



ACT Heritage Council

**AUSTRALIAN CAPITAL TERRITORY
HERITAGE REGISTER
Background Information**

WYBALENA GROVE PRECINCT

BLOCK 1 AND SECTION 37, COOK

At its meeting of 1 April 2026, the ACT Heritage Council decided that the Wybalena Grove Precinct was eligible for provisional registration.

The information contained in this report was considered by the ACT Heritage Council in assessing the nomination for the Wybalena Grove Precinct against the heritage significance criteria outlined in s10 of the *Heritage Act 2004*.

Description

Wybalena Grove is a housing complex comprised of 105 residential houses situated across 13 hectares of landscaped bushland in Cook. It is bounded by Lyttleton Crescent to the north, Bindubi Street to the east, and a nature reserve to the south. Houses are predominantly semi-detached in groups of 2 or 3, with some detached examples. They are grouped in 5 clusters. Within each cluster, houses are arranged in rows with irregular offsets, producing a 'staggered' terracing effect along a southwest-northeast alignment.

These rows of staggered terracing houses ascend a heavily vegetated hillside, providing a northwestern aspect and solar access from the rear of each residence (Figure 1). Clusters are accessed via a central, curved road that terminates in three cul-de-sacs. Vehicle access is limited throughout the complex, with several shared car parks and a limited number of residences with individual car ports. Movement throughout the complex is facilitated by pedestrian paths, encouraging encounters between community members and enhancing the sense of living among the natural environment. Communal areas include seating areas, a tennis court, playground, barbecues, community garden, and grassed village green.

Wybalena Grove houses are stylistically uniform and characteristic of the late 20th century modernist Sydney Regional Style, designed by Sydney architect Michael Dysart. The houses have steeply pitched tiled and gabled roofs, with triangular wingwalls, comprised of dark stained or painted timber beams and dark bricks. Dark stained timber awning sash windows

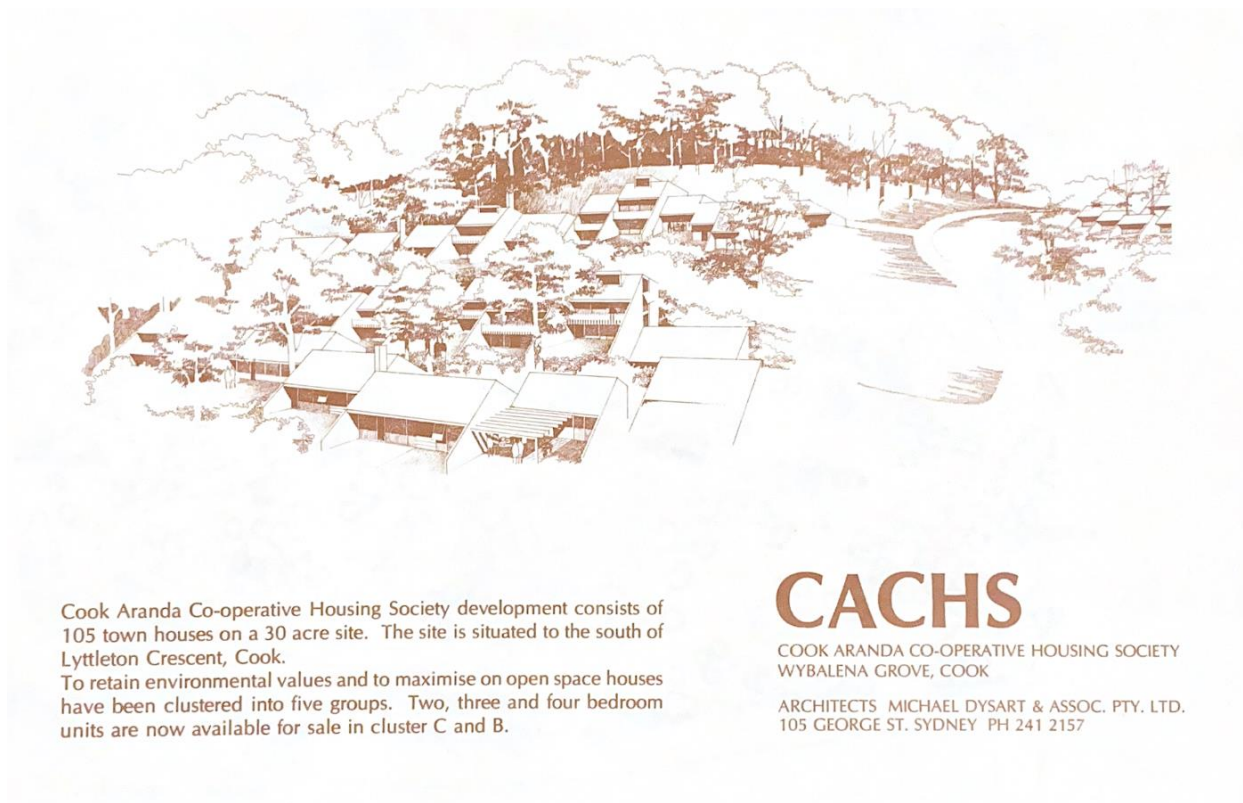
and clerestory windows are also present throughout the complex.

The original floorplan designs were highly customisable, including 2 to 5 bedrooms across single, split level, and tri-level variations. Houses can be accessed via the front door to the southeast, where there is a small courtyard and, in some residences, a carport. The main aspect is from the rear of the houses, where there is a larger private outdoor space and views to the northwest towards landscaped communal spaces, bushland or, in some instances, the surrounding hills. The houses were designed to sit within the sloping landscape and remnant native vegetation. Substantial planting carried out by the community since its establishment has resulted in Wybalena Grove's characteristic bushland setting, including nature corridors, open spaces, and transition zones.

The layout of Wybalena Grove has remained largely unchanged since its construction in the 1970s. Various additions and alterations to residences and communal spaces have been carried out over the decades. These have been guided by the Wybalena Grove Development framework, adopted by the Owners Corporation in 1984. In several cases, extensions have been carried out within the existing roof space, adding roof windows for solar access.

Other additions and alterations include the installation of timber decking, courtyard fencing, balconies, additional windows, and solar panels. Many houses have undergone internal renovations. While some houses retain more original features than others, overall, the exteriors present a visual cohesion of dark, natural materials and triangular form, maintaining the design connection across the site and blending in with the surrounding bushland.

Private dwellings and communal spaces in Wybalena Grove have been closely managed by Wybalena Grove residents since construction. Consequently the complex is in excellent physical condition.



Cook Aranda Co-operative Housing Society development consists of 105 town houses on a 30 acre site. The site is situated to the south of Lyttleton Crescent, Cook. To retain environmental values and to maximise on open space houses have been clustered into five groups. Two, three and four bedroom units are now available for sale in cluster C and B.

CACHS

COOK ARANDA CO-OPERATIVE HOUSING SOCIETY
WYBALENA GROVE, COOK

ARCHITECTS MICHAEL DYSART & ASSOC. PTY. LTD.
105 GEORGE ST. SYDNEY PH 241 2157

Figure 1: Wybalena Grove promotional material for stage 2 houses c. 1979, stylistically emphasising the placement of houses within the vegetated sloping topography (CACHS c. 1979)

History

Co-operative housing and co-housing

The co-operative housing movement emerged out of the broader co-operative movement in England in the 19th century as a response to industrial expansion. A variety of worker and consumer co-operative societies appeared in Australia as early as the 1820s, with the earliest known housing co-operative established by the Melbourne Anarchist Club in 1888 (Patmore et al. 2024; Sjørvoll et al. 2025).

Co-operative housing is a member-based housing model in which residents collectively manage or finance their housing through a democratic structure with shared responsibility for development, maintenance, and decision-making. Although co-operative housing played a role in the broader 19th century co-operative movement, modern forms of co-operative housing originated in northern Europe, particularly Denmark, the Netherlands, and Sweden, in the 1960s (Patmore et al 2024; Willams 2005). The co-operative housing movement similarly emerged in Australia during the post-war period, with its 'golden age' in the 1970s (Patmore et al. 2024: 146). At this time, housing shortages, economic instability, government policy, and an

appetite for social reform made collective models enticing (Patmore et al. 2024).

Following this peak of activity in the 1970s, housing co-operatives significantly declined, with the movement ultimately not materialising into a strong housing alternative in Australia for a number of financial, political, and social reasons (Patmore et al. 2024). Shifts in government priorities towards market-based housing solutions, the withdrawal of financial support from lenders and government, and an entrenched cultural emphasis on independent homeownership in the Australian national psyche all ultimately contributed to this downturn (Abbott and Doucouliagos 2001; Abbott and Thomson 1997; Grimstad et al. 2025).

Closely linked with the co-operative housing movement, co-housing is an approach to neighbourhood design that incorporates self-contained dwellings within shared community spaces. Originating in Denmark in the 1960s, co-housing design schemes aim to foster community networks and encourage social interactions while maintaining household independence and privacy. Key design elements include clustered houses, semi-private transition spaces, car-free or peripheral parking, and centrally located common spaces (Bamford and Lennon 2008; Williams 2005).

Post-war residential housing and co-operative housing models in the ACT

Following World War II, the Australian Government developed a renewed focus on expanding Canberra as the national capital (GML 2024: 28). In particular, permanent residential housing was urgently needed to accommodate a rapidly expanding population, which increased dramatically from 7000 in 1938 to around 155,000 by 1972 (GML 2024: 28, 30; NCA n.d.a). This included an influx of public servants relocating from Melbourne as well as a growing intellectual and scientific community associated with cultural institutions such as the Australian National University and CSIRO (GML 2024: 55).

In 1958 the National Capital Development Commission (NCDC) was formed to oversee the design and construction of Canberra. This included residential development which remained predominantly government-driven in Canberra until the 1970s (GML 2024: 28, 35; NCA n.d.b). The NCDC was particularly interested in encouraging private enterprise, medium density developments, and low-cost housing options to support the growing Canberra population (GML 2024: 40-43).

Meanwhile, interest in co-operative housing models, which had been successfully adopted overseas, grew in Australia in the post-war period. Co-operatives had formed in both New South Wales and Victoria, and calls for legislative change to accommodate similar models in Canberra arose in the 1950s (Canberra Times 1951: 1; 1955: 1; Mendelsohn 1951: 4; Tribune 1974: 12).

In particular, co-operative housing models were viewed as a possible solution for low-cost housing, as well as an opportunity to encourage private enterprise. For some, co-operative housing models also presented the opportunity to develop a sense of community, a remedy to

the perceived isolation of suburbia and 'quarter acre syndrome' (Pegrum 1977: 11).

The early 1970s marked a period of political change, including a return to government for the Labor Party under Gough Whitlam after 23 years in opposition. For many proponents of alternative housing models this brought an expectation of social change, including new ideas for urban planning and housing policy.

The NCDC and Department of the Capital Territory (DCT) were initially resistant to the idea of co-operative housing, with concerns about its financial viability and required legislative change. Nevertheless, instrumental advocacy by Gordon Bryant, Minister for the Capital Territory and Tom Uren, Minister for Regional Development, Local Government and Territories secured the support of planning authorities for co-operative housing models (Urambi Village 1986).

This support resulted in critical amendments to the Unit Titles Ordinance in 1974 that made co-operative housing possible in the ACT, with the NCDC facilitating land allocations for interested projects (Canberra Times 1974a, 1974b; Wright 1974). By this time, fourteen co-operative housing interest groups had formed in Canberra (Canberra Times 1974b).

Cook Aranda Co-operative Housing Society (CACHS)

With increased momentum for co-operative housing by the early 1970s, the Department of the Capital Territory (DCT) approached several community groups to form an association and apply for 30 acres of land between Aranda and Cook that had been set aside by the NCDC for a co-operative housing project (Stephens 1977-78: 5). On 20 August 1974, a meeting was held to form the Cook Aranda Co-operative Housing Society (CACHS) (originally named the Cook Aranda Co-operative Housing Association). The society officially registered in March 1975 (CACHS 1974; Canberra Times 1976b: 18).

Early CACHS membership was comprised of several different community groups including Mala, Marantha, and Unity Housing, as well as unaffiliated individuals interested in the project (Stephens 1977-78: 5). These groups had a range of different expectations for co-operative housing at Wybalena Grove, as summarised by architect Michael Dysart for the *Weekend Australian* in 1977:

There were the elderly, whose sense of traditional community was high. There were the socially innovative, quickly labelled as the trendies, whose ideas centred on introverted, tightly knit developments, where people lived in each other's pockets. There was a strong group of professional pragmatic people, concerned with getting on with the job, and there was an evangelical group who wanted a little church on the hill (Dysart in Pegrum 1977: 11).

Motivations for joining a co-operative housing project were diverse within the CACHS membership, including a variety of perceived social, environmental, financial, or religious benefits. Harmony with the natural environment was a common goal, as well as an opportunity

to build social connection and a sense of community. For several parties co-operative housing models were a social experiment to address the rising cost of housing and a shortage of low-income housing.

Reaching agreement became a difficult task for the early collective, and many original parties departed the project before construction began. A few months after the formation of CACHS, only 5 members from Mala, one member from Unity Housing, and no members from Marantha remained (Stephens 1977-78: 5). Dysart continues:

It was shattering...I used to walk away from some of those meetings feeling as if I had been to an intense encounter group. It was just as shattering for the members. The people who came through at the end were those who had no strong affiliation with any self-interest group. They were the ones whose interest was in making it work for a wide range of people and lifestyles (Dysart in Pegrum 1977: 11).

Despite the challenges, Dysart was very supportive of community driven design, stating that the 'really important thing...is that it is people, not government agencies, who are doing it, and that our society allows this to happen' (Pegrum 1977: 11).

Remaining CACHS members continued navigating the administration of the proposed co-operative through meetings of a volunteer interim committee. In mid-1975, the society successfully purchased the lease for the Cook Aranda site at a cost of \$154,000 (Byrne 1980: 4; Raw Land Release Cluster Housing – Cook Sections 37-39 c.1975). With undulating terrain and a northern aspect, the site was considered visually attractive and well positioned to access local amenities for the new co-operative (Byrne 1980: 4).

Design of Wybalena Grove

In 1974 CACHS engaged Sydney architect Michael Dysart to design Wybalena Grove. Dysart had recently designed Urambi Village, another co-operative housing venture located in Kambah. Dysart's design for Wybalena Grove was informed by international and local modernist architecture movements, with the result characteristic of the Sydney Regional Style (Miles 2007b).

The Sydney Regional Style is a distinctly Australian response to the modernist movement, incorporating elements of Brutalism, Arts and Crafts, traditional Japanese architecture, and the organic style of Frank Lloyd Wright. Sydney Regional Style integrates modernist design elements into the natural topography of the site, typically the sloping, rocky, topography of Sydney Harbour, which was adapted to the sloping bushland blocks of Canberra. The style is characterised by split level designs, roof planes parallel to the slope of the land, the use of dark toned and textured natural materials such as timber, brick, and tiles, sometimes offset against white painted brick, and informal landscaping with Australian flora and fauna (Apperly et al 1989: 240-243; GML 2024: 107).

There are a number of residences in the ACT constructed in the Sydney Regional Style. The style became particularly prolific when it was adopted by home builders Pettit+ Sevitt, with approximately 500 Pettit + Sevitt homes constructed in Canberra between 1966-1978, of which an estimated 100 remain (Miles 2007a). Other practitioners of the Sydney Regional Style in the ACT include Ancher, Mortlock and Woolley; Ian McKay and Partners; Allen, Jack and Cottier; Robin Boyd; Collard, Clarke and Jackson; and Anthony and Roger Pegrum (GML 2024: 101). Notable examples of the Sydney Regional Style that are currently listed or nominated to the ACT Heritage Register include:

- Royal Australian Institute of Architects Headquarters, 2a Mugga Way, Red Hill by Ancher, Mortlock and Woolley (1967)
- Swinger Hill Housing Cluster, Phillip by Ian McKay and Partners (1969)
- 145 Mugga Way, Red Hill by Allen, Jack and Cottier (1965)
- 12 Marawa Place, Aranda by Robin Boyd (1969)
- 38 Mirning Crescent, Aranda by Roger Pegrum (1971-72) (nominated)
- Urambi Village, Kambah by Michael Dysart (1974) (nominated)

At Wybalena Grove, Michael Dysart's key design objectives were to foster a sense of community living while maintaining privacy for individual houses, and to harmoniously integrate the complex with the natural environment. Houses would be built in five clusters across the site with identical materials, both to give a sense of unity and also to allow for the financial benefits of bulk material purchases. Multiple unit designs were made available, including tri-level, split level and single level variations, with a number of customisations available for each residence.

The final design was the result of collaboration between Michael Dysart and co-operative members. The precinct layout also incorporated co-housing design features such as clustered houses, staggered building offsets, shared communal spaces, transitional zones, and a network of pedestrian pathways.

In order to maintain cohesion with the natural environment, houses were positioned among patches of remnant trees, with the colour of the brick also selected to achieve this effect. Particular attention was given to maintaining a bushland landscape and limiting the presence of cars through the absence of direct vehicle access to most houses. Dysart balanced privacy and openness in the complex through wingwalls and offsets between houses. To encourage integration with the natural environment, most houses have a courtyard which faces either bushland or a landscaped area, in addition to communally owned and managed open green spaces (RAIA 1982: 39; Stephens 1977-78: 8; Wybalena Grove Information Booklet c.1980).

Construction 1976-c1980

Despite initial support for the project from the NCDC, securing financing was an obstacle for CACHS. Lending institutions did not allow the group to obtain group financing, and prospective residents were required to demonstrate credit independently of the society. Houses would be

financed by prospective residents, and CACHS would oversee the construction of the houses before handing over the title to the owner at completion (Stephens 1977-78:10). Additionally, the co-operative was considered a developer by the NCDC and Department of Taxation, which meant that it was required to pay for servicing of Wybalena Grove and an additional sales tax applied to each unit (Stephens 1977-78:9).

Construction of a total 105 houses would take place in 2 stages, firstly with clusters A, E and D, and later with clusters B and C. Construction of the first houses at Wybalena Grove began on 20 January 1976, with the Secretary of the DCT, Lou Engledow, turning the first sod. The project was estimated at a cost of \$3.5 million and stage 1 was completed by the end of 1977 (Canberra Times 1976a: 7; Stephens 1977-78: 10).

Progress on stage 1 construction did not proceed as quickly or cost-effectively as originally anticipated by the society. By stage 2 the society was facing challenges selling the remaining houses, further compounding financial difficulties and slowing construction (Wybalena Grove Directors Report 1979). Original CACHS members stated that a lack of building and planning expertise among members, the experimental nature of the project, and building costs contributed to the delays and over-expenditure. The change of government in 1975 also presented challenges for the co-operative, particularly with the absence of Gordon Bryant, who had been personally supportive of the project. The new government was considered obstructive throughout 1976 (Stephens 1977-78: 9; Byrne 1980: 7).

In the late 1970s the society faced serious financial difficulties with a debt exceeding \$200,000, compounded by a broader economic downturn and challenges selling the remaining stage 2 houses. As a result of these unexpected costs, the society's ambitions for the project to act as a low-cost housing model were not realised (Canberra Times 1975: 2). Nevertheless, by 1980 90% of the houses at Wybalena Grove had been completed, with 10 remaining stage 2 houses to be constructed and sold by the Bank of New South Wales to recover losses (Byrne 1980: 7, 10-11).

