

Fairwater Community

BREAKFAST POINT

Building and Landscape Modifications Protocol for Considering Applications Applicable to all 38 dwellings plus Community Buildings in Fairwater Community

The Community Management Statement provides (By-law 3) that the Executive must determine any application made to it for Building and Landscape modification.

“No building modification, new construction or landscape modification may be started or put in place unless and until:

- (a) the plans and specifications for such work; and
- (b) any relevant application, before lodgement at (if necessary) Council, for approval by Council for such work

have been approved by the Executive Committee.”

An owner must make an application for approval of the Community Association wherever required under the Management Statement. When it is necessary for a person to submit an application for approval the following process is to be followed:

- (1) A request must be submitted in writing to the Community Manager and include plans, specifications and details, as required under By-law 3.3 including an outline of any impacts on owners and community facilities. Requests from Strata owners must be submitted initially to the Strata Owners Corporation before submission to the Community Manager for consideration by the Community.
- (2) The request will be considered at the first available Executive Meeting following the distribution of the application and meeting details by the Community Manager to all Lot Owners (by email, where possible, as well as on the Community notice board for at least 96 hours). At least 96 hours notice is to be given of the meeting.
- (3) All lot owners will be invited to attend and contribute to the discussion.
- (4) The applicant may be required to further outline the work to the Meeting and may be required to respond to questions.
- (5) All comments received (adverse or supportive) are to be scheduled and tabled to the meeting.
- (6) The Executive Committee will consider the application in terms of By-law 3. It may request the submission of additional information and any other relevant facts or material. It may seek the services of a consultant.
- (7) The Executive Committee's approval, approval with conditions or disapproval of an application under By-law 3 must be made solely by reference to the By-laws and the Architectural and Landscape Standards.
- (8) Should the applicant be an Executive Member then that member, except as outlined in (4) above must absent themselves from the meeting and must abstain from voting on their proposal.
- (9) All costs incurred by the applicant in seeking approval, the generation of specifications, reports and information as well as additional reports (6) requested by the Executive are to be borne by the applicant.
- (10) The applicant must ensure that:
 - There is no damage to services within the Community Scheme
 - Works are carried out in accordance with the Association's determination
 - Any damage caused to Community Property is repaired at the cost of the applicant
 - All necessary Council or other approvals are obtained before work commences. The committee may request sighting of these approvals

The Association will, in determining an application, request the payment of a Bond to be held on account of any damage caused during the performance of the works and require the removal of all rubbish and skip bins promptly and in accordance with Council regulations for placing skip bins on public land.

(22 July 2015)