolas

In principle, these require D.C.T. approval.

- The architect has provided a design for pergolas that may be installed at front and rear of courtyard houses, and at the front of multilevel houses. The general principle has been to achieve compatibility with features of the house designs. A number of these have now been constructed.
- The structure may be left open, or wholly or partially enclosed with 6" battens. It may also be roofed over with shallow corrugated Tuff Lite (clear or opal) or prepainted Monodeck. Acceptable materials : hardwood uprights and oregon crossbeams, all stained to match fascia boards (Pamm Umber - from Watty's Colour Shop).
- Pergolas at the front of all houses should be oregon. They may be located on either side of the front door, and of any width desired across the frontage. Slope is continuous with that of the roof joists. 3" battens either vertical or horizontal are best used for enclosure.

## Fences

The Fencing Act (1905) applies.

Fences around/across courtyards are acceptable. They may be :

- timber : 6" battens with 1" gap, height limit 12', stained Pamm Umber
- cyclone swimming pool enclosure fencing, colour to match fascia boards; this material must be planted for concealment from the outside.
- cyclone wire mesh; this material must be densely planted for concealment from the outside.
- brush fencing.

Note that several existing fences are not on the perimeter of their unit entitlement.

## Gates

- gates in brush fences may be of brushwood, or of timber, stained Pamm Umber

## Sheds

- Metal garden sheds are generally acceptable, but should be discreetly situated or screened.
- Pergolas may incorporate a garden shed.

## Clothes Lines

- Hills hoists, or similar, are not allowed.
- Clotheslines should be discreetly situated and/or screened.

## Awnings

- Rigid or folding metal awnings over windows are considered incompatible with the architecture.
- Canvas awnings and bamboo blinds are acceptable.

## Storage Areas

- Some garages have roof overhang at the rear, which can be converted into storage space.

## Garage Doors

- Roll-a-doors may be installed on covered carspaces, but due to the narrowness of the spaces at least two must be enclosed at a time. Colour to match existing doors.
- Intervening walls exposed to view to be of aluminium cladding, as in existing example.

## Fireplaces

- B.C. approval necessary, because D.C.T. approval is now required for the installation of a fireplace.

## Skylights

- additional skylights are acceptable.

## Other

- Other structures are acceptable, given the overall principle of doing your own thing in your own back yard. A.C.T. Building Regulations may apply.

20 Urambi Village  
KAMBAH 2902

16 March 1981

Dear Ian & Mary,

Thank you for your note of 9 March.  
I think the best I can do for you is provide you  
with a copy of the information we issue to new  
residents. Urambi policies have evolved &  
changed over the years, & must continue to do so.  
The complete statement you requested is contained  
in the Minute Books, which you may read over  
if you wish, but which are hardly succinct.  
Perhaps we do need to keep a record of decisions  
as well, so that it's easier to provide the  
sort of information you require. I'll suggest it  
to Sylvia Blomfield.

Best regards,

A. I. Ryan.

B.C.C. Secretary.

20 Urambi Village.  
14 Feb. 1981.

Dear David,

Thank you for your letter of 6 January. I must apologise for not having replied sooner, but there were a number of items raised which required clarification.

We have, of course, published the fact that you, for one oppose "relaxation of B.C. oversight & control on common areas & structures."

To answer your specific queries & points:—

① Ian Batty's submission was approved on 1 October, 1980. Ian was constructing the shed himself, & apparently ran into some difficulties. However, Jenny Noyce approached him, & it now seems that the structure will be completed as originally proposed.

You will also have noticed a very considerable improvement in the common area in that vicinity.

This is very largely Ian's work, & we think he is to be commended on it.

② The barred access has proceeded very slowly—there is some opposition, as you know, to any form of regulation around here! However, it is intended that there should be a barred access next to Driveway B. Responsibility lies with Jan Robbins, as Development Convenor, & she will also see that the log & chain barrier next to your place is replaced.