While the delays and financial challenges encountered during construction were a source of frustration for the co-operative, founding members have commented that these obstacles did serve to bolster a sense of community achievement at completion. As described by Faye Stephens (1977-78: 9):

...members came to know their future neighbours very well not only because of all the social occasions but also because at the meetings there was gradually engendered a strong 'us against them' feeling. The 'them' being the bureaucracy (the Department of the Capital Territory, N.C.D.C. and the Department of Taxation) and towards the end, the builders.



Figure 2: Stage 2 houses at Wybalena Grove in 1978, with gabled roofs, triangular wingwalls, staggered offsets and pedestrian pathways visible (courtesy Jan van Pelt)

Life in Wybalena Grove

While Wybalena Grove had fallen short of its ambitions as a low-cost housing experiment, early residents found great success in the co-operative for community living in a natural setting. The character of the site is captured by architect Roger Pegrum in 1977, writing: 'Cook-Aranda climbs dramatically up the wooded base of a hill, presenting a romantic outline reminiscent of a citadel town' (1977: 11).

Residents were particularly impressed with the ways in which Michael Dysart's design fostered a sense of community in each cluster. One resident noted that the formation of neighbourly friendships, that would normally take years in a traditional suburban housing arrangement, was accelerated at Wybalena Grove (Stephens 1977-78: 11).

The success of Dysart's design in balancing community and privacy was described by Faye Stephens (1977-78: 11):

[In Cluster D] people have to walk past other houses to pick up their mail, to walk to their car and to take their garbage to the pickup point. If a person was disinclined to have to interact with other people while doing everyday tasks they could choose to live in the back row of Clusters A and B where provision was made for individual garages and mail boxes and the road is wide enough for a garbage truck to do a door to door service.

Those people who wanted to have cars completely out of their sight were equally well catered for in different parts of the site.

Privacy was maintained through double cavity brick walls which eliminated noise between houses, as well as a staggered wing wall design which visually and psychologically differentiated communal and private space. Residents were also able to use plantings to increase a sense of privacy (Stephens 1977-78: 14).

Many residents formed friendships with others in their cluster, and social events including picnics, bush dances, childcare, movie nights, holiday celebrations, and working bees were some of the ways in which residents could interact with the wider Wybalena Grove community. Shared facilities included tennis courts, a playground, an oval, barbeque facilities, and a vegetable garden (Wybalena Grove Development Framework 1984: 2; Wybalena Grove Information Booklet c.1980: 2).

All ages were represented at Wybalena Grove. The open space and sense of community were viewed by some young couples as ideal for raising children. There were also benefits for elderly residents, who shared their knowledge and experience with other members and reportedly enjoyed greater community involvement than other aging populations in Canberra (Byrne 1980: 11-12; Stephens 1977-8: 12).

To promote the bushland character of the complex, extensive landscaping and planting was undertaken by residents, with more than ten thousand native trees and shrubs planted in the 1970s (Stephens 1977-78: 12). Landscaping and working bees continued to be an ongoing co-operative activity at Wybalena Grove throughout the 1980s-1990s.

Wybalena Grove continues to function as a popular residential housing community, with shared governance through an Owners Corporation and Executive Committee. This community-driven governance structure has shaped decision making and produced guiding documents for management of the precinct. Examples of guiding documents currently in use include the Wybalena Grove Development Framework 1984 (Annex A) and the Wybalena Grove Information Booklet July 2025 (Annex B).

Wybalena Grove has been recognised and celebrated for its modernist design, receiving the Sir Roy Grounds Award for Enduring Architecture in 2019 from the Australian Institute of Architects. Wybalena Grove has also featured in print, digital, and televised media for its modernist features, bushland setting, and community living (ABC Television 2023; Battisson and Jarvis 2008; Karras and Timms 2005).

Integrity

The site layout of Wybalena Grove, comprised of 5 clusters of terraced houses, is largely unchanged from the original design by Michael Dysart. This includes the placement of roads

and communal facilities (Figure 7).

Repair works and alterations at Wybalena Grove have been guided by the Wybalena Grove Development Framework, adopted by the Owners Corporation in 1984. The Development Framework states that works will only be approved if they are 'compatible with architectural aesthetics manifest in the original design architecture' (1984). It further specifies the materials to be used for repairs and provides detailed guidance on plantings and landscaping zones throughout the site.

As a result, a history of various additions and alterations to Wybalena Grove residences have been carried out with the goal of keeping with the original design intention. This includes the use of natural materials with dark timbers, tiles, and brickwork, as well as a continuation of lines and angles formed by the gabled roofs and triangular wing walls.

In several cases, extensions have been carried out within the existing roof space, adding clerestory windows for solar access. Other additions and alterations include the installation of timber decking, courtyard fencing, sky lights, additional windows, and solar panels. Many have undergone internal renovations. Whilst some houses retain more original features than others, overall, the exteriors present a visual cohesion of dark, natural materials and triangular form, maintaining the design connection across the site.

There are many mature trees and plantings across Wybalena Grove that are the result of early resident planting activities, as well as remnant vegetation which informed the placement of houses in Michael Dysart's design (Figure 8 and Figure 9). The bushland character of the site has been protected and enhanced by the zoning guidelines in the Wybalena Grove Development Framework.

Physical condition

Residences within Wybalena Grove are generally in very good physical condition. The complex has been maintained by the Wybalena Grove Owners Corporation, guided by the Wybalena Grove Development Framework 1984. This also includes landscaping and maintenance of shared facilities.

Study area



Figure 3: Registration boundary of the Wybalena Grove Precinct

Images

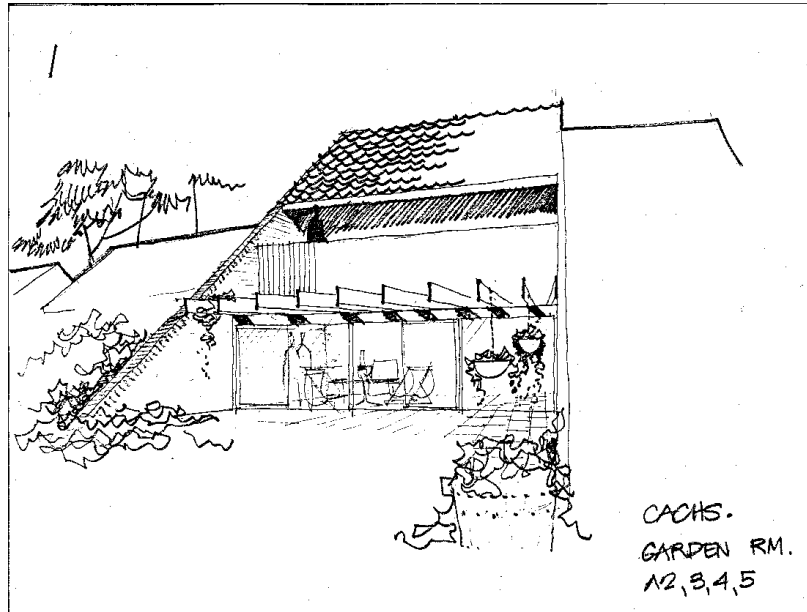


Figure 4: Concept sketch by Michael Dysart showing the rear of a tri-level Wybalena Grove residence (courtesy Peter Campbell)

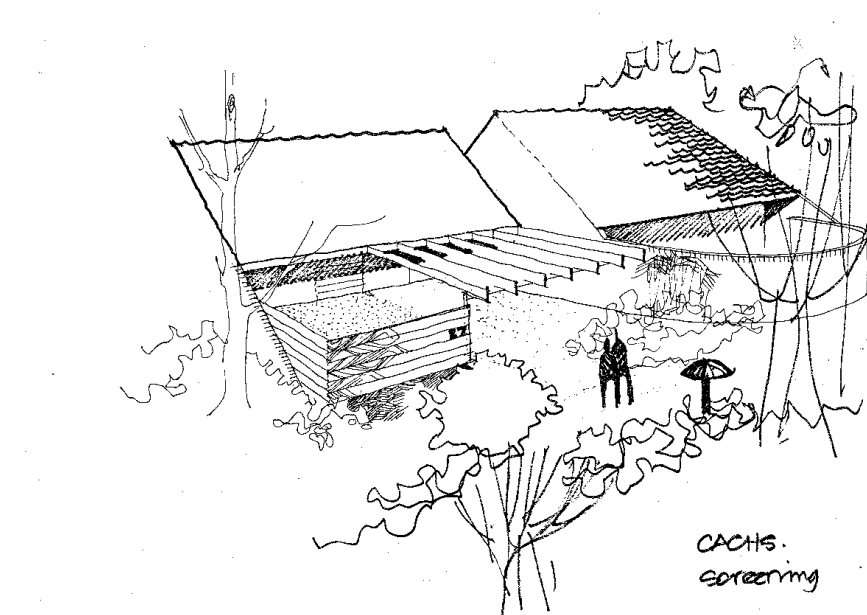


Figure 5: Concept sketch showing a courtyard arrangement for a Wybalena Grove residence by Michael Dysart (courtesy Peter Campbell)

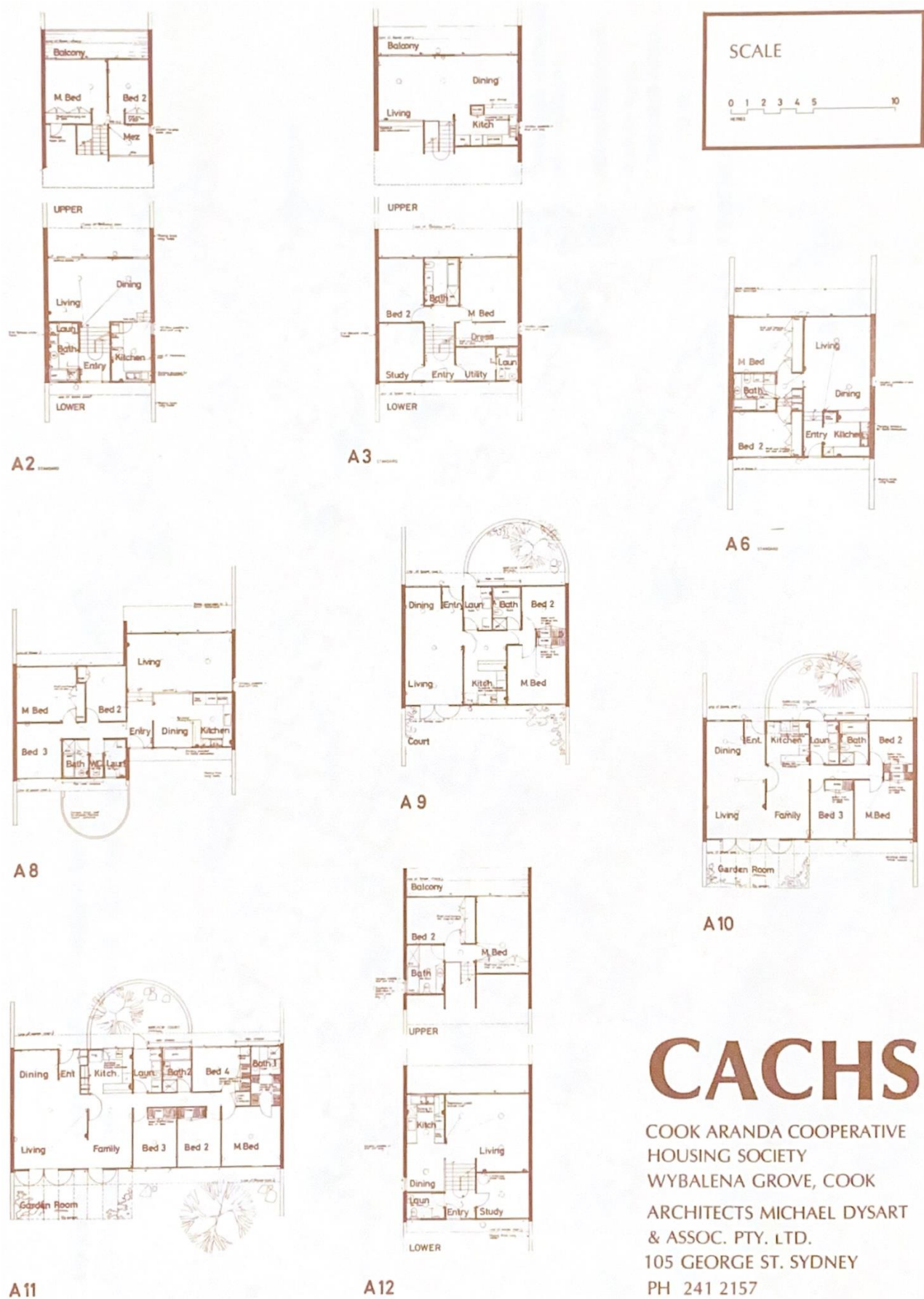


Figure 6: Floor plans for 2, 3, and 4 bedroom houses available for purchase in Stage 2 (CACHS c. 1979)



COOK ARANDA CO-OPERATIVE HOUSING SOCIETY
 WYBALENA GROVE COOK: master plan

Figure 7: Masterplan layout of Wybalena Grove, showing alignment of terraces, clusters, common areas, and communal facilities (CAHCS c. 1979)



Figure 8: Wybalena Grove during stage 1 construction, 1976. Areas with remnant native vegetation are visible between housing clusters (Australian Survey Office 1976)



Figure 9: Wybalena Grove with the majority of stage 2 completed in 1979. The original site layout of cluster housing in terraced rows is visible, as well as open spaces contrasting with the heavily vegetated site today (Australian Survey Office 1979)

References

- ABC Television (2023) *Designing A Legacy* (Season 2, episode 2) [Television program], ABC Television, Sydney.
- Abbott M and Doucouliagos C (2001) 'The rise and decline of the New South Wales cooperative housing societies', *Urban Policy and Research*, 19(2):227–242, doi:10.1080/08111140108727873.
- Abbott MJ and Thomson D (1997) 'A History of the Co-Operative Housing Societies in Victoria, 1944 – 1996', *Urban Policy and Research*, 15(1):19–30, doi:10.1080/08111149708551636.
- Apperly R, Irving R, Reynolds PL and Mitchell S (1989) *A pictorial guide to identifying Australian architecture: styles and terms from 1788 to the present*, Angus and Robertson, Sydney.
- Bamford G and Lennon L (2008) 'Cohousing and rethinking the neighbourhood: The Australian context', *Environment Design Guide*, DES 18: 1–10.
- Battison S and Jarvis A (8 October 2024) '[Revisited: Wybalena Grove by Michael Dysart and Partners](#)', *Houses*, accessed 15 August 2025.
- GML (2024) *Modernist Houses in the Australian Capital Territory: Thematic Heritage Study*, report to the National Trust by GML Heritage Pty Ltd.
- Grimstad S, Crabtree-Hayes L, Power ER, Ayres L and Perry N (2025) 'Critical junctures: using a path dependence approach to analyse the scarcity of housing co-operatives in Australia', *Housing Studies*, 40(10):2280–2302, doi:10.1080/02673037.2024.2428744.
- Karras C and Timms L (8 July 2025) '[How A Design Enthusiast 'Manifested' Her Dream 1970s Canberra Townhouse](#)', *The Design Files*, accessed 18 August 2025.
- Miles M (2007a) '[Pettit & Sevitt housing \(1966-1978\)](#)', Canberra House website, accessed 11 August 2025.
- Miles M (2007b) '[Wybalena Grove, Cook \(1974\)](#)', Canberra House website, accessed 11 August 2025.
- NCA (National Capital Authority) (n.d.a) '[1938-1957 National Capital Planning and Development Committee](#)', NCA website, accessed 19 August 2025.
- NCA (National Capital Authority) (n.d.b) '[1958-1989 National Capital Development Commission](#)', NCA website, accessed 19 August 2025.

Patmore G, Balnave N and Marjanovic O (2024) *A History of Australian Co-operatives 1827-2023*, 1st edn, Routledge, London.

RAIA (Royal Australian Institute of Architects) (1982) *Canberra: An Architectural Guide to Australia's Capital*, Royal Australian Institute of Architects ACT Chapter, Canberra.

Sørvoll J, Carriou C and Lang R (2025) 'Housing cooperatives, housing systems and the state. Historical lessons from Europe, Australia and Latin-America', *Housing Studies*, 40(10):2107–2120, doi:10.1080/02673037.2025.2560434.

Williams J (2005) 'Designing Neighbourhoods for Social Interaction: The Case of Cohousing', *Journal of Urban Design*, 10(2):195–227, doi:10.1080/13574800500086998.

Primary documents

Australian Survey Office (3 December 1976) SO25-2536, Photo Series A.C.T. 1:2500 O.P.M. 1976, Run 1, Frame 2536, [Geoscience Australia Historical Aerial Photography](#), Commonwealth of Australia.

Australian Survey Office (19 March 1979) SO183-346, Photo Series A.C.T. Street Lighting – Belconnen, Run 3, Frame 346, [Geoscience Australia Historical Aerial Photography](#), Commonwealth of Australia.

CACHS (Cook Aranda Co-operative Housing Society) (20 August 1974) *Meeting to set up a Cook Aranda Co-operative Housing Association Minutes*, Wybalena Grove Papers 1974-2003, ACT Heritage Library HMSS 0277.

— (c. 1979) *Promotional material for the Cook Aranda Co-operative Housing Society*, Wybalena Grove Papers 1974-2003, ACT Heritage Library HMSS 0277.

Byrne P (1980) 'Cook-Aranda Co-operative Housing Society' in *Planning for Residential Areas in Canberra* by N Flannigan (ed), University of Melbourne, ACT Heritage Library H 711.4 PLAN.

Raw Land Release Cluster Housing – Cook Sections 37-39 (c.1975) Wybalena Grove Papers 1974-2003, ACT Heritage Library HMSS 0277.

Stephens F (1977-78) *The Cook Aranda Housing Co-operative*, Wybalena Grove Papers 1974-2003, ACT Heritage Library HMSS 0277.

Wybalena Grove Directors Report (1979), Wybalena Grove Papers 1974-2003, ACT Heritage Library HMSS 0277.

Wybalena Grove Development Framework (1984), Wybalena Grove Papers 1974-2003, ACT Heritage Library HMSS 0277.

Wybalena Grove Information Booklet (c. 1980), Wybalena Grove Papers 1974-2003, ACT Heritage Library HMSS 0277.

Urambi Village (1986) 'Tenth Anniversary Issue of Urambi News', Urambi Village website [Archives](#), accessed 16 December 2025.

Newspapers

Canberra Times (7 November 1951) '[Co-operative housing plan for ACT](#)', *Canberra Times*, accessed 18 August 2025.

— (23 September 1955) '[Co-operative building likely in Canberra](#)', *Canberra Times*, accessed 18 August 2025.

— (25 March 1974a) '[Departmental backing](#)', *Canberra Times*, accessed 18 August 2025.

— (25 March 1974b) '[Teamwork in housing](#)', *Canberra Times*, accessed 18 August 2025.

— (29 July 1975) '[Co-operative Housing Policy](#)', *Canberra Times*, accessed 22 August 2025.

— (20 January 1976a) '[Home co-op under way](#)', *Canberra Times*, accessed 22 August 2025.

— (2 October 1976b) '[Cook Aranda Housing](#)', *Canberra Times*, accessed 5 September 2025.

Mendelsohn R (14 November 1951) '[Co-operative Housing \[public opinion\]](#)', *Canberra Times*, accessed 18 August 2025.

Pegrum R (5 November 1977) 'Face to face with the fenceless society', *Weekend Australian*.

Tribune (2 April 1974) '[Housing co-ops in Canberra](#)', *Tribune*, accessed 18 August 2025.

Wright B (29 March 1974) '[Warnings of problems for co-operatives](#)', *Canberra Times*, accessed 18 August 2025.

Annex A: Wybalena Grove Development Framework 1984

WYBALENA GROVE DEVELOPMENT FRAMEWORK

WYBALENA GROVE,
22 NOVEMBER, 1984

CHAPTER ONE

BACKGROUND ZONING AND PLANTING

1.0 GENERAL

- 1.1 Wybalena Grove is set in 30 acres of natural bushland south west of the junction of Bindubi and Lyttleton Crescent in Cook and adjoining a public park along the western boundary. It consists of a total of 105 units grouped in five clusters. The units range from 6½ square one bedroom to 19½ square five bedroom split-level houses. Most units are adjoined in sets of two and "stepped back" to ensure courtyard privacy and unobstructed views. Preservation of the natural environment was considered of paramount importance when the site was developed. Roads were thus kept to a minimum and most units do not have direct vehicle access.
- 1.2 This concept of housing is new in Canberra in both construction and residential environment. The cluster grouping of houses permits residents to have both private courtyards as well as extensive communally-owned and managed open areas. Joint facilities currently include tennis courts and adjoining children's playground, a playing oval and nearby barbeque facility, and a large vegetable garden: Proposed facilities include a community centre and swimming pool, a croquet lawn, an adventure playground, additional barbeque facilities and informal paths and seating areas.
- 1.3 While much of the natural vegetation on site was destroyed during the construction period, some areas remained intact revealing the natural character of the original site. These areas include: the dry sclerophyll forest north of Cluster C, the dense woodland in the north-west corner, the open woodland along the western boundary and native grass area in the south-east corner. The general aim of the Corporation's landscaping policy has been to further develop and reinforce this existing landscape character throughout the site and to retain the essence of this character in a relatively "urban setting".
- 1.4 **Landscape Philosophy**
As it was intended that the site would initially be landscaped and maintained using voluntary labour from amongst the residents, a basic requirement of the landscaping plan was that the landscape

design be low cost and maintenance be kept to a minimum. That approach should continue and varieties of plants which require regular spraying, trimming or watering should therefore be avoided wherever practicable and dryland grassing carried out in most areas. Structures, such as seats, walkways, pergolas, should also be designed so that construction involves little technical skill.

1.5 Zoning

To assist in landscaping and maintenance, the 30 acre site has been broken up into a number of zones on the basis of existing ecological character and functional requirements. These zones, which are illustrated in Attachment A, shall be as follows:

Residential zones: A, B, C, D, and E.

Boundary zones:	Lyttleton Crescent	(Zone F)
	Bindubi Street	(Zone G)
	Southern Boundary	(Zone H)
	Western Boundary	(Zone I)

Recreation zones:

	Manning Green	(Zone J)
	Community Facilities Area	(Zone K)

Special Character zones:

	The Forest Area	(Zone L)
	Dense Woodland	(Zone M)
	Open Woodland	(Zone N)
	Native Grassland	(Zone O)

Entrance Zone P

1.6 Planting Policy

In addition to this zoning plan and the National Capital Development Commission's site controls, the Corporation adopts the followings planting policy:

- that all planting on common land outside cluster areas must be vegetation native to Australia;
- within cluster areas trees capable of growing into the dominant tree canopy layer must be natives of Australia to ensure colour and texture continuity with the existing canopy, but sub-canopy species may include exotics, e.g. silver birch, provided that such trees are not capable of growing higher than 8 metres. (A list will be issued in the information/policy manual).
- to provide visual variety, residents are encouraged to plant exotic trees, shrubs and ground covers as part of their boundary treatment.

CHAPTER TWO

RESIDENTIAL ZONES (CLUSTERS.A,B,C,D & E)

2.0 GENERAL CRITERIA

2.01 The landscape design for the residential zones should take account of:

- Functional aspects including:
 - o pedestrian circulation to the private units from car parks, letter boxes, rubbish bin enclosures and surrounding roads;
 - o provision of service and emergency vehicle access to both the north and south side of all units;
 - o appropriate signs to allow visitors and emergency services to readily identify and move to the required units in all weather conditions and at all times;
 - o provision of adequate lighting in car parks and along pathways.

- Environmental aspects, including:
 - o provision of some summer shade for car parks, pathways and selected communal areas while ensuring winter sun access to northern courtyards and some communal areas;
 - o provision of shelter against winds from the west, north-west and south;
 - o provision of drainage for surface and ground water;
 - o minimising acoustic and other kinds of pollution;

- Aesthetic aspects, including:
 - o visual screening to private northerly courtyards;
 - o visual screening to entrance courtyards;
 - o visual screening of communal areas from surrounding roadways and outside areas;
 - o retention of interesting view lines and important sight lines;
 - o creation of visually interesting communal space.

2.02 Pathway Design

Pathways should provide access to units from roadways, car parks, letterbox areas and garbage bin; enclosures. The pathway layout should be based on major pedestrian desire lines within the cluster areas and alignment curved to break sight lines and create a visually interesting environment.

2.03 Ideally, the pedestrian pathways should be:

- i) no closer than 10 metres to the northern boundaries and 2 metres to the southern boundaries of the units concerned;

- ii) as far away as is practicable from windows on the eastern and/or western boundaries of the units concerned;
- iii) as a minimum constructed of exposed aggregate concrete 1000 mm wide 50 mm deep, except where they cross service easements (in which case they shall be reinforced with mesh and be constructed 100 mm deep). Aggregate used shall be river gravel not greater than 10mm,in diameter;
- iv) properly lit at night to present safe and unobtrusively visible means of access to units.

2.04 Service Easement Design

All services within Wybalena Grove (including Telecom, water, sewerage, stormwater and electricity), have been placed underground in a 6m wide service corridor:

- i) Access points and inspection covers for these services must at all times be readily visible, be kept .clean of debris, and be accessible.
- ii) The service easements for the greater part should be maintained under a dryland grass sward.
- iii) To create a visually more interesting environment, native shrubs and small trees may be planted on these easements provided that proper account is taken of the impact such planting will have on the services and clear access is maintained (e.g., foliage shall remain clear of fire hydrants, telecom covers, survey markers and water meters by at least 1 metre).

2.05 Lighting

Unobtrusive lighting to the standard originally envisaged should be provided to facilitate safe pedestrian access to and from units to carparks, letter boxes, rubbish bin enclosures and roadways; to identify emergency vehicle access paths; and to properly light up directional and instructional signs.

2.06 Unit Identification Signs

Standard design sign posts should be provided and maintained to allow emergency service vehicles, visitors and pedestrian traffic to readily locate the unit(s) sought in all weather conditions and at all times. Signs should also be located next to the entrance path leading to the units, adjacent to the main pedestrian path, and be similarly visible at all times.

2.07 Drainage

Suitable drainage should be provided to common lands to prevent unintended surface or subsurface accumulation of water, or surface/subsurface runoffs on to individual lease area(s).

2.08 Garden Refuse Collection Points

The Corporation shall provide one and may provide more than one garden refuse collection points for each residential zones, provided that such points are situated in a manner that does not conflict with the functional, ecological, visual character of the area concerned, do not block access paths or important sight lines or pollute the environment.

COMMUNAL AREA DESIGN

2.1.1 The communal corridors which run between the rows of houses contain pathways, service easements and free space and should be designed according to the following criteria:

- i) The corridor should contain a variable width, preferably dryland, grass sward, being no less than 3m wide in any location, to access for service and emergency vehicles. The 3m access corridor should vary in direction to avoid a visual "gun barrel".
- ii) Planting within the grass sward should be limited to clean stemmed trees and should take account of winter sun angles for units to the south of the communal area.
- iii) Bollards or chains should be placed at the entrance to most corridors to avoid damage to communal areas from excessive vehicle access. Guidelines for vehicle access to common lands are attached at Appendix B.
- iv) Automatic watering facilities should be installed to water the areas within the residential zones for aesthetic and fire prevention purposes as identified on the site map attached to Appendix A.
- v) Sleeper seating should be constructed to encourage chance meetings between residents.

2.2 UNIT BOUNDARY TREATMENT

2.2.1 The Management Corporation encourages owners to screen their courtyards with mounding and/or vegetation rather than with permanent solid fencing (as the complete fencing of units would create a series of individual boxes separating common owned and maintained property "outside" from individually owned and maintained property "inside").

2.2.2 Consistent with this approach the following applies:

- i) Owners be permitted to absorb common land as part of their unit boundary treatment and to integrate their courtyard gardens with

common property landscaping (provided that access to common land is not physically blocked).

ii) Proposals for mounding and planting on common land must receive Management Corporation approval prior to the commencement of landscaping. Administrative procedures and guidelines for the approval of such projects are at Appendix C.

iii) Screen walls and fences must be constructed entirely within the unit entitlement and require Management approval before installation. Procedures for alteration and addition to structures are set out in Appendix 1J, while guidelines within which the Corporation will normally give automatic approval for fences are set out in Appendix E. Requests for approval outside the guidelines may be submitted and will be considered on their individual merit.

2.3 Structural Alteration(s)

- 2.3.1 The Management Corporation shall develop detailed guidelines on structural alterations and additions after having considered at least six different applications for such alterations/additions. Meanwhile, the Corporation shall operate within the constraints set out in Appendix D of this document.

CHAPTER THREE

BOUNDARY ZONES

3.0 BOUNDARY ZONE F - LYTTLETON CRESCENT

3.0.1 Zone F flanks Lyttleton Crescent. It is bounded by a public foot-path on the north, Wybalena Grove road on the west and the access road to Clusters A and B on the south.

3.0.2 This area usually provides the first impression visitors have of the Grove as well as a visual and physical barrier between the Grove and Lyttleton Crescent and should be finished accordingly. A path in the north eastern corner of the site provides access to bus stops, Aranda Primary, and St. Vincent's and Canberra High Schools.

3.0.3 The northern boundary has been mounded with variable width and height mounds to assist with 'plant growth and provide some spatial enclosure. Variable width dryland and native grass areas cover much of the remainder of the zone, The mounds on the northern boundary have been mass planted and additional planting should be carried out to reinforce the screening effect.

3.0.4 The remainder of the zone should be maintained essentially as grassland areas but small clumps of trees could be planted in some spots.

3.1.0 BOUNDARY ZONE G - BINDUBI STREET

3.1.1 This covers the area between the Grove's eastern boundary and the roadway and is essentially on public land. The flat area immediately adjoining the site provides pedestrian and emergency vehicle access to the eastern side of the development, while the mounding and planting along the cutting provide visual, noise and safety protection from the busy Bindubi roadway:

3.1.2 The design criteria include:

i) The mound flanking Bindubi Street should be mass planted to decrease the openness of this boundary;

ii) A 3-5m variable width area on the flatter portion of the zone should be kept clear at all times for emergency and service vehicles access;

iii) A variable width 1000-1500mm Paddy's River gravel path should be constructed, but only after consultation with nearby residents, linking the southerly most path in Cluster C to the path in Cluster B with connections to other pathways, roadways and community facility areas.

3.2.0 BOUNDARY ZONE H - SOUTHERN PERIMETER

3.2.1 This boundary zone occurs on the southern boundary of the site and is comprised essentially of open grassland. Much of the zone is outside the site boundary but has been included inside the fenced area.

3.2.2 The design criteria include:

protection fence being maintained in good

i) this zone should be left basically unchanged. The open character is essential to views over Mt. Stromlo and the Woden area;

ii) the "temporary" protection fence should be maintained in good order;

iii) A gap in the fence be located at a point directly opposite the southern most tip of car park P5 to provide pedestrian access to the paddock south of this zone and to the Belconnen/Civic bicycle path and another gap at the western edge of this boundary provided that both gaps are suitably camouflaged by screen planting.

iv) The Corporation should attempt to secure an upgraded path connecting the gap in point iii) above with the existing Belconnen/Civic bicycle path to a standard that will carry bicycle traffic.

3.3.0 BOUNDARY ZONE I - WESTERN PERIMETER

3.3.1 This zone is entirely outside the site. It is an open woodland area between the site boundary and the bicycle trail and is contiguous to Zones M and N. Part of this zone has been fenced in for "temporary" protection. Its existing character is entirely appropriate and gives visual character to the western part of the Grove area. The major concern in this zone is the potential fire hazard that it may present during dry seasons.

3.3.2 The design criteria include:

i) This zone should be left basically unchanged;

ii) The "temporary" protection fence should be maintained in good order

iii) Gap(s) in the fence, similar to 3.2.2. iii) above be located in consultation with residents of Clusters D and E.

CHAPTER FOUR

RECREATION ZONES

4.0.0 RECREATION ZONE J - MANNING GREEN

4.0.1 The Manning Green provides a venue for active recreation for the children, e.g. cricket, football and for social events, e.g. bush dances, Christmas parties etc. Automatic irrigation has been installed to enable a green playing surface to be maintained year round. Barbecue facilities have been provided on the southern slope.

4.0.2 The design criteria include:

- i) Mounding and appropriate planting on the northern, eastern and western boundary to achieve a strong enclosed /feeling around the play area and to create a strong Village Green character.
- ii) The grassy slopes to the south being maintained as an open grassland with scattered clean stem trees to permit viewing down to the green and to the woodland areas beyond.
- iii) The mounds on the eastern edge of the flat grassed surface of the Green could be sculptured to provide amphitheatre style seating using turf paving and a mini stage be created using turf paving on one of the western grassed mounds.
- iv) Guidelines for the use of the Manning Green be as attached at Appendix F.
- v) Refurbishing the fort and former sand pit area in the north eastern corner to provide playground facilities.

4.1.0 RECREATION ZONE K - COMMUNITY FACILITIES AREA

4.1.1 The Community Facilities Zone occurs on an open area bounded on the south by Cluster C, to the north by Cluster B, to the west by the forest zone and to the east by the Bindubi Street boundary zone.

4.1.2 This area, and the facilities within it, are to provide the major community and recreation focus within the Grove. The area is isolated from the clusters, removing the territorial aspect of many other Grove areas, Provision of good adult and children recreation facilities should enhance the opportunities for ongoing community interaction.

4.1.3 Facilities for consideration within the area include the community hall, tennis courts, swimming pool, children's play area, outdoor theatre, barbecue facilities, vegetable patch and general recreation areas. Two clay surfaced tennis courts have already been laid in the eastern portion of the zone. (Guidelines for use of tennis courts and the vegetable patch are attached as Appendices G and H).

4.1.4 The design criteria include:

- i) This zone should be acoustically and visually isolated from the adjoining residential zones (B and C) by soft landscape treatment in the form of mounds and mass planting, but in such a way as to protect winter sun angles into the vegetable garden and Cluster C private courtyards.
- ii) To minimise impact on Cluster C the floor level of any community hall should be the lowest possible consistent with drainage requirements. No windows on the southern side should be higher than earth mound on the southern boundary of the zone.
- iii) Connector paths from Cluster C, and the northern and eastern boundaries should be constructed once facilities have been completed.
- iv) The upgrading of the tennis courts to "all weather" standard.

CHAPTER FIVE

SPECIAL CHARACTER ZONE

5.0.0 ZONE L - THE FOREST AREA

5.0.1 The forest area is a remnant southerly aspect dry sclerophyll forest dominated by *Eucalyptus macrorhyncha* with a limited number of *Eucalyptus mannifera*, *rossii*, *polyanthemos* and *blakelyi*. The rocky nature of the ground has enabled regeneration from large remnant red stringy bark trees.

5.0.2 The forest acts as a visual focus for people entering the Grove, and it is an important psychological heart to the Grove. It also has high value for the bird life of the Grove and surrounding bushland areas.

5.0.3 The design criteria are:

- i) The forest is to be preserved and no development that will threaten its existence should occur within it or adjacent to it.
- ii) Any pathway connection from D and E and Manning Green should be natural, constructed by hand and not be closer than 50m to the northern lease boundaries of Units 81-84.

5.1.0 ZONE M - DENSE WOODLAND

5.1.1 This zone is dominated by *Eucalyptus blakelyi*. Its occurrence next to the main entrance road is important to the visual character of Wybalena Grove. An old farm or building trail goes through the woodland area.

5.1.2 The design criteria include:

- i) No extra planting is needed in the woodland itself. The dense regeneration of *Eucalyptus blakelyi* that is occurring in the zone is typical of the regeneration patterns of the species.
- ii) The harsh line of the eastern boundary should be broken up by some clump planting of tree groups. This character should be picked upon the other side of the road, to create a feeling of passing through a visual character zone rather than along one side of it.
- iii) The trail should be retained to give service access, e.g. bands, to Manning Green, and act as part of the walking trail

system around the Grove. Entrance to the main road should be indirect so as not to be seen by incoming traffic.

5.2.0 ZONE N.- OPEN WOODLAND

5.2.1 This long linear zone extends along the western side of the Grove from the south west corner to Manning Green. It is dominated by *Eucalyptus blakelyi* but has many grassland areas in it. The area has been heavily impacted by building operations and service corridors leaving the rocky surface exposed.. Drought years following completion of the building process have reduced the rate of recovery, however recent rains have allowed some grass and tree regeneration. The area has a pleasing character developed from the combination of tree clumps and open grassland areas.

5.2.2 The design criteria include:

- i) The existing balance between grass areas and treed areas should be maintained consistent with needs for privacy and screening for the end units of Clusters D and E.
- ii) A walking path should be constructed connecting the paths in D and E with the Village Green. The trail should not run closer than 50m from Units 53, 54, 33 and 32.
- iii) A small seating/table setting with or without a barbecue pit may be constructed in the zone for Cluster E and lower D residents.

5.3.0 ZONE 0 - NATIVE GRASSLAND

5.3.1 The zone occurs in the. south eastern corner of the site. Although heavily disturbed in some areas it retains a patch of native grass to the south of Units 64 -- 68. The large yellow box at the back of the site has historic significance for the Grove. It was under this tree that all the "get to know you" barbecues were held in the formative years of the Corporation.

5.3.2 The zone should be returned to its natural state but emergency and service vehicle access must be maintained to the south of Units 64 - 68 linking Zone G to Units 61 - 63.

5.4.0 ENTRANCE ZONE - P

5.4.1 This zone includes Wybalena Grove Road and extensions of it to the front of Clusters A and B, to the south of Cluster B and to car park 5. It includes all residential car parks and provides for overflow resident and visitor parking. It contains the letter boxes, garbage bin enclosures and major electricity st1mains and signs.