③ The policy on development of Common Areas has always been: if it's near you & you want to do it & your neighbours agree with your ideas

Urambi Village Body Corporate  
Committee,

c/o 20 Urambi Village,  
KAMBAH A.C.T. 2902

To: Mr R. Webster,  
Unit 62,  
Urambi Village.

Dear Richard,

I refer to the discussion which took place at the Body Corporate Committee meeting held 29 October 1980, concerning your demountable clothesline.

This letter is to confirm the verbal agreement reached at that meeting, setting out the conditions under which you are permitted to have this clothesline. They are:

- that the clothesline will be dismantled after each use;
- that the line will be painted brown at your earliest convenience;
- that the clothesline will be removed if the premises are let or sold to anyone.

We thank you for your co-operation in this matter.

Yours sincerely,



(Arminel Ryan)

S E C R E T A R Y

2 April, 1981

Ms Arminel Ryan,  
Secretary,  
Body Corporate Committee,  
URAMBI VILLAGE.

Dear Arminel,

As promised at the Committee's meeting of March 9, I am setting out below my understanding of the points discussed concerning our clothesline.

- 1 The BCC does not have the power to approve structures on common land - such structures require the unanimous agreement of the Body Corporate at a general meeting.
- 2 However, in normal circumstances, (where a structure is not the subject of a complaint) the BCC is willing to give preliminary approval.
- 3 There has been a complaint about our clothesline in that it is unsightly.

On this last point I would argue that:-

- 1 While at the moment it is possible to see the line, although I do not feel it is obtrusive, (given the number of lines hung on balconies and open courtyards in the back row of houses) Alan and I have purposely planted the side with medium sized, bushy shrubs which will, in the foreseeable future, screen the line.
- 2 The alternative position suggested (at the back) has been landscaped with lower shrubs and groundcover (so as not to obscure our view) and the line will not only be visible at all times but will also be more of an eyesore. I am assuming Urambi residents and visitors will want to walk along the back and I think we should be making this area as attractive as any of the others.

Apart from the above, I have it in mind to build a small pergola/walkway at the back but this is, perhaps, not relevant.

- 3 I have spoken to all my neighbours and have received no objections to the line in its present position. I am attaching a signed statement from them.

In short, I would appreciate the situation being reviewed in a year's time and that no action be taken at present.

Arminel Ryan

2 April, 1981

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2.

I would appreciate a telephone call or a quick note with your comments in due course.

I apologise for taking so long in getting this letter to you.

Yours sincerely,

*Elizabeth*

for Elizabeth Skeates  
ALAN AND ELIZABETH SKEATES

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Body Corporate Committee,  
Urambi Village.  
10 April 1981:

Dear Elizabeth & Alan,

Thank you for your letter of 2 April, 1981.

(I apologise for not typing this reply - I know you wanted to have it as soon as possible, and I haven't got access to a typewriter this evening.)

We note that you have not confirmed in your letter your verbal undertaking that, if there was still complaint at the end of a year about the positioning of your clothesline on the Common Land, you would make no further objection to its removal. This point was included in the Minutes of the meeting you attended, of which you were given a copy.

You will appreciate that your clothesline is a minor part of a greater problem: the control of structure & planting on Common land so that it is retained for the "use & enjoyment of all residents". It has been the practice in Urambi for this to be administered with exceptional leniency, so that individual members can take responsibility for & pride in the areas closest to them. Houses in some positions, of course, have less latitude for such "expansionism" without interfering with others' rights to use & enjoy the Common land, than is the case with others more fortunately situated.

We have been examining the whole painful question



of structures illegally placed on the Common Land, We currently believe that our best course of action may be to attempt at the next A.G.M. to have their existence given legal sanction, & perhaps to obtain a specific direction as to the type of structure, & the circumstances, in which such structures shall be approved in future.

With specific regard to your proposal: we do not have the power to give you permission to keep the clothesline in situ for a year. However, we will not take any action unless given more stringent instructions by the A.G.M.

Yours sincerely,

Phil Papan.

Secretary.