5.4.2 The design criteria include:

- i) The boundaries of the zone may be defined as being 5m back from the edge of the road pavement;
- ii) Visually it is important that the road passes through various character zones rather than be seen to be the boundary of different character zones. Therefore planting treatments and patterns where possible should be carried across the road and not vary from one side to the other;
- iii) Mass planting at the ends of cluster communal space should be carried out to complement planting within the cluster areas;
- iv) Clear grassed areas are to be left for casual visitor parking. These bays should be evenly distributed throughout the site. They should gradually be upgraded by use of a "ritter ring" structural base;
- v) A site map may be provided in a turfed paved area (which may accommodate one or two cars safely off the main road) close to the junction of the main Grove Road and the road serving the northern side of Zones A and B;
- vi) Signs should be provided at the entrance to Residential zones which will allow emergency/service vehicles, visitors and pedestrian traffic to readily locate the unit(s) sought in all weather conditions and at all times;
- vii) Investigating traffic controls as a matter of urgency to rectify perceived problems;
- viii) Sight lines at intersections and car park entry points be maintained. Only clear stemmed trees may be sparsely planted in these areas.
- ix) Car park areas P1 to 10 should be visually screened from road areas, cluster areas and units. Against this total screening is the need to give the impression of some overlooking to reduce theft;
- x) Appropriate lights, power points, drains and taps should be provided to the car parks P1 to 10;
- xi) Adequate and discreet lighting should be provided in the car parks to allow safe after dark movement within and between zones;
- xii) All roadway surfaces shall be maintained to standard; be kerbed and guttered to existing finishes;

xiii) The Corporation shall provide and maintain standard design letterboxes (except for Units 15 to 23 and 85 to 105) and shall plant to provide screening and overhead canopy for the letterboxes without impeding access to the boxes. Larger than standard size boxes may be provided by the Corporation at the request and cost of the owner concerned as may suitable receptacles for "junk mail.";

xiv) The Corporation shall promulgate overflow car park areas and "off road" car park areas that will accommodate vehicles completely off the roads as a matter of priority;

xv) The Corporation shall paint road surfaces in car parks P1 to 10 to identify each units parking entitlements and any surplus space may be made available for trailer/caravan parking or visitor parking as the Committee determines;

xvi) The Corporation shall finish the roadway on the southern boundary of Zones A and B by providing appropriate turning space at the eastern end of the road;

CHAPTER SIX

MISCELLANEOUS ITEMS

6.1.1 AGMs

The Corporation shall hold annual general meetings no later than three calendar months from the end of the financial year concerned.

6.1.2 Budget cycles and development plan review.

The Corporation shall adopt five year rolling budgets and review its development plans at least every five years.

6.1.3 Budget Format

The Corporation shall adopt a budget for the immediate financial year concerned in the format at Appendix I, and for the succeeding five years in the format at Appendix J.

6.1.4 Consultations

The Corporation shall for all proposed improvements, whether pursuant to a resolution of a General Meeting or not, consult the members/ residents most directly affected and take account of those of their views that are not inconsistent with previous resolutions of the Corporation, prior to the commissioning/implementation of a project(s) be it new project(s) or alteration(s) to existing treatment/ facilities.

6.1.5 Reporting of Damage

Members shall report any damage to the common land/facilities they cause or became aware of, to the Secretary as soon as it is practicable.

6.1.6 Gardening Equipment for Residents' Use

The Corporation shall acquire and keep properly maintained such gardening equipment as is deemed necessary from time to time for use by residents including two portable bins for each car park for garden refuse, motor mowers, edgers, ladders, a cherry picker, hoses, spades, wheel barrows PROVIDED always that the Corporation may refuse to allow the use of the equipment and explains the reason(s) and that residents misusing equipment shall be, liable to repair/ replace the item(s) concerned.

6.1.7 Garbage Bins

Residents should provide acceptable forms of identification (e.g. painting unit numbers) for their garbage bins.

6.1.8 Garbage Bin Enclosures

These enclosures should be maintained clean and free of garbage bins for the period covering twenty four hours after each collection and ending 16 hours before each collection until such time as a safe, aesthetically acceptable, healthy enclosed set of collection points is constructed.

6.1.9 Maintenance Program

The Corporation shall maintain the site in accordance with the minimum standard set out at Appendix K and as subsequently varied by special resolution of the Corporation.

6.1.10 Policy Manuals

The Corporation shall issue to each unit a folder for retention by the unit containing a copy of the Articles of Corporation, a list of current decisions of AGM, SGM and the Committee and the names and telephone numbers of current Committee members, sub-committee members and other necessary and useful contacts and issue up-dates as required but at least at yearly intervals.

6.1.11 Materials

The Corporation shall only approve the use of, use or allow the repair of:

- a) Tiles - using Monier Elabama -- Char Brown roof tiles or approved equivalent.
- b) Window Frames - made from western red cedar.
- c) Bricks - Externally Visible - using Bowral Wybalena Mix bricks or approved equivalent.
- d) Paint -- For Externally Visible Wood -- Watty! Umber stain or approved equivalent.
- e) Paint - For Externally Visible Non Wooden Surfaces Solarguard Mission Brown or approved equivalent. Provided that existing non-conforming treatment(s) may be tolerated for a reasonably limited time, as determined by the Committee of the Corporation. Such exceptions shall be reported upon to each Annual General Meeting.

6.1.12 Newsletters

The Committee of the Corporation shall issue newsletters to all members and residents at least at quarterly intervals.

6.1.13 P.A.B.X./Store

The Corporation should investigate the practicability and economics of providing an onsite [P.A.B.X.](#) facility and/or store which would sell basic

commodities to residents at cost with the view to providing such facilities when they became viable propositions.

6.1.14 Paper/Glass Recycling Depot

The Corporation should investigate the practicality of installing one or more paper/glass recycling depots/containers on site.

6.1.15 Pets

The guidelines for the keeping of pets shall be as set out in Appendix L.

6.1.16 Storage Facilities

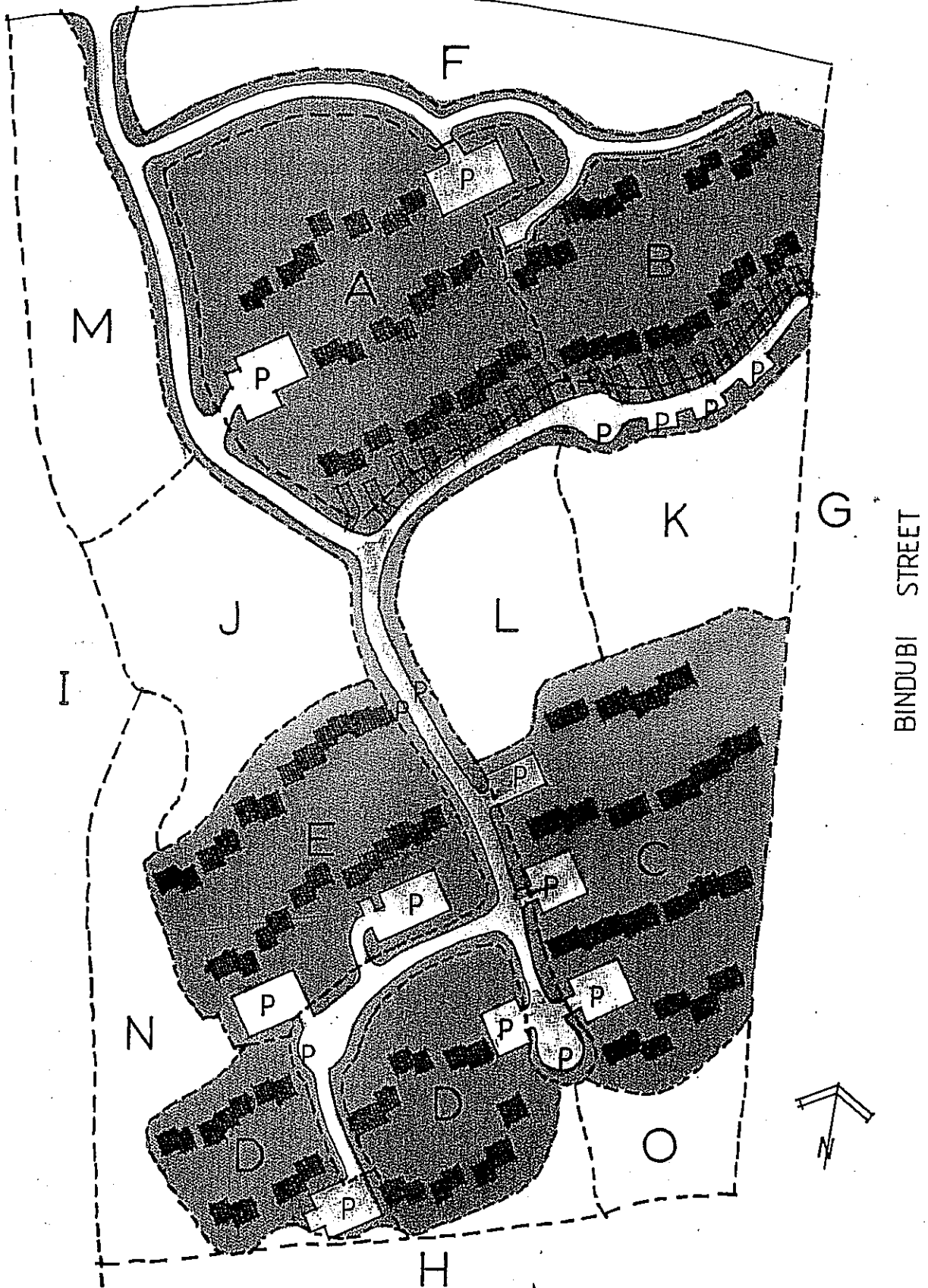
The Corporation shall erect and maintain a suitably enclosed space for the storage of such equipment, as the Committee shall from time to time determine, in an existing car park area additional to the store in P2.

The Corporation may erect and maintain suitable unobtrusive storage space, in Zones other than L, M, N, and O for such purposes as the Committee or an Annual General Meeting may from time to time determine provided that such facilities shall not be used for the storage, temporarily or otherwise of garbage of any kind.

6.1.17 Guidelines for Installation of Externally Mounted Noise Producing Household Machines


The Corporation should investigate the aesthetics and the noise levels produced by externally mounted machinery such as pool filters and reverse cycle heat pumps and promulgate conditions for their use.

LYTTLETON CRESCENT



n.ts.

WYBALENA GROVE ZONE PLAN

 proposed irrigated areas.

P = parking areas.

APPENDIX B

GUIDELINES FOR VEHICLE (OTHER THAN SERVICE AND EMERGENCY) ACCESS ON COMMON LAND

The Articles of the Corporation state that residents may use common property provided that they do not "unreasonably interfere with the use and enjoyment of the common property" by other residents. In the past some residents have caused substantial damage to communal areas and diminished the enjoyment of these areas by other residents by parking persistently on common land. The Corporation has installed bollards and chains at the entrances to some communal areas to discourage vehicle access. Vehicle access on common land (other than car parks) should only be for the purposes of loading and unloading furniture or, other heavy household or garden items.

Bollards and chains must be replaced upon leaving communal areas. It is the responsibility of individual residents to repair any damage to common land which results from such use. It is the responsibility of residents to ask their guests to park in designated visitors' car parks, along Wybalena Grove or in the overflow car park, and not on the common land or in residential car parks. It is the responsibility of residents to ensure that neither their guests nor they park in such a way as to block the entrances and exits to common land from the roadway.

**MOUNDING AND PLANTING ON COMMON LAND BY RESIDENTS -
GUIDELINES**

Residents are encouraged to merge their courtyard gardens with the common property landscaping (provided that access to common land is not physically prevented) and to water around their units (any excess water charges being met by the Management Corporation).

- Management Corporation's approval must be obtained for all proposed mounding and planting on common land.
- Requests for approval must be submitted in advance in writing.
- The Committee (or a Landscape Sub-Committee) shall examine proposals and accept, amend, or reject such proposals.
- Automatic approval will be given for mounding or planting outside private courtyards provided that: vehicle access to individual units and access for emergency and service vehicles is not inhibited in any way; proposed planting complies with the Corporation's planting policy; the landscaped design does not give the impression that common land has actually been incorporated into the private courtyard; the resident agrees to water and maintain the relevant area(s); and the proposal takes adequate account of drainage requirements.
- Requests for approval outside the guidelines may be submitted and will be considered on their individual merits.
- The procedures include an inspection phase after the landscaping has been completed.
- For the purposes of these procedures and guidelines, private courtyards are defined as that area within ten metres from the outside edge of the brick sill on the north side and five metres on the south side of the original, unit, excluding unit subsidiary areas where they exist and bounded by an imaginary line running parallel to the eastern and western walls of the unit or where those walls are shared by a line running parallel to the midpoint of those walls.

APPENDIX D

PROCEDURES FOR ALTERATION AND ADDITIONS TO ANY STRUCTURES

The Corporation shall not, in accordance with the Articles of Corporation, refuse permission to construct or alter such structures provided that:

- i) Corporation approval is sought at least two months before any construction work is scheduled to commence.
- ii) Such work(s) conform with A.C.T. building requirements other relevant legislation, this development plan and other such requirements.
- iii) The work(s) is compatible with architectural aesthetics manifest in the original design architecture.
- iv) Requests for approval are submitted in writing in triplicate together with:
 - a) sketch plans showing dimensions of the existing and proposed layout, elevations and appropriate sections;
 - b) an outline of the materials proposed to be used;
 - c) details of associated landscape treatments;
 - d) details of impact of proposal and of construction on surrounding environment;
 - e) such other details as are reasonably required by the Corporation.
- v). The applicant(s) also submits a written statement indicating that the proposal and/or plans has recently been considered by owners immediately affected (i.e. usually the units to the north, north east, east, south west, south, south west, west and north west) and drawing the Corporation's attention to the nature of any significant objections encountered.
- vi) the applicant(s) undertake to carry out the proposed works within acceptable levels of interference', satisfies the Corporation that adequate and appropriate insurances will be taken out and undertakes to repair any damage caused directly or indirectly to common land with a minimum of delay.
- vii) The applicant undertakes to allow the Corporation to inspect the work(s) once the construction is completed or at such other times as the Corporation determines.

viii) The applicant undertakes to advise the Corporation of any changes in plans and to resubmit plans for approval if significant variations occur.

APPENDIX E

CONSTRUCTION OF FENCES, SCREEN WALLS AND LIKE STRUCTURES

The Corporation shall neither build nor approve the building of, and shall remove, as soon as is practicable, private fences, screen walls and such structures on common land.

The Corporation shall discourage any physical separation between the northern and southern unit boundaries and adjacent common land, however it will not withhold approval for the construction of these structures within unit boundaries conforming with the following:

a) On the south or entry side of units, the maximum height of any structure should be no more than 2 metres at the bottom side on the outermost extremity. On particularly steep sites, stepping offences may be allowed. Fence tops will be horizontal. However:

- i) a curved brick wall of approved bricks of a suitable diameter to remain within the unit boundary;
- ii) a horizontal slatted wood fence (e.g. pine), preferably rough sawn, of 150 x 24mm size with about 25mm spacings with:
 - hardwood posts of 100 x 100 mm in size set into concrete via steel "shoes";
 - concrete footings should be at least 300 x 300 x 300 mm and posts spaced at no greater than 1.8 m intervals;
 - finish with coating(s) of "Umber." finish or approved equivalent.

b) On the north or downward side of units, heights will be determined as with the south side of units but height restrictions will be 1.2 m with ARC Weldmesh and 1.5 m with all others unless otherwise determined by the Management Corporation in special circumstances but in any case may be no higher than 1.9 m. However:

- i) ARC Weldmesh, only when intense 'planting is proposed and may follow the slope of the ground;
- ii) Timber slats as detailed in the other section but only to 1.5 m height.

c) Approved pre-existing fencing inconsistent with the above shall be replaced as the Corporation, in consultation with the member(s) concerned, determines.

GUIDELINES FOR USE OF MANNING GREEN

In the past Manning Green has been used for active recreation and social events, e.g. cricket, football, archery, bush dances, Christmas parties, wine tastings etc. The Corporation, however, would like to encourage further use of this area. Automatic irrigation has now been installed to provide a year round green playing surface and a barbeque facility had been provided nearby.

- Manning Green is on private property and is for the use of residents and invited guests only.
- Manning Green is available at any time. However, residents should advise the Management Corporation, particularly if exclusive use of this area is required for a large social event or special recreation activity (as administrative action such as amending the automatic sprinkler system timing and the need to avoid clashes have to be allowed for)!
- To maintain an even playing surface activities which would damage the surface, such as golf and horse riding, are not permitted.
- Cars should not be parked on Manning Green or on adjoining common land. Residents are requested to ask their visitors to park in designated visitors' car parks, along Wybalena Grove or in the overflow car park.
- It is the responsibility of residents using the Green to ensure that all rubbish is removed as soon as is possible after the conclusion of the event(s) concerned and to repair any damage occasioned by the event.

GUIDELINES FOR USE OF TENNIS COURTS

The tennis courts are continually subject to vandalism. In order to limit access to residents and curb abuse, door-type locks have been installed on the gates and keys are now required to gain entrance.

- Courts are on private property and are for use of residents and accompanied guests only.
- Courts are available for play at any time, but must be booked for no more than a 2 hour period. Booking sheets are posted every other Sunday. Sign the booking sheet with name and unit number for each period of play. Failure to claim the court within 10 minutes after the hour invalidates a booking. If a court is in use and not booked, please ask players to leave.
- The courts are to be kept locked at all times to prevent abuse. Keys are made available, to residents only, on receipt of a \$10 deposit and written request to the Management Corporation. Keys will be changed from time to time and key holders will be notified in writing to exchange their keys.

On-court rules are as follows;

- a) Tennis shoes only. No shoes with heels or track shoes with treads.
- b) Slacken off nets after play. Bottom of nets should just clear the ground.
- c) Water and bag the courts AFTER PLAY. Courts should be bagged lengthwise to avoid damage to lines.

APPENDIX H

GUIDELINES FOR USE OF DESIGNATED VEGETABLE PATCH AREAS

(Article 7 of the Articles of Corporation provides that):

"The Corporation may set aside a portion or portions of the common land for gardening purposes and permit in writing members to use that land or parts thereof to grow plants or keep animals nor birds thereon SUBJECT TO any conditions which the Corporation may impose.

- Applications should be in writing, to the Corporation stating the use to which it is proposed to put that part of the plot concerned.
- The Corporation may not grant any person a plot for more than a twelve months period from the date of approval of the application.
- The Applicant shall undertake not to use any pesticides or herbicides, unless otherwise approved by the Corporation.
- The responsibility for keeping the allocated portion of the vegetable patch and access to it in good order shall belong to the approved applicant(s).
- No structures may be built in or around the vegetable patch without prior approval.
- The applicant shall agree to abide by such other conditions as the Corporation may from time to time promulgate.

ANNUAL BUDGET FORMAT

APPENDIX I

BUDGET

\$

1. RECURRENT ITEMS

Consultants	Architectural Landscape
Insurance Premiums	Workers Compensation Officers & Agents (\$10,000 weekly)
Administration	Bank Fees Managing Agents Postage Printing/Photostat Typing Reimbursements <ul style="list-style-type: none">• Phone• Air Fares• Miscellaneous Auditors Fees Legal Fees Social Events Tax Stationery
Maintenance	Grounds Maintenance/Materials Public Lighting Zones A to P Other Electrical
Contingencies	
Reserves	* Insurance Advances (Bld \$8.3m P/L \$5m) (Mortg Prot \$439,000) Roadworks and Repairs Kerbing & Gutters Equipment Replacement Sign Refurbishing

a. Total Recurrent Expenditure

BUDGET
\$

2. NON-RECURRENT ITEMS

Consultancy	Architectural Landscaping Drainage Electrical
Capital Works	Playground Equipment Electrical Development (Zones B, D, & E)
Capital Purchases	Filing Cabinet Phone Answering Device Keys: Courts, Shed
Development	Landscaping Equipment Landscaping Supplies (Zones A to P) # Carport Advances

b. Total Non-Recurrent Expenditure

c. TOTAL EXPENDITURE

d. Budgeted Income

ANTICIPATED SURPLUS/DEFICIT (d-c)

Recoverable from Sales

* Recoverable from Members

QUINQUENIAL BUDGET FORMAT

1. RECURRENT - TOTAL ONLY \$ XXXXX PER ANNUM

PLUS

2. NON-RECURRENT -

As per Appendix I but showing details in five yearly columns

MAINTNENANCE CRITERIA - MINIMUM STANDARDS

A. GRASSED AREAS

(a) Cluster Areas

(i) The contractor shall cut the grass in the five cluster areas with the use of sit-on or hand-pushed mowers.

(ii) The cutting shall be carried out once a fortnight during the months September to December in each year.

(iii) During the balance of the year the cutting will be carried out once a month or otherwise as directed by the Secretary.

(iv) Cutting height shall be set at no less than 75mm.

(v) Areas specified shall be cored upon request of the Proprietor.

(vi) Areas specified shall be top dressed with pelleted fertilizer, NPK ration 10:4:6 at 300 kg/ha of multigrow once a year in the early spring (second week).

(vii) Grassed areas around trees, garden edges, etc., may be sprayed with 'Round-Up' at the first cut in September, to within 150 mm from the tree trunks to enable easy mower access. If other treatment is to be recommended the Corporation should be advised before treatment is undertaken.

(viii) Clippings shall be removed, raked or collected by catcher and disposed of, off site by contractor.

(b) Village Green

The contractor will carry out the following work designated "Village Green". The area is to be:

(i) Cut during the growing season.(from September to March) once a week.

(ii) Cut from April to May, once every three weeks.

(iii) Cut from June to August, once every six weeks.

(iv) Fertilized with N:P:K 10:4:6 ['Multigro'](#), first week in September.

(c) Dryland Grass Areas

The dryland grass areas shall be cut during the growing season from September to December once a fortnight and once a month during other parts of the year.

(d) Fire Breaks

These areas shall be mowed once a fortnight in the period September to December and once a month during the other months of the year. A minimum width of 5 metres should be maintained between the units property boundary and any significant area of vegetation on the southern boundary. The areas shall be cut once a fortnight during the months October to November. Cutting should extend to 10 metres outside the Wybalena Grove property boundary.

(e) Natural Grassed Areas

Selective removal of introduced grasses should be carried out with hand slashers in this area.

B. PLANTED AREAS

(a) Mulched Beds and Rough Mulched Areas

The contractor shall carry out the following work in these areas:

(i) Water new plants during the first two growing seasons after establishment. Watering shall be done once each week for the first growing season and once every two weeks for the second growing season.

(ii) Planting stakes will be retained until the end of the second growing season in respect of the plants planted in the area. The contractor will notify the Corporation of any plant losses. These shall be replaced with plants of the same species. The contractor will control weed growth in the area by hand weeding and controlled application of 'Round-Up' weed killer.

(iii) The contractor will control weed growth within the beds by hand weeding and the selective application of 'Round-Up' as per manufacturers specification. The contractor shall maintain mulch cover to a minimum depth of 75mm until plant growth eliminates weed growth in the areas.

(iv) In addition to the treatment required in the mulched beds referred to in sub-clause (a) hereof the contractor shall in these areas maintain the area by the use of water rings mulching to a depth of 75mm and weed controlling by use of 'Round-Up' and the appropriate use of hand slashers.

(b) **Mounds**

The contractor shall maintain the mass planting in the mound areas adjacent to the tennis courts and should endeavour to maintain the plants at intervals of 3-4 metres.

(c) **Maintained Grass Areas**

The contractor shall maintain the grassed areas including the removal of shrubs which cannot be mowed, pruning to allow sit-on mower access and control of grass by use of 'Round-Up' spray. Shrubs shall only be removed after consultation with the Secretary of the Corporation.

C. **ROADWAYS**

The contractor shall ensure that pathways are kept totally unobstructed by overgrowing grass vegetation, wood chips or other garden refuse and shall ensure that they are.

- (i) Swept or hosed clean once every four weeks.
- (ii) That the grass edges are trimmed every four weeks.
- (iii) That a 1.2 metre wide and 2 metre high corridor free of vegetation is maintained on the pathways. Pruning should be carried out only after consultation with the Secretary and any broken pathways or other damage should be reported to the Secretary.
- (iv) The contractor shall clear gravel paths of leaves and debris and clear mulched paths.

E. **RUBBISH POINTS**

- (i) Domestic refuse and rubbish points should be checked on Tuesdays and Fridays of each week and spillage and uncollected bins should be notified to the Secretary. The Contractor shall hose and sweep each area once a month and surrounding vegetation shall be pruned to keep a 1.8 metre head clearance on the perimeter of the area.
- (ii) Garden refuse collection points established around the site should be cleared and course material not suitable for mulching" should be removed mice in each month. Grass clippings shall ' not be used as mulch.

F. **LIGHTING**

The contractor shall inspect and clean the mushroom lighting in the area at regular intervals and report any damage to the Secretary.

G. **DOG FAECES**

The contractor shall remove dog faeces found on the common land.

APPENDIX L

GUIDELINES FOR THE KEEPING OF PETS

- In line with the Articles of Corporation residents may keep animals or birds in or on their units or the common property provided that they do not cause a danger or substantial nuisance to other members. Management Corporation's approval must be obtained in writing before animals or birds can be kept on site.
- Permission may be refused or withdrawn at any time by written notice but only on the grounds that the animal or bird is likely to cause a danger or substantial nuisance to other members.
- Residents should comply with the A.C.T. Dog Control Ordinance 1975 which applies to the main Grove road and adjacent areas, including rubbish bin enclosures, which are on public land.
- In order to maintain harmony within the community the "spirit" of the Dog Control Ordinance should apply to the rest of the Grove, accordingly.
- Dogs should not be left to roam unattended around the Grove, the exception being dogs entering their twilight years.
- Owners are responsible for removing faeces from public and common land. Where this is not done by the owner(s) concerned the Corporation shall arrange for the faeces to be removed and disposed of offsite. The Corporation shall recover the cost(s) from the owner(s) concerned unless the owner(s) concerned satisfies the Corporation that their dog(s) do not make such use of common land.
- Cats should be kept indoors at night and "belled" when allowed outside.

Annex B: Wybalena Grove Information Booklet July 2025

WYBALENA GROVE

Information Booklet

July 2025

Please check wybalenagrove.net.au for latest edition

TABLE of CONTENTS

0. [INTRODUCTION](#)
 - [0.1 Living in an Owners Corporation](#)
 - [0.2 Unit boundaries and the common property](#)
 - [0.3 How you can help](#)

1. [PURPOSE OF THIS INFORMATION BOOKLET](#)

2. [BACKGROUND](#)
 - [2.1 Wybalena Grove Grounds](#)

3. [UNITS PLAN 116 - THE OWNERS CORPORATION](#)
 - [3.1 Legislation](#)
 - [3.2 The Annual General Meeting \(AGM\)](#)
 - [3.3 Executive Committee](#)
 - [3.4 Appointment of Agents and Contractors](#)
 - [3.5 Owners Corporation Register](#)
 - [3.6 Building Insurance](#)
 - [3.7 Levies](#)

4. [UNITS, OWNERS AND RESIDENTS](#)
 - [4.1 Household Garbage and Recycling](#)
 - [4.2 Insurance](#)
 - [4.3 Unit Maintenance](#)
 - [4.4 Paint and stain colours](#)
 - [4.5 Pets](#)
 - [4.6 Rates](#)
 - [4.7 Real Estate Signs](#)
 - [4.8 Stormwater, Sewerage, Electricity and other Utility Services: Mains and Tributaries](#)
 - [4.9 Water Meters and Mains Water Taps](#)
 - [4.10 Water tanks](#)
 - [4.11 Website](#)
 - [4.12 Dispute Resolution](#)

5. [THE COMMON PROPERTY](#)
 - [5.1 Carports and Parking Spaces](#)
 - [5.1.1 Construction and exclusive use of carports in common property car parks](#)
 - [5.1.2 Repair and maintenance of carports in common property car parks](#)
 - [5.1.3 Storing personal effects in carports in common property car parks](#)
 - [5.1.4 Charging electric vehicles in carports in common property car parks](#)
 - [5.2 Community Fire Unit](#)
 - [5.3 Dead Wood Week](#)
 - [5.4 Dumping](#)

[5.5 Gas](#)

[5.6 NBN](#)

[5.7 Grounds Liaison](#)

[5.8 Lighting on Common Grounds](#)

[5.9 Maintenance of Common Amenities](#)

[5.10 Maintenance of Common Land and Private Gardens](#)

[5.10.1 Maintenance of Common Land – Safety and Risk Mitigation.](#)

[5.11 Planting on common ground](#)

[5.12 Green Waste Recycling Area](#)

[5.13 Tennis court](#)

[5.14 Village green \(oval\), picnic shelters, pizza oven and BBQ area](#)

[5.15 Vehicle access on common land](#)

[5.16 Community Garden](#)

[5.16.1 Plot Allocation](#)

6. [UNIT ADDITIONS AND ALTERATIONS](#)

[6.1 General Procedures for Obtaining Approval for Proposed Structures](#)

[6.2 Alterations to Units](#)

[6.3 Fences and Screen Walls](#)

[6.4 Garden Sheds](#)

[6.5 Equipment on or over common property east and west of the brick walls of units](#)

[APPENDIX A – Neighbour Consultation Form](#)

[APPENDIX B – Owners Corporation Rules](#)

[APPENDIX C – Wood-Fired \(Pizza\) Oven](#)

[APPENDIX D – Community Garden Roles and Responsibilities](#)

0. INTRODUCTION

0.1 Living in an Owners Corporation

The rights and responsibilities of unit-titled property owners are different from those of other forms of title in the ACT. The legislation governing the 105 units in Wybalena Grove is contained primarily in the [Unit Titles \(Management\) Act 2011 \(UTMA\)](#) as amended from time to time.

Where there is shared ownership of property there is a need for established rules. The UTMA provides most of the rules for owners to exercise their responsibilities through an Owners Corporation (formerly 'Body Corporate'). Each and every owner is a member of the Owners Corporation.

Each year, the Owners Corporation (OC) elects an Executive Committee (EC) which exercises the functions of the OC between Annual General Meetings. The EC has the responsibility and power to administer and maintain the common property in accordance with the UTMA, other applicable legislation, and the Owners Corporation's own rules and decisions, which extend the Act.

The Owners Corporation employs a Managing Agent to provide administrative, secretarial and treasury services. It also employs contractors for various services such as common property garden maintenance.

Please see [section 3](#) for more on the Owners Corporation.

0.2 Unit boundaries and the common property

The boundaries of each unit are defined in [section 4](#). The land outside unit boundaries within the surveyed area of Wybalena Grove is common property. This is a shared resource and this Information Booklet summarises the rights and responsibilities of owners, residents and the Executive Committee on how it is to be managed.

0.3 How you can help

Wybalena Grove is one of two developments of the 1970s in the ACT that began as co-operative housing societies seeking to create intentional communities integrating architect-designed urban housing in an Australian bushland setting with shared spaces and facilities. Owners and residents can make a difference to the smooth operations of the property and harmony with neighbours by being positively engaged with the business of managing the Owners Corporation.

1. PURPOSE OF THIS INFORMATION BOOKLET

This edition of the Information Booklet, updated in 2024, supersedes previous editions. Its purpose is to provide current information to owners and residents about the principles, policies and practices which underlie the development and maintenance of Wybalena Grove. It attempts to summarise and provide advice but it does not over-ride policy decisions of general meetings or the Owners Corporation Rules. Any inconsistency is an error in this document.

This Booklet includes information about the background to the development of Wybalena Grove, about requirements made of the Owners Corporation and individual owners and residents by the [*Unit Titles \(Management\) Act 2011*](#), on decisions made by Annual and other General Meetings of the Owners Corporation over the years, and about other matters which need to be borne in mind by owners and residents.

Previous editions of this Information Booklet were provided printed in a red folder distributed to every unit. That folder also contains the Wybalena Grove Community Fire Plan. Printed copies of this edition may be requested, with a red folder if necessary. However, the most current version will be available from the [Wybalena web site](#).

2. BACKGROUND

Wybalena Grove is a townhouse development set in 11.5 ha (28 acres) of natural bushland south-west of the junction of Bindubi Street and Lyttleton Crescent in Cook.

Extensive nature reserves are situated to the south of the Grove and a bike path runs along the western boundary linking Belconnen, Civic and Woden.

The Grove consists of a total of 105 townhouses grouped in five clusters. The houses range in size from 6.5 squares (one bedroom) to 19.5 squares (five bedrooms). Most units are adjoined in sets of two, three or four units and "stepped back" to ensure courtyard privacy and unobstructed views.

This concept of housing is unique in Canberra in both construction and residential environment. When the site was developed, preservation of patches of remnant bush was considered of paramount importance. The large area of flood prone land became the Village Green. Roads were kept to a minimum to create safe pedestrian ways, a spacious, park-like feel and to encourage chance interactions with neighbours, with the result that most units do not have direct vehicle access.

Due to the high proportion of flood prone land, it was necessary to preserve large areas of public space – on average 500 square metres per dwelling. The cluster grouping of houses permits residents to have private courtyards as well as extensive communally owned and managed open areas.

Joint facilities currently include a tennis court, basketball ring, two children's playgrounds, a playing oval, two picnic shelters, barbecue facilities, a wood-fired (pizza) oven, garden waste recycling, solar-electric equipment and a community (fruit and vegetable) garden.

The general aim of the Corporation's landscaping policy, mostly set out in the 'Development Framework' document adopted by the 1984 AGM, has been to reinforce existing landscape character throughout the site and to retain the essence of this character in a relatively urban setting. Different management zones are shown [here](#) with linked annotations.

Policies relating to landscaping, maintenance and use of communal land and facilities, together with procedures for proposed structures and alterations to units have been adopted at Annual General Meetings (AGMs) of the Owners Corporation. These are summarised in the following pages.

2.1 Wybalena Grove Grounds

Areas of relatively intact native vegetation have been retained within the common grounds. These areas are important in maintaining the character of the Grove and in preserving examples of the original native vegetation.

These patches of remnant native vegetation are of two distinct types:

Dry sclerophyll forest is typical of ancient stony soils on hills and ridges, such as in Aranda Bushland and Black Mountain Reserve. The best example in the Grove is 'the forest' (Zone L) with a smaller patch in Cluster E between the car parks P2 and P4, and a small patch south of Cluster C. The main tree species

are Red Stringybark and Red Box. The most common understory plant is the tussocky Forest Wallaby Grass, although many small grasses and herbs can be found between the tussocks. In Spring orchids and lilies become apparent.

Grassy woodland was once very common on the more fertile soils of the plains and lower slopes of the ACT. These woodlands have now been cleared for urban and industrial development to the point where the remaining intact remnants have been listed as a Threatened Ecological Community in the ACT. Yellow Box, Blakely's Redgum and Apple Box are the main tree species. The best examples of this vegetation type in Wybalena Grove are the woodland from the entrance to the village green and a patch near the playground at the western edge of Cluster E. The natural understory of this type of woodland is comprised of native grasses, particularly Kangaroo Grass, and many small herbs including orchids and lilies, however because the woodlands grow on more fertile soils they are particularly prone to weed invasion once disturbed.

Management of these areas of remnant native vegetation in Wybalena Grove aims to conserve their natural values. Specific management actions carried out by the grounds contractor include weed control and reduction of fire hazard where appropriate.

Other areas of common ground where no original vegetation was retained have over the years been replanted with native grasses, particularly Kangaroo Grass. This summer-growing grass retains green leaves through most of the fire season, and once established is drought-tolerant, but can be easily damaged by vehicle traffic. The best examples are the large grassland to the north of Cluster A, and between the village green and Cluster E. These grasslands are left to seed and only mown early in the new year when the seed has dropped.

3. UNITS PLAN 116 – THE OWNERS CORPORATION

Wybalena Grove is Units Plan number 116. The Owners Corporation consists of all 105 class B (i.e. townhouse) units and the common property and the owner of each unit is a member of the Owners Corporation.

For convenience the units are divided into five clusters, each with approximately 21 units – Cluster A, units 1–22; Cluster B, units 85–105; Cluster C, units 64–84; Cluster D, units 43–63 and Cluster E, units 23–42.



3.1 Legislation

The framework for the operation of an Owners Corporation is provided by the *Unit Titles (Management) Act 2011* (UTMA) available at the ACT Government

legislation website: <http://www.legislation.act.gov.au>). The Act is written in plain English, clearly organised, making it easy for non-lawyers to understand. The Act is supplemented by an Owners Corporation's 'Rules' ([Appendix B](#) to this booklet). 'Rules' are formally adopted by an Owners Corporation to supplement and extend the Act and are legally binding on owners and residents.

3.2 The Annual General Meeting (AGM)

The business of the Owners Corporation is directed by its 105 members through the Annual General Meeting (AGM) which is normally held mid-year.

Schedule 3 of the *Unit Titles (Management) Act 2011* provides a handy reference for all the details concerning the conduct of the AGM such as giving notice, timing, and definitions of terms such as ordinary, special, unopposed and unanimous resolutions, a quorum, proxy and absentee votes and so on.

General meetings can also be called at other times as required in addition to the annual meeting.

All members of the Owners Corporation are able to put items on the Agenda of the AGM. Motions should be submitted in writing to the Managing Agent or Executive Committee and both the mover and seconder of any motion should sign the notice.

The Act requires that notice of any general meetings be mailed in time to be received by members at least 14 days before the date of the meeting. Where a motion requires an unopposed or unanimous decision by a general meeting, 21 days notice must be given. All members intending to place items on the Agenda are requested to provide their item to the Managing Agent at least four weeks before the proposed date of the meeting so that papers can be printed and distributed in a timely manner. In addition to the formal notice, intended meeting dates are usually advised by newsletter or other notice as soon as possible.

3.3 Executive Committee

At the AGM, an Executive Committee (EC) is elected to conduct the Corporation's business for the following year. The Executive Committee acts within the framework of decisions made by general meetings of the Owners Corporation. Schedule 1 of the *Unit Titles (Management) Act 2011* contains a Code of Conduct for Executive Committees. Schedule 2 and Division 4.1 describe the functions and procedures for Executive Committees.

Owners Corporations elect an Executive Committee of 3 to 7 members at the AGM. The election of a larger Executive Committee requires a special resolution at the AGM.

A newly elected Executive Committee elects a Chairperson, a Secretary and a Treasurer at its first meeting. The same person may hold more than one office. The Act defines functions for each office. Individual functions may be delegated to the Managing Agent but the office holder is not relieved of the responsibility to ensure that any delegated function is properly carried out. By default, the Executive Committee Chairperson also chairs general meetings

unless they are unable or unwilling to do so, in which case the members present at the general meeting elect an alternative chair.

By tradition, Wybalena Grove has encouraged nominations of at least one committee member from each of the five clusters, A to E, a 'cluster representative', although this is not specified by the UTMA. A spread of EC members across the clusters improves the chance that an EC member will quickly notice some matter that needs attention, or will have it brought to a member's attention, and it increases the chance that most residents will already know or could more easily get to know at least one member of the committee.

Contact details for the current EC members are provided on the [managing agent's website](#), on [our own site](#), or email to ec@wybalenagrove.net.au, which will automatically reach all EC members.

Executive Committees generally meet about five or six times between each AGM. A meeting in May usually includes preparing a budget for consideration by the AGM (Our financial year runs from 1st May to 30th April).

Members of the Owners Corporation are welcome to attend meetings of the Executive Committee. Such attendance is recommended for those submitting extension plans or other proposals for Committee decision.

Minutes of Executive Committee meetings are distributed to members by the managing agent. Matters that are likely to be of general interest are also notified to residents by occasional newsletters that are distributed by letterbox drop around Wybalena Grove. The newsletter is also published on the website. Non-resident owners who would like to receive the Newsletter are urged to provide a current email address to the Managing Agent so that a copy of the Newsletter can be forwarded to them automatically along with other notices.

3.4 Appointment of Agents and Contractors

The *Act* allows an Owners Corporation to appoint agents and employ people. To assist in the administration of the Owners Corporation a Managing Agent has been appointed to manage the day-to-day affairs. The Managing Agent can be contacted at enquiries@LMMsolutions.com.au, ph.51103200.

The Executive Committee also employs contractors to perform work on the common grounds, such as general grounds maintenance, arborist work, general repairs and clearing the green waste recycling area.

3.5 Owners Corporation Register

The *Unit Titles (Management) Act 2011* (s.113-116) requires the Owners Corporation to maintain a corporate register.

All unit owners must provide their **full name and a current address for correspondence** for inclusion on the register. Owners who do not live in Wybalena Grove are reminded that each change of address should be notified, within 14 days, to the Managing Agent who maintains the Corporate Register.

Some non-resident owners have provided the name of a real estate agent as their contact point. Because the provisions of the *Privacy Act 1988* bind such

agents, they will not provide information to the Owners Corporation and some agents cannot be relied on to forward messages to owners in a timely manner. Please ensure that the Owners Corporation Register, held by the Managing Agent, has the owner's name and current address for all correspondence. An email address is not mandatory but is helpful where urgent or timely contact with the non-resident owner is necessary.

Any change of ownership of a unit must be notified in writing to the Owners Corporation within 14 days of the change. Written notification should be sent to the Managing Agent. Lawyers representing the seller and the purchaser normally do this but some legal firms are tardy in discharging the obligation.

In addition, **any change of occupant** must also be notified so that a change from owner-occupier to tenant or from one tenant to a new tenant is recorded. Such changes of occupant must also be advised in writing to the Managing Agent within 14 days of the change.

Any **vacancy of occupancy** of any unit that is expected to be longer than a continuous period of 30 days must also be notified EC and/or managing agent in writing.

All owners are strongly encouraged to provide a current email address to the Managing Agent so that correspondence can be transmitted without delay and at minimum cost. An email address for non-resident owners also allows the **Newsletter** to be sent to these owners.

3.6 Building Insurance

Insurance of buildings and grounds is the responsibility of the Owners Corporation under Section 100 of the *Unit Titles (Management) Act 2011*. The insurance policy covers those fixtures and fittings which would not be removed if the unit were sold. So, the buildings policy covers carpets, wall ovens, blinds and awnings and built-in cupboards but not refrigerators, microwave ovens, washing machines or personal effects.

A valuation of the Grove is commissioned periodically and the insured value is incremented annually in the intervening years as advised by the insurer.

Owners are reminded that any substantial alterations to a unit should be notified to the Managing Agent so that the policy remains an accurate reflection of the replacement value.

The Corporation also holds insurances for voluntary workers, office bearers' liability and public liability (on common property only) for third parties,

Please note: Unit Owners are **not** covered by the public liability insurance held by the Owners Corporation.

The insurance premium is paid by members through the annual levy contribution. In recent years, this insurance premium has been the largest component of the annual levy.

The Owners Corporation maintains the common grounds in a manner that minimises risks. Owners and residents are strongly encouraged to notify the Executive Committee of any hazards they might observe so that they can be addressed promptly.

Claims on the Owners Corporation insurance policy should be directed to the Managing Agent in the first instance. Minor claims, such as for glass breakages or minor burglaries, should be accompanied by a receipt for repairs or replacement.

Larger claims should be discussed with the Managing Agent before any paperwork is lodged. All claims must be processed through the Managing Agent in order for the GST component to be added to the refund.

Home Contents insurance is the responsibility of occupiers or residents—see [section 4.2](#) below.

3.7 Levies

Activities of the Owners Corporation are generally funded from the Owners Corporation levy, payable by all 105 unit owners. The amount of the levy is determined annually at the AGM and is payable by owners in two half yearly amounts, usually due mid-year after the AGM and in January.

Late payments of Owners Corporation levies attract interest, administrative charges for reminder letters and ultimately debt collection costs.

The levy always has components for the Administrative Fund and the Sinking Fund. A third levy component for a Special Purpose Fund is possible when this may be more convenient than funding through the administrative fund or the sinking fund. A few particular expenses are levied on relevant subsets of unit owners or residents such as a small plot use fee for the community garden and the carport maintenance fee, which is only paid by owners with one or two allocated common property covered parking spaces (See [Rule 30](#)).

The Administrative Fund typically covers recurrent expenses that are experienced every year such as the managing agent's fees, insurance, and routine maintenance of the grounds.

The Sinking Fund covers matters that have been anticipated in the Sinking Fund Plan, typically substantial maintenance items such as resurfacing asphalt, repairs to paths and playgrounds and improvements to infrastructure that may be required less frequently. The cost of such larger—but-less-frequent expenses is evened out by contributing similar amounts to the sinking fund each year. The sinking fund plan covers 10 years and is updated every 5 years.

4. UNITS, OWNERS AND RESIDENTS

Each built unit has an entitlement of its own footprint plus courtyard areas to the north and south. The definitive document for unit areas is the registered Units Plan. These grounds generally extend the width of the unit for ten metres to the north from the outside edge of the north door sill and five metres to the south from the south door sill. Some units (15–22, 33, 48, 85–95) have a 'unit subsidiary' for a carport and this is also shown the Units Plan. These unit subsidiaries do not extend the full width of the unit. Consequently, there is a strip of common property adjacent to these carport subsidiaries. Unit owners may not enclose this strip or any other area of common property.

4.1 Household Garbage and Recycling

The household garbage and recycling bins are the property of the ACT Government and have been allocated to each unit and the serial numbers recorded. You should identify your garbage and recycling bins with your unit number (inside the lid, if preferred). Please do not take bins with you if you move as the new residents will need them.

To enable bins to be easily lifted by the collection truck, please place bins 30cm apart. Place the bin no more than half a metre from the kerb, with its opening facing the road.

Don't overfill the bin. Its lid should be closed when it is put out for collection. The contractors may refuse to empty bins that contain the wrong contents, are too full or not correctly placed for collection.

Household garbage bins are collected every second Thursday morning.

Garbage bins are for household waste such as packaging that can't be recycled. Paper and recyclable packaging should be deposited in recycling bins. Kitchen and garden organic waste should be deposited in the 'FOGO' bins.

What cannot go into general garbage bins?

Please do not put the following items in garbage bins:

- warm, hot or burning ashes
- oil, paint, solvents, household chemicals or any other liquid
- garden waste, lawn clippings, rocks or soil
- commercial building or industrial waste
- heavy materials which may overload or damage the bin or the compacting mechanism of the collection vehicle

Recycling bins are collected every second Thursday morning.

What can go into the recycling bin?

- all paper and cardboard
- all glass bottles and jars including separated lids but not light globes*, windows, mirrors or crockery
- cartons including all fruit juice and milk cartons
- all rigid plastics including PET, HDPE, PVC plastics and separated lids
- steel cans, aluminium cans and trays and clean aluminium foil (compressed into a ball).

*Unbroken compact fluorescent lights can be placed for recycling in a collection box next to the courtyard gate of unit 25.

Food and Garden Organics (FOGO) bins are collected every Wednesday.

What can go into the FOGO bin?

- Food scraps including leftovers, bread, dairy, meat/fish scraps and bones, coffee grounds and tea leaves.
- Garden waste including grass clippings, prunings, leaves and small branches up to 45cm long and 10cm diameter.
- **Do not** put in oyster shells, animal droppings, kitty litter, tissues, paper towel, shredded paper, nappies, plastic bags or products, biodegradable or compostable packaging (except the supplied green bags), textiles, glass or personal hygiene products.

Each unit has been supplied with a kitchen caddy and green compostable bags to collect kitchen scraps. FOGO bins can hold more shrub branches if they are cut up with loppers.

Residents are strongly encouraged to maximise the use of the FOGO bins to dispose of garden waste before adding material to the Green Waste Depot next to the Community Garden and Tennis Court. The material in FOGO bins is recycled for free but clearing material left in the Green Waste Depot is a significant cost to all owners. Ask if a neighbour if they have spare room in their bin if yours is full. Spare FOGO bins are also stationed next to the Green Waste Depot.

4.2 Insurance

The Owners Corporation maintains insurance on all the structures on the property, including the individual units, but not their contents.

Owners and residents are responsible for obtaining insurance for the contents of their unit. In general, contents are defined as those items, such as refrigerators, washing machines, furniture, computers and personal effects, that would be removed if the unit were sold or vacated.

Owners are also advised to obtain private accident insurance along with normal home contents and public liability insurance as the Owners Corporation's public liability insurance policy does not cover owners.

4.3 Unit Maintenance

[Owners Corporation Rules 3](#) and 3A require owners to keep their unit in a state of good repair. 'Good repair' includes structural matters and anything that affects the outward appearance of the unit or the use or enjoyment of other units or the common property. Anything maintained within the unit should not be substantially detrimental of the appearance of the Units Plan. In particular, any repair and maintenance that affects the outward appearance of the unit should be in keeping with the original exterior of the units and is in a construction, materials and colour scheme that matches the overall appearance of the Units Plan.

Paths and Driveways

Unit owners are responsible for maintaining the individual access paths and driveways to their unit, including any part that lies on common land until it joins a shared access footpath, road or car park ([Rule 28](#)).

Fire Risk

Keeping gutters free from flammable debris reduces the risk of fire during summer. Residents are encouraged to clear leaves from gutters and from the grounds within and near their unit area and to make use of collection facilities made available during Dead Wood Week (see [section 5.3](#), below).

Carports

Residents who have been granted a 'special privilege' for the exclusive use of space in a parking area or carport sited on common property are responsible for upkeep and maintenance according to the terms of the special privilege rule (see [Section 5.1](#) and [rule 30](#)).

Subfloor Ventilation

Most units have suspended timber floors above a subfloor area that was excavated below the original ground level. This area can become damp and it is vital that ventilation is maintained to prevent mould, rotten timbers and encouragement of termites. These units have vertical ventilation slits just under the north and south brick window/door sills and immediately above a black plastic dampcourse. It is very important to keep these slits clear of debris. Do not build up paving or garden beds higher than the dampcourse.

Also important is to ensure that courtyard areas maintain a fall for storm water to run into the unit's stormwater plumbing or away from the unit rather than pooling and seeping into the ground next to the footings and the subfloor area.

Some unit owners have augmented the original ventilation with various active and passive approaches to remove moisture. The EC can advise on these.

Leaky plumbing

Other sources of moisture under units include failure of the water-proof membrane of shower recesses and leaking hot water systems. The original hot water systems in many units were in the sub-floor area. These are now of an age where failure of the tank from corrosion is likely. Another common failure is the pressure relief valve releasing water continuously rather than intermittently. Unit owners are advised to have very old hot water systems inspected and replaced before they fail.

Termites

There are two species in the Canberra region that commonly cause structural damage to buildings but there are also several species that are often found in gardens that rarely cause damage to buildings. Don't panic if you find termites. If they are found in timber in your garden, there is a good chance that they are one of the species that you don't need to worry about – just part of our interesting local fauna. Quickly cover them again and call someone who can

identify them. If you disturb them further, they are likely to abandon the feeding site and won't be there for identification.

If they are in house timbers, cover them up and resist the temptation to disturb them further. They work slowly so they won't do much damage in the time it takes to call an expert. If the nest can't be found (It might be many tens of meters away), it may be necessary to treat that feeding site with a toxin that is taken back to the nest, so you don't want them to abandon that site.

Annual pest inspections are recommended, particularly of the subfloor area. The best prevention is regular inspection, keeping the subfloor area dry and removing any timber scraps. Metal 'ant caps' on the brick piers under the floor do not stop termites. Instead, they force their mud tracks out into the open where they can be more easily observed during an inspection.

Please let the Executive Committee and neighbours know if you find termites. One of our unit owners (Peter Campbell) can identify all the common local species.

4.4 Paint and stain colours

Consistency in the colour of external features is essential to the architectural integrity of Wybalena Grove.

The Grove is an example the [Sydney Regional Style](#) of architecture in which the dominant visible features are solid forms (such as our repeated planes of wing walls and roof pitches) that are integrated into the natural environment. The tones of the bricks, tiles and wood colour are deliberately similar and dark in order to obscure detail and blend into the bushland.

Differing colours and light tones highlight details and therefore detract from the architectural integrity of the Grove.

Unit owners are required to preserve the consistent colour treatment in their choice of stain or paint for external timbers and for any construction or addition to their unit. The Executive Committee is responsible for approving colours according to the following recommendations.

External timbers should be treated with a finish that is dark brown with a blackish tone. This is as close as practicable to the original Watty's Umber oil stain that allowed the wood grain to show through but which is no longer available. Available products described as 'Walnut' are often close in colour, for example, Sikkens Cetol HLS Walnut. Some 'natural' finishes may also be acceptable, even though they are lighter in tone. Products described as 'Mission Brown' vary greatly. Some are good while other examples can be too reddish or chocolate in tone and do not blend into the environment. If in doubt please check with the executive committee.

4.5 Pets

The *Unit Titles (Management) Act* (UTMA) requires owners to obtain the consent of the Owners Corporation (OC) to keep, or to allow to be kept, an animal within the unit. The definition of 'animal' is wide, encompassing cats, dogs, amphibians, birds, fish, and reptiles. The OC may give consent with or without conditions but the Act also requires that consent not be 'unreasonably

withheld’.

The ACT Government requires that all cats and dogs must be desexed, microchipped and registered. The [ACT Government’s requirements](#) also have extensive provisions for dealing with animals that cause damage to property, excessive disturbance because of noise, and danger to the health of another animal or person. The ACT Government requires [containment for all cats](#) born from 1 July 2022.

In addition to the [relevant ACT regulations](#), the Owners Corporation rules regulate the keeping of animals in Wybalena Grove. Please refer to [rules 5 and 6](#) in Appendix B. Following are some key points:

- The rule automatically gives the consent required by the UTMA for up to two dogs or cats or a reasonable number of small animals or an assistance animal.
- Consent to keep other animals such as poultry or a third dog or cat or an unusual species must be sought in writing.
- [Animals must be confined to the unit area](#) except when under the control and supervision of a responsible person. This includes cats born before 1st July 2022. An exception was made for a small number of ‘grandfathered’ animals that were accustomed to roaming unaccompanied before the rule was adopted. At the time of writing in 2024, only four grandfathered cats remain.
- Owners must immediately remove any soiling of the common property.
- The rules have provisions to deal with bad behavior of animals.

The Owners Corporation encourages the installation of cat ‘runs’ or outdoor cages within the unit area.

Please note that the consent of the OC to keep an animal at a unit is a separate matter from any provisions of a tenancy agreement.

4.6 Rates

In addition to the Owners Corporation levy, each unit pays [land rates](#) to the ACT Government and water and sewerage rates to [Icon Water](#). Individual owners are responsible for the payment of their unit’s water bills.

4.7 Real Estate Signs

Owners selling their unit through a real estate agency are advised that the ACT Government Department of Urban Services has devised a Code of Practice for Movable Signs. In general, such signs must indicate the number of the unit for sale or open for display and the name of the agent managing the sale. When the sale is completed, the sign should be removed.

4.8 Stormwater, Sewerage, Electricity and other Utility Services: Mains and Tributaries

In Wybalena Grove each unit has, and is responsible for, its own separate utility connections to conduits in easements for which the utility providers hold title. Copies of the utility maps are available on [our website](#). Stormwater and

sewerage are carried by separate but parallel drainage systems. Regulations for repair and service of these systems are set out as follows.

MAINS

The various mains are located in mostly 6-meter-wide easements which run through the common areas of Wybalena Grove. Mostly they run roughly east-west parallel to the rows of units providing connection points to the north and/or south of each row of units, mostly under grassed areas but also under some paved parking areas and roads.

Utility providers such as EvoEnergy and Icon Water are responsible for the maintenance and service of water, stormwater, sewerage, electricity and gas mains in the easements. For water and sewerage faults and emergencies phone Icon Water on 62483111. For gas faults and emergencies, call EvoEnergy on 131909. For electrical faults and emergencies, call EvoEnergy on 131093. If there is a life-threatening emergency, call 000.

TRIBUTARIES

Each unit is separately and directly connected to sewerage, stormwater and other utility mains by tributaries that run partly under the unit area and partly under common land until it joins the main.

The unit titleholder is responsible for the maintenance and repair of the tributaries. This includes relining and replacing pipes and clearing of blockages, even those that might have been caused by trees on the common land. Responsibility for the tributary extends from the unit to the 'tie point' at the mains, including those sections that run beneath common ground.

The unit owners should contact a plumber to carry out maintenance of the tributary at his or her own expense. If the problem is found to be in the mains, the plumber should not undertake the repair but inform Icon Water, which should then carry out the repair without cost. If your plumber makes the repair, you will be responsible to pay for it because Icon Water will only pay for faults they have confirmed and approved.

Please note: The Owners Corporation is not responsible for any costs associated with the repair of any water, stormwater or sewerage main or tributary that connects to a unit in Wybalena Grove. However, the Executive Committee will be happy to provide advice and should be 'kept in the loop' if there are works needed on the common property.

EXCEPTIONAL CIRCUMSTANCES

In instances where repair of a problem in the main or tributary involves removal of trees or landscaping on common ground, the unit titleholder should contact the Executive Committee or Managing Agent. The Executive Committee may agree to arrange and pay for the removal of the trees or landscaping. However, the cost of the repair to the system remains the responsibility of the unit owner or utility provider.

In instances where common ground areas cause or contribute to stormwater runoff or drainage problems, the Owners Corporation may pay for or contribute to repair costs. The unit owner should contact the Executive

Committee or Managing Agent and explain the problem. The Executive Committee might then agree to the repair.

4.9 Water Meters and Mains Water Taps

Residents are responsible for paying the cost of water consumption as part of their quarterly Water & Sewage Rates.

Each unit's water meter and water cut-off tap are generally located beneath a round concrete or rectangular green plastic cover in the common area at the edges of the easements that run between each row of units. Residents should locate their mains water tap and keep it accessible and in working order.

Most meters have a green hard plastic cover which can be easily lifted to read the meter. Units with older concrete covers may be able to collect a newer rectangular plastic style cover from [Icon Water](#). Where a cut-off tap is difficult to reach, a forked extension tool is needed. These can be purchased from hardware stores and the OC has one that can be borrowed.

4.10 Water tanks

Rainwater tanks within unit boundaries, like other external structures, need approval from the Executive Committee before their installation. Tanks should not intrude on a neighbour, such as extending beyond or above a unit's wing walls. The shape and colour of tanks should be consistent with the approval principles. These and the approval process are given in section 6 below.

Proposals to locate water tanks or other rainwater harvesting devices on common land (e.g., to collect and distribute water from car park roofs for fire fighting, watering of common grounds etc) must be approved by a general meeting.

4.11 Website

A website, www.wybalenagrove.net.au, provides sections on the Owners Corporation governance, Wybalena Grove's history, grounds, and environment, and an archive of newsletters, general meeting minutes, utility and other maps, our fire plan and other documents.

The website contains material that is publicly accessible and material that can only be viewed by registered users, who must be owners, tenants or the Managing Agent.

The registration procedure is explained on the website's home page.

4.12 Dispute Resolution

Unfortunately, disputes can arise between various parties to a unit-titled property – owners, occupiers, the Executive Committee and its members or the Owners Corporation itself. Ideally these should be settled by negotiation between the parties with each attempting to understand the other's point of view and reach an acceptable settlement.

Part 8 of the Unit Titles (Management) Act 2011 outlines relatively simple and inexpensive dispute resolution available through the [ACT Civil and Administrative Tribunal](#) (ACAT) when negotiation has failed.

Various categories of dispute are defined and the ACAT can make various types of order. For example, an order can require a party to do or refrain from doing a thing or to exercise a certain function under the Act. Orders can be given that various meetings or decisions of an owners corporation are void for some irregularity. Orders may give effect to a failed motion or overturn a resolution that passed (based on a merits review), allow an applicant to examine records, appoint an administrator etc.

An ACAT dispute is triggered automatically without need of further warning if an owner is issued with a Rules Infringement Notice and does not comply with the required remedy of the breach of the rules.

5. THE COMMON PROPERTY

In general, the Owners Corporation is responsible for maintaining the common property including structures on common property. Exceptions include minor items for the exclusive use of an individual unit including their individual path or driveway connections to the shared paths and roads.

5.1 Carports and Parking Spaces

Some units have (96–105) or had (23) carports built within the unit area. Others have unit subsidiaries for carports shown on the Units Plan (15–22, 33, 48, 85–95). These subsidiaries are attached to the titles of those units. The remaining units have a special privilege for the exclusive use of at least one covered space in the common property car parks known as [P1 to P10](#) (there is no P3). A few units do not yet have covered parking but all have at least one parking space allocated with permission to cover that parking space.

5.1.1 Construction and exclusive use of carports in common property car parks

The carports in the common property car parks have been constructed at the request and expense of unit owners but the Owners Corporation (OC) retains ownership of them. The OC has granted special privileges to unit owners for the exclusive use of one or two parking spaces, and any carport over it, for specified purposes, on terms and conditions set out in [Rule 30](#).

These special privileges were granted to ‘the owners of particular units at any time’ so that exclusive use transfers automatically to the new owner on the same terms when a unit changes hands.

All allocations of parking spaces that were envisaged in the parking plan approved at the May 2012 general meeting have now been made. Some allocated spaces have approvals in place for carport construction that has not yet occurred. Some allocated ‘second’ spaces cannot have a carport due to impediments such as an underlying water mains. A few allocated ‘second’ spaces could be considered for carport construction, which would then require approval by an ordinary resolution of a general meeting.

5.1.2 Repair and maintenance of carports in common property car parks

The unit owners with common property carport special privileges are responsible for all costs associated with the repair and maintenance of the common property carports. These costs are shared equally per covered space in accordance with the ‘[Common Property Carport Maintenance House Rule](#)’ which explains the operation of the maintenance obligations from [Rule 30](#). The need for repair and maintenance work is determined by the Owners Corporation. Usually, the cost of the work will be met initially by the Owners Corporation, which will then recoup that cost pro rata per space from the relevant unit owners.

5.1.3 Storing personal effects in carports in common property car parks

[Rule 30](#) allows a unit owner to use their allocated space to store personal effects as well as park their vehicle but only to the extent that this does not become an eyesore or create other hazards.

5.1.4 Charging electric vehicles in carports in common property car parks

An electric vehicle charging plan was adopted by general meeting resolution in 2018 to enable the gradual addition of charging outlets as required at individual unit owners' expense for the installation (and repair and maintenance) of the circuits they use.

Units with carports within the unit area or on unit subsidiaries can organise charging outlets in their own carports connected to their own electricity meters. Some units' allocated parking spaces in shared parking areas are sufficiently close that a charging outlet can be installed with cable only needing to traverse a short distance of common property from the unit's meter. Permission for this 'minor use' of common property and approval of the details of the installation must be sought from the executive committee (EC).

Some units are too far from their allocated parking space and instead need to use a connection to a common property electricity supply. The EC has a responsibility to ensure the equitable sharing of the available supply capacity among those who cannot connect to their own unit's supply. Individual charging connections to common property supplies are sub-metered to enable the OC to recoup the cost of electricity used for vehicle charging.

5.2 Community Fire Unit

Wybalena Grove has its own [Community Fire Unit](#) (CFU) and is equipped with two CFU trailers. The two CFU trailers are located within Wybalena Grove at strategically separate locations. In the event of a fire or a fire threat the CFU team and trailers would be directed by the ACT Fire Brigade under powers and protections conferred by the ACT *Emergencies Act*.

Details of the Community Fire Plan are on [our website](#) and have been distributed and should be retained in the red folder distributed to every unit. Residents are urged to re-consider their individual Plan each year and update their family plan sheet to accord with changed circumstances.

New recruits to the CFU are always welcome. Further details can be obtained from the Executive Committee, who can put you in touch with the CFU's team leader.

5.3 Dead Wood Week

The Executive Committee generally publicises a 'Dead Wood Week' in late Spring each year to help reduce the load of flammable materials before the beginning of the fire season. The "week" usually extends for 10 to 12 days and includes two weekends. During the Dead Wood Week, collection sites will be marked around the site for collection of tree fall, bark, branches, small wood and similar highly flammable materials.

Residents will be advised through the **Newsletter** of the arrangements for collecting and removing dead wood from the site.

The green waste recycling area will be kept cleared so that fuel is kept to a minimum during the hottest months. The recycling area will remain open but

residents are encouraged to clear up during Dead Wood Week and help reduce the fire risk during summer.

At all times, residents are encouraged to keep their gutters clear of debris and to use the free weekly FOGO bin collection service. The more material goes in the FOGO bins, the less the OC has to pay to remove.

5.4 Dumping

From time to time, building materials, old vanity units, used white goods and other similar inappropriate items have been dumped in the green waste recycling area and other areas around the Grove. Owners and their contractors are responsible for removing all waste materials from the Grove following building works. Please see [sections 5.3](#) Dead Wood Week and [5.12](#) Green Waste Recycling Area. Removing these items is an additional expense incurred by the Owners Corporation. The green waste recycling area is for garden refuse only.

Sometimes trades or residents undertaking unit alterations or landscaping or drainage works have dumped excess soil, sand or gravel on common property where it may damage native plants. This is not allowed without first consulting the executive committee (EC). Often the EC can suggest a location that would benefit from some additional fill or at least suffer no harm (eg. an eroded track).

5.5 Gas

Mains gas lines generally run between unit rows along the same utility easements as electricity, water, sewage and stormwater. Maps for all utilities are available on the [Wybalena Grove website](#).

ACT government policy prohibits new gas connections and encourages gas disconnection. The Executive Committee can provide advice on efficient electric replacements that have worked well in our units. For example, air conditioning units are available for installation on internal walls, within the thickness of internal walls and in ceilings with the plumbing passing out of sight under the floor or over the ceiling. Unfortunately, installers often don't present these options.

Remember that hot water, heating and cooling appliances must be installed entirely within the unit area and approved if externally visible.

5.6 NBN

NBN connections are generally Fibre To The Curb (FTTC) which means fibre to telecom pits in the easements between the rows of units and then copper for the last few 10s of meters. Fibre To The Premises (FTTP) upgrades are possible.

5.7 Grounds Liaison

The Executive Committee hires contractors to maintain common ground landscaping, to clear the garden refuse area and undertake arborist work. The Grounds Coordinator generally directs landscaping contractors on behalf of the Executive Committee. Requests for maintenance of common ground items should be directed to gardening@wybalenagrove.net.au, which reaches both the Grounds Coordinator and the executive committee.

Sometimes residents become concerned that a tree might be dangerous or report a damaged tree. When this occurs, the Executive Committee acts on the advice of a professional arborist.

5.8 Lighting on Common Grounds

The ACT government is responsible for maintaining the lights along the main Wybalena Grove roadway and the eastern and the western arms as far as the turning circles. This is a public road, not part of our property. Anyone noticing a fault with these lights should report it directly to [Fix-My-Street](#). Each lamp post is numbered for identification.

The Owners Corporation is responsible for maintaining all other lighting in common areas, including in the common carport areas and along the shared footpaths. Please report any faults with these lights to your cluster representative, who will arrange repairs. Some cluster representatives may choose to keep a small stock of spare globes on hand.

The solar electric (photovoltaic) system on the roof of the P7 carport east of unit 1 is owned by the owners corporation. It supplies the electricity grid with approximately the same amount of energy by day as we consume at night for lighting the common property. The Owners Corporation receives a credit on our electricity account which reduces levies for all owners.

5.9 Maintenance of Common Amenities

Residents are encouraged to help maintain the common areas and facilities that make Wybalena Grove such an attractive place to live. In particular, residents are encouraged to weed and water and otherwise maintain the areas of common property adjoining their unit courtyards.

From time to time, working bees are organised for such tasks as replanting and weeding, refreshing the playground softfall mulch and re-oiling the timbers of the playgrounds and picnic shelters. Tennis court users, please see [Section 5.13](#). Pizza oven users, please see [Appendix C](#).

If you see something that needs doing, let the [Executive Committee](#) know about it and consider volunteering to do it!

5.10 Maintenance of Common Land and Private Gardens

The Corporation employs a contractor to clear paths, mow, brush-cut and poison weeds on the common land. In winter the contractor takes on other duties such as mulching, weeding and pruning when the grasses are dormant.

Residents are responsible for the maintenance of private courtyards and encouraged to extend their maintenance to the immediately surrounding common property.

The Corporation has a regular garden maintenance and fuel reduction program. However, priorities vary from year to year depending on factors such as drought, fire hazards, storms etc. The Grounds Coordinator, in consultation with the Executive Committee, determines work priorities. Residents should discuss grounds matters with their Cluster Representative or other committee member rather than the contractor.

Please note: It is not one of the contractor's duties to water the common land except when directed to do so by the Executive Committee under exceptional circumstances.

5.10.1 Maintenance of Common Land – Safety and Risk Mitigation.

Residents are encouraged to report any perceived hazards on the common property to the Executive Committee, which may then arrange appropriate repairs or maintenance to mitigate the risk.

The Executive Committee (EC) regularly takes advice from qualified arborists when there is damage to a tree or a tree presents a perceived risk. Trees are brought to the EC's attention by our grounds coordinator, individual residents and our general grounds maintenance contractor. From time to time, the EC also engages an arborist to undertake a survey of all trees close to units, paths, roads and other community facilities. The arborist's report ranks risks and recommends remedies. The EC then arranges the recommended action for all trees presenting a 'high' risk.

Note that [rule 22](#) specifically forbids damage of trees on the common property without written approval. Occasionally, a unit owner might have reasonable grounds for wanting to remove or prune a tree on common property near their unit. If the work would not be a significant detriment to the common property or other units but the work would also not be a high priority for the Owners Corporation, the EC might give permission for the work to take place at the unit owner's expense.

5.11 Planting on common ground

The Corporation regularly plants and replants on the common ground depending on seasonal conditions. Residents may choose to plant on common ground adjacent to their unit but should note the following planting policies that were adopted by general meeting resolution in 1984 as part of the 'Wybalena Grove Development Framework':

- All planting on common property outside cluster areas must be vegetation native to Australia;
- Within cluster areas, trees capable of growing into the dominant tree canopy layer must be natives of Australia to ensure colour and texture continuity with the existing canopy, but sub-canopy species may include exotics, e.g. silver birch, provided that such trees are not capable of growing higher than 8 metres.
- To provide visual variety, residents are encouraged to plant exotic trees, shrubs and ground covers as part of their boundary treatment.

Beyond courtyard boundary zones, Australian native plants which are drought and frost tolerant should be chosen, preferably those indigenous to the ACT.

Please do not plant honeysuckle, bamboo, common periwinkle, ivy, cotoneaster, pyracantha, St John's Wort, privet, Spanish broom, Patterson's curse or other plants declared to be 'pest plants' or noxious weeds **anywhere** in Wybalena Grove, including within your unit area. Please do not allow pest plants within your unit area and advise your Cluster Representative of any that

are in your boundary area. The Cootamundra wattle, although a native plant which is both frost and drought tolerant, has also been declared a pest plant in the ACT and should not be planted.

Please consider the ultimate size and properties of plants that may cause nuisance to neighbours, for example, by shading or leaf shedding.

Residents are encouraged to merge their courtyard gardens with the common property landscaping provided the following procedures are followed:

- the Executive Committee's approval has been obtained for all proposed mounding and planting on common land;
- requests for approval must be submitted in advance in writing to your cluster representative.

Approval will generally be given provided that:

- emergency vehicle access will not be impeded in any way;
- proposed planting complies with the Corporation's planting policy;
- the landscape design does not give the impression that common land has actually been incorporated into the private courtyard;
- the resident agrees to water and maintain the relevant area.

Requests for approval outside the above principles may be submitted and will be considered on their individual merits. The procedures include an inspection phase after the landscaping has been completed.

5.12 Green Waste Recycling Area

The Owners Corporation provides a green waste recycling area to the north of the community garden and tennis court. This area can be used to deposit acceptable garden refuse from the common ground and owner's unit area. The removal contractor takes this material to a recycling centre as necessary.

Prunings, branches up to 200mm diameter, weeds and leaf matter from individual unit gardens and from the common grounds can be left at the recycling area. However, please fill your own FOGO bin first. If your FOGO bin is full, ask if you can use a neighbour's. Additional FOGO bins may be left by the green waste area. Please fill those first.

No bamboo or pampas grass should be placed on the recycling area at Wybalena Grove as the recycling centre will not accept these materials. Residents removing bamboo, or pampas grass from their gardens have a responsibility to remove these materials from the site.

Please note: Clearing the green waste area is a substantial cost paid for from Owners Corporation levies. It is not provided by the ACT Government. The ACT Government provides the FOGO bins, so fill those first. The recycling area is for the use of residents only. If you observe anyone dumping rubbish other than garden refuse, or if you recognise any vehicle as not belonging to a resident, please record the registration number and advise your cluster representative on the Executive Committee. The ACT Ranger's Office has been helpful in warning off those non-residents whose vehicle registrations have been noted while dumping on site.

5.13 Tennis court

Rules are as follows:

- The court is for use by residents and their accompanied guests only.
- The court must not be used when wet. If the court surface is damaged in any way it should be immediately repaired and smoothed.
- Following play, the court must be bagged and may be watered, depending on current ACTEW water restrictions in force at the time.
- When not in use, the nets should be lowered so the bottom of the net is just clear of the ground.
- The court is available for play at any time, and can be booked for a maximum of two hours. Bookings should be made on the pinboard next to the tennis court gate. Details should include name, unit number and period of play. Failure to claim the court within 10 minutes after the hour invalidates a booking.

5.14 Village green (oval), picnic shelters, pizza oven and BBQ area

These facilities are available for general recreation purposes and also for special social functions. They are on Owners Corporation property and are for use of residents and invited guests only. Residents interested in organising special functions should notify the Executive Committee to ensure that no other functions have been organised for that day.

A conventional wood-fired BBQ and our wood-fired (pizza) oven are at the picnic shelter between the tennis court and the central playground. The oven can be used not only for pizza but also roasting and baking. Detailed oven instructions are in [Appendix C](#). Please follow the instructions carefully and please ask an experienced user if you are at all uncertain. Various aspects of the use of the oven are not obvious.

The central picnic shelter and pizza oven have the highest use and they have a booking book under the oven. Most users, unless they have a very large group, are happy to share with other residents. Once the oven is hot, each pizza only takes a few minutes to cook so you can feed a lot of people.

When using these facilities, please remember to keep noise levels within reasonable limits, remove all rubbish, and leave the area in good condition. Visitors should be asked to park along the Grove's roadways, and not on the oval, access tracks, or grassed areas.

The Corporation wishes to maintain an even playing surface on the oval/'village green' so activities that could damage the surface, such as golf and horse riding, are not permitted.

5.15 Vehicle access on common land

The grassed corridors between rows of units are provided to allow access for emergency vehicles and other infrequent and exceptional purposes (See [Rule 25](#)). Cars and trailers must not be parked in these areas.

Vehicles should drive on common land, other than car parks, only for the purposes of loading and unloading furniture or other heavy household or

garden items. Often a wheelbarrow offers a convenient alternative for transporting heavier items to and from your Unit.

Please help to prevent these areas becoming ugly tracks by replacing the bollards or chains if you find them down and discouraging service providers from assuming they can drive wherever they like.

It is the responsibility of individual residents to repair any damage to common land which results from the delivery of furniture, building materials, private contractors etc. Often, they can use a trolley along the path.

Residents should ask their guests to park in designated visitor car parks or along the road as they would in any suburban street, not off the road or in the carports of other residents.

Please consult your neighbours and the Executive Committee if you intend to use common land for a large social event.

5.16 Community Garden

The Community Garden was constructed on a former tennis court in line with a proposal adopted by resolution of the 2018 AGM. It is managed in accordance with that resolution, [rules 14 and 15](#) that were first adopted at the 1976 general meeting, and [a further resolution of the 2025 AGM](#).

The garden is intended to provide opportunities for enjoyable gardening and social interaction among residents. The garden is open to all residents. A variety of herbs, fruit trees and berry bushes are maintained by the gardeners in communal plots for all residents to pick from.

The Executive Committee (EC) has overall responsibility for the Community Garden on behalf of the Owners Corporation but it is managed on a day-to-day basis by a Garden Committee nominated by plot holders. The Garden Committee elects a Convener(s) to coordinate the work of the Garden Committee and provide a point of contact with the EC.

The garden is fully enclosed with netting to keep out birds and possums. Please take care to ensure the gates are fully closed at all times.

5.16.1 Plot Allocation

Individual plots are allocated for one year at a time from April to March. Any household at Wybalena Grove is entitled to use an allocated plot in the Community Garden. In early February, the Garden Committee and Convener(s) seek expressions of interest from residents wishing to use a plot for the next twelve months. Small, medium and large plot options are generally offered.

The Garden Committee then works out an equitable allocation of plots among all applicants. While aiming to satisfy all requests, plots will be subdivided if the demand for plots exceeds supply. The draft plot allocation is then given to the Executive Committee for their review and approval in March. The Garden Committee also maintains a list of any residents who request the use of a plot after the annual allocation has been made in case plots become available during the year.

Plot users must keep their allocated plot well cultivated and tended. Users of allocated plots are charged a plot use fee on a per square metre basis each year. This fee is split between the Administrative Fund, where it is used to cover the water used by the garden and for minor repairs, maintenance and improvements (eg. plants and mulch for the communal plots and repairs to taps and hoses), and the Sinking Fund, where it is saved up to be used for major or long-term repair and maintenance (eg. replacing the netting).

6. UNIT ADDITIONS AND ALTERATIONS

Consistent with the Rules of the Corporation ([Appendix B](#)) and the *Unit Titles (Management) Act 2011*, all proposed structures and external additions and alterations to units must receive Corporation approval. The default Owners Corporation rules that apply in most strata developments would require a special resolution of a general meeting of the Owners Corporation to approve **any** unit alteration. Wybalena's amended [rule 4](#) is much more liberal but it is not 'anything goes'. A key difference is that our rule does not specify a general meeting resolution, so the Executive Committee (EC) can exercise the Owners Corporation's approval function. However, approval must still be sought and the EC must exercise the approval function in accordance with general meeting resolutions that have provided general and specific guidance to the EC. Permission may be refused for aesthetic or safety reasons.

Various resolutions of general meetings, summarised in the following sections, have provided aesthetic guidance to ECs and thereby constrain the architectural features, materials and finishes that may be approved by an EC. The over-arching principle, reiterated repeatedly at general meetings of the owners, is that an alteration must be consistent with the architectural aesthetics manifest in the original design.

If a proposed structure is 'sustainability infrastructure', such as efficient heat-pump space and water heating systems or solar panels, permission will not be withheld but conditions may be applied, such as on the type, configuration or location.

Please note: The Executive Committee does not have authority to approve structures for exclusive use on the common property unless the use is 'minor', 'will not unreasonably interfere with the reasonable use and enjoyment of the common property' and does not conflict with general meeting resolutions such as noted in [Section 6.5](#). Unapproved structures and fixtures on the common property may be removed by the Corporation at the owner's expense.

Important: Executive Committee members may need to inspect the site of a proposed structure/alteration before approval is given. If applicants are anticipating that plans will be approved at a particular meeting, it is essential that the plans be available to all members at least a week in advance of that meeting.

Alterations that also need ACT government approval must first have the seal of the Owners Corporation applied and this is applied only after the Executive Committee has considered and approved the plans. To avoid difficulties when selling units, residents are advised to submit all necessary alterations to Access Canberra so that building files can be amended. All contact with Access Canberra is the responsibility of the owner.

Substantial alterations and renovations should also be advised to the Managing Agent if they would substantially increase the value of the unit. Such notification enables residents to obtain the full benefit of the Corporation's insurance cover. Note that standard strata insurance policies generally include a substantial allowance for 'unit owner improvements', so an added deck or

refurbished kitchen would typically be covered. If in doubt, please request and check our policy.

Do not assume that you can proceed with something on your unit just because you can see something similar at another unit. General meetings have given clear direction about what may be approved. Unapproved additions, particularly on the outside of wing walls, may cause problems with the sale of such units.

Please discuss options for air-conditioning and hot water with the Executive Committee before installers show up. Installers frequently recommend only the solutions that are easiest for them without regard for Wybalena's architecture, approval requirements or even what functions best in our units. The Executive Committee can show you approved examples that function well, both technically and aesthetically.

6.1 General Procedures for Obtaining Approval for Proposed Structures

- Requests for approval of all structures (whether within courtyards or on boundaries) must be submitted in advance in writing and must give dimensions, construction materials and such other details as are reasonably required for the Corporation to make a decision.
- General principles have been established within which the Corporation will normally give approval for construction of fences and walls (see [section 6.3](#)). However, approval must still be sought. Requests for approval outside the principles may be submitted and will be considered on their individual merits.
- All proposals must be accompanied by written evidence of consultation with all neighbouring owners who may be affected by the construction or fixture. This may include owners of units immediately to the east and west of the proponent's unit and those facing the proposed structure from the north and/or south. The written statement should draw the Executive Committee's attention to the nature of any significant objections encountered.

Please note: Any objection may be overcome by further consultation. A single objection may not amount to a veto and the Executive Committee may, after due consideration, proceed to grant approval, despite objections.

The form for consultation is provided at [Appendix A](#) to this Booklet.

6.2 Alterations to Units

The Committee will generally approve proposals to alter or add to units. The following conditions will apply:

- The work must be compatible with the architectural aesthetics of the original design.
- Requests for approval are submitted in writing to the Executive Committee together with:
 - sketch plans or diagrams showing dimensions of the existing and proposed layout elevations and appropriate sections;
 - ground plan showing any increased footprint of the extension;

- a description of the materials proposed to be used;
- details of associated landscape treatment; and
- details of the impact of the proposal and of construction on the surrounding environment.
- The applicant or proponent also submits a written statement indicating that consultation with affected neighbours has occurred. A form for recording such consultation and the views of affected neighbours is contained at [Appendix A](#).
- The applicant(s) undertakes to carry out the proposed works within acceptable levels of interference, satisfies the Committee that adequate and appropriate insurances will be taken out and undertakes to repair any damage caused directly or indirectly to common land with a minimum of delay.
- The applicant(s) undertakes to allow the Executive Committee members to inspect the work once the construction is completed or at such other times as the Committee determines.
- The applicant(s) undertakes to advise the Committee of any changes in plans and to resubmit plans for approval if significant variations occur.

In assessing the compatibility of proposed alterations with the original architectural aesthetics the Committee will be guided by the following principles:

- The roof line profile of the wing walls, which is a characteristic of the architecture throughout Wybalena Grove, should be maintained.
- Any extension to the wing walls on the east and west faces of units should be brick.
- Velux windows may be incorporated in the roof on the north or south sides.
- Dormer windows may be added on the roof on the south side only.
- Balconies may be inset into the roof on the north or south sides.
- Attic extensions may be approved, but not an additional floor (as defined by the authorities) in tri-level units.
- External fittings should be within unit boundaries and not on outward facing wing walls and common land to the side of units (See [section 6.5](#)).
- Any alteration, repair or maintenance that affects the outward appearance of the unit must be in keeping with the original exterior of the units in a construction, materials and colour scheme that matches the overall appearance of the Units Plan.
- Stains used on external timber surfaces should comply with [section 4.4](#).

Executive committees have recognised that the vertical face of units being set back and shaded behind eaves is a distinctive unifying feature of the original design. The original eave depth is 900mm. Alterations that retain at least 500mm of eave depth have generally been approved as consistent with the original architectural aesthetics.

Proposed alterations and extensions may also require approval from ACT planning authorities. Approval is required for:

- work in connection with the erection, alteration, addition or demolition of a building;
- work in connection with repairs of a structural nature to a building;

6.3 Fences and Screen Walls

All proposals to build fences, screen walls and similar structures within unit boundaries must be forwarded to the Executive Committee for prior approval. Written evidence of consultation with affected neighbours must be provided. (See [Appendix A](#))

In accordance with the 1984 Development Framework, the Owners Corporation “encourages owners to screen their courtyards with mounding and/or vegetation rather than with permanent solid fencing (as the complete fencing of units would create a series of individual boxes separating common owned and maintained property "outside" from individually owned and maintained property "inside")”. IE. Fences are permitted but discouraged. A limited range of enclosure types is intended to provide a reasonable compromise between functional diversity and consistent style:

South side of unit

No structure should at any point of its length be more than two metres above the door sill level on that side of the unit. Fence tops must be horizontal. However, on particularly steep sites, stepping of fences may be allowed or required to avoid excessive height. Three types of constructions are permitted:

- a) A curved brick wall, of approved bricks, of a suitable diameter to remain **within** the unit boundary.
- b) A horizontal slatted wood fence, eg oregon pine (preferably rough sawn) constructed of:
 - slats, 150 x 25 mm in size, with about 25 mm spacings;
 - hardwood posts, 100 x 100 mm, set into concrete via steel "shoes", concrete footings should be at least 300 x 300 x 300 mm;
 - posts should be spaced at no greater than 1.8 m intervals;
 - fences should be stained or painted in approved colours (in accordance with section 4.4).
- c) A powder-coated, dark green or dark brown weldmesh-style fence restricted to 1.2m, horizontal, and stepped, if necessary, on sloping ground.

North side of unit

On the north side of units, fences should not be taller than 1.5m above door sill level at any point. Two types of fences are permitted:

- a) Timber slats as described for the south side, but only to 1.5m in height.
- b) A powder-coated, dark green or dark brown weldmesh-style fence restricted to 1.2m, horizontal, and stepped, if necessary, on sloping ground.

Brick circular walls have never been permitted on the north side of units.

Brush fences were previously permitted, but the ACT Fire Brigade advised that they were a fire hazard. New brush fences will not be approved but previously approved fences of this style can remain if maintained in good condition.

Weldmesh fences with a shiny galvanised finish were previously permitted, but the 2010 AGM resolved that no new fences of this style may be approved.

6.4 Garden Sheds

Garden sheds may be installed within a unit area after approval from the Executive Committee. Please include the following supporting information:

- a diagram of the garden with measurements showing
 - the proposed location
 - the dimensions of the shed (length, height and depth)
 - any plans to screen the shed (in accordance with [6.3](#))
- a statement describing
 - the nature of the construction materials
 - colour of the construction materials, which should be a natural wood brown (in accordance with [4.4](#)) or a muted 'bush' green
- a statement demonstrating that owners of units affected by the siting of the shed have been consulted (see form at [Appendix A](#))

6.5 Equipment on or over common property east and west of the brick walls of units

The following guidance was adopted by general meeting resolution in 2024 in order to preserve the uncluttered appearance of our distinctive triangular end walls:

- a) New air conditioning compressors, hot water systems and other privately installed equipment must be housed within the unit area*, including replacements for equipment currently installed outside unit areas.
- b) The OC's strong preference is for all associated plumbing and conduit to also be housed within the unit area. The EC may approve new conduit on the outward facing side of a unit's brick wall only when the following conditions are met:
 - 1) containing all plumbing within the unit area is demonstrated as either not feasible or requiring substantially greater expense;
 - 2) conduit is run horizontally on the outward wall as close to ground level as possible;
 - 3) there is only a single vertical run of conduit up the outward wall.
- c) Conduit installed against brickwork (inside or outside the unit) must be made from Jasper Colourbond or painted to match.

*The 'unit area' is a unit owner's exclusive use area, being the footprint of the unit itself plus the courtyard areas between the wing walls, extending 5m to the south and 10m to the north of the unit's floor area.

APPENDIX A – Neighbour Consultation Form

Format for consultation with neighbouring owners who may be affected by your construction or alteration proposal.

Proponent to complete the top part – items 1–5 and give one copy to each affected neighbouring owner to complete the bottom section of the page.

1. Proponent's name and unit number:
2. The nature of the proposed structure (eg additions, garden shed, new fence):
3. Colour and materials to be used in the proposed structure:
4. The location of the proposed new structure (eg south side, west wing wall):
5. All units whose owners will be affected by this proposal:
 - a) Unit no: Name of Owner:
 - b) Unit no: Name of Owner:
 - c) Unit no: Name of Owner:
 - d) Unit no: Name of Owner:

Following statement to be completed by each affected owner.

_____ of unit ____ has consulted me over the proposal
(proponent's name)

to construct
(nature of structure)

I do object / have no objection to this proposal. If objection, please describe briefly (use back of sheet if needed).

Signature: _____

APPENDIX B – Owners Corporation Rules -adopted by the General Meeting of 24 March 2021, updated by AGMs 14 July 2021, 18 July 2023 and 23 June 2025

1. Definitions

(1) In these rules:

owner, occupier or user, of a unit, includes an invitee or licensee of an owner, occupier or user of a unit.

(2) A word or expression in these rules has the same meaning as in the *Unit Titles (Management) Act 2011*.

2. Payment of rates and taxes by unit owners

A unit owner must pay all rates, taxes and any other amount payable for the unit.

3. Repairs and maintenance

(1) A unit owner must ensure that the unit is in a state of good repair.

(2) A unit owner must carry out any work in relation to the unit, and do anything else in relation to the unit, that is required by a territory law.

3A. Repairs and maintenance

(1) 'Good repair' includes any part that affects the outward appearance of the unit or the use or enjoyment of other units or the common property.

(2) A unit owner must not, without the prior written approval of the Owners Corporation, maintain within the unit anything visible from outside the unit that, viewed from outside the unit, is substantially to the detriment of the appearance of the Units Plan.

(3) A unit owner must ensure that any repair and maintenance that affects the outward appearance of the unit is in keeping with the original exterior of the units and is in a construction, materials and colour scheme that matches the overall appearance of the Units Plan.

Note: 'The unit' comprises the whole unit area including the main dwelling, courtyard, carport or garden, and the attached unit subsidiaries for a carport in the cases of units 15-22, 33, 48 and 85-95. One of the conditions of the grants of special privileges for parking spaces on common property is: 'Rules of Owners Corporation that apply within the Member's unit shall also apply within special privilege areas associated with that unit.'

4. Erections and Alterations

(1) A unit owner may erect or alter any structure in or on the unit only—

(a) in accordance with the express permission of the owners corporation; and

(b) in accordance with the requirements of any applicable territory law (for example, a law requiring development approval to be obtained for the erection or alteration).

(2) Permission may be given subject to conditions.

(3) The Corporation shall not refuse to grant its permission except for aesthetic or safety reasons.

(4) However, if the structure is sustainability infrastructure, the owners corporation's permission must not be unreasonably withheld.

Examples—permission not unreasonably withheld

- safety considerations
- structural considerations

Example—permission unreasonably withheld

external appearance of a unit or the units plan.

Note: Various resolutions of general meetings constrain the architectural features, materials and finishes that may be approved by an executive committee. At the time of writing these include a resolution in 1984 to adopt the 'Development Framework' (particularly Appendix D, 'Procedures for Alteration...'),

resolutions in 1996 and 2000 to adopt 'Guidelines for Alterations' and a resolution in 2010 defining the styles of fences that may be approved. The 2017 AGM noted at resolution 6 a statement by the Tribunal on the operation of our Erections and Alterations rule.

5. Keeping of Animals

- (1) A unit owner, occupier or user of a unit may keep an animal subject to the conditions set out in these Rules.
- (2) Any animal that is deemed by the Executive Committee (EC) to be potentially harmful to the health or safety of others will not be allowed, including any type of dog or other species that is deemed dangerous under any relevant legislation in force in the ACT.
- (3) A unit owner, occupier or user of a unit who keeps an animal, or allows an animal to be kept, is deemed to have consented to the conditions imposed under these Rules.

Conditions

Approval Process

- (4) The consent of the Owners Corporation (OC) is granted automatically by this rule for any unit owner, occupier or user of a unit to keep:
 - (a) up to two common household pets (dogs and cats) in the unit as a companion animal(s).
 - (b) a sufficiently small number of small animals (such as mice, cage birds, guinea pigs, fish, amphibians or reptiles) in the unit that can reasonably be expected to not cause a nuisance to other residents.
 - (c) an assistance animal, such as a guide or hearing dog, used by a unit owner or occupier of a unit or visitor.
- (5) For any animal not covered by sub-rule (4), including poultry, a unit owner, occupier or user of a unit is required to submit a written request for approval through the managing agent before bringing an animal into the Units Plan.
- (6) The EC may grant approval, with or without conditions, for an animal not covered by sub-rule (4) to be kept in the unit after consideration of the merits of the proposal but may refuse to grant approval if the applicant fails to provide on request any information that the EC considers relevant, which may include:
 - (a) Information about the animal including the breed, weight and standing height, and common characteristics of the species.
 - (b) A photograph of the animal.
 - (c) Documentation from a veterinarian attesting to whether the animal has been:
 - i. Desexed
 - ii. Micro chipped
 - iii. Vaccinated and inoculated for worms and any other parasites as recommended by the RSPCA.
 - (d) Details of how the animal is proposed to be housed or controlled.

Dealing with animals

- (7) The keeping of animals at Wybalena Grove must comply with the requirements of ACT Government legislation.

Note: At the time this rule was adopted, ACT Government requirements were set out at www.cityservices.act.gov.au/pets-and-wildlife/domestic-animals. These requirements include that all dogs and cats must be desexed and micro chipped and that all dogs also must be registered.

The OC also encourages owners, occupiers and users to have animals vaccinated and inoculated for worms and other parasites as recommended by the RSPCA.

- (8) The animal must stay within the confines of the unit area except when under the control and supervision of a responsible person.

- (9) The unit owner, occupier or user of a unit must ensure that the animal is appropriately and effectively restrained and under the control of a responsible individual while on common property. This sub-rule is sufficiently flexible to permit off-lead walking and play with appropriately trained dogs or other animals.

Note: The common property does not include the Wybalena Grove public road. The public road terminates at the three turning circles. The road and its verges are a 'public place', to which the Domestic Animals Act 2000 applies. S.44 of the Act requires that dogs in public places be restrained by a leash.

- (10) The unit owner, occupier or user of a unit must ensure that the animal does not soil any part of the common property and is to immediately remove any soiling which may occur on the common property.
- (11) The unit owner, occupier or user of a unit will be responsible for repairing or making good any harm or damage caused by the animal to any unit or the common property.
- (12) Sub-rules (8) and (9) do not apply to animals that were accustomed to roaming unaccompanied beyond the unit boundaries before this Rule was adopted and have been included on a 'grandfathering' list compiled by the EC.

Dealing with bad behaviour

- (13) The EC may require the removal of any animal from the Units Plan if it determines that the animal's behaviour or condition causes a nuisance or a threat to the health or safety of other occupants or animals in the Units Plan or unreasonably interferes with the use and enjoyment of another unit or of the common property.

Note: If a unit owner, occupier or user of a unit believes that an animal at another unit is causing nuisance through noise or other means, they should, if possible, try to resolve their concerns directly with the owner of the animal. If this is unsuccessful then they can pursue the matter through provisions of ACT legislation on animal welfare, animal keeping, neighbour disputes, noise and nuisance. If the EC believes it is appropriate to pursue the matter through enforcing the OC Rules, then Rules 9, 10 and 11 may also be relevant.

- (14) Before removal of any animal, there must be repeated substantiated complaints by neighbours or other unit owners, occupiers or users of units regarding the animal causing a nuisance or threat to other occupants or animals or unreasonably interfering with the use and enjoyment of another unit or of the common property.
- (15) Any decision made by the EC that an animal must be removed from the Units Plan must be presented in writing to the unit owner, occupier or user of the unit.
- (16) If the unit owner, occupier or user of the unit fails to comply with any of the conditions in these Rules, the EC may revoke approval and require removal of the animal.

6. Assistance animals

The owners corporation may require a person who keeps an assistance animal to produce evidence that the animal is an assistance animal.

7. Use of common property

A unit owner must not use the common property, or permit it to be used, to interfere unreasonably with the use and enjoyment of the common property by an owner, occupier or user of another unit, other than in accordance with a special privilege rule.

7A. Use of common property

A unit owner must not obstruct lawful use of common property by any person except on a temporary and non-recurring basis.

8. Hazardous use of unit

A unit owner must not use the unit, or permit it to be used, so as to cause a hazard to an owner, occupier or user of another unit.

8A. Fire Safety

A unit owner must not do any thing or permit any invitees of the unit owner to do any thing on the unit or common property that is likely to affect the operation of fire safety devices in the Units Plan or to reduce the level of fire safety in units or common property.

For example, access to fire hydrants, passage-ways between units, and the Community Fire Unit trailers should not be obstructed and unit owners should clear away excessive flammable material such as leaves and twigs from the vicinity of the units.

9. Use of unit—nuisance or annoyance

- (1) A unit owner must not use the unit, or permit it to be used, in a way that causes a nuisance or substantial annoyance to an owner, occupier or user of another unit.
- (2) This rule does not apply to a use of a unit if the executive committee has given an owner, occupier or user of the unit written permission for that use.
- (3) Permission may be given subject to stated conditions.
- (4) Permission may be withdrawn by special resolution of the owners corporation.

10. Noise

- (1) A unit owner must not make, or permit to be made, such a noise within the unit as might (in the circumstances) be reasonably likely to cause substantial annoyance to an owner, occupier or user of another unit.
- (2) This rule does not apply to the making of a noise if the executive committee has given the person responsible for making the noise written permission to do so.
- (3) Permission may be given subject to stated conditions.
- (4) Permission may be withdrawn by special resolution of the owners corporation.

11. Illegal use of unit

A unit owner must not use the unit, or permit it to be used, to contravene a law in force in the ACT.

11A. Illegal use of common property

A unit owner must not use the common property, or permit it to be used, to contravene a law in force in the ACT.

12. What may an executive committee representative do?

- (1) An executive committee representative may do any of the following in relation to a unit at all reasonable times:
 - (a) if the committee has reasonable grounds for suspecting that there is a breach of the Act or these rules in relation to a unit—inspect the unit to investigate the breach;
 - (b) carry out any maintenance required under the Act or these rules;
 - (c) do anything else the owners corporation is required to do under the Act or these rules.
- (2) An executive committee representative may enter a unit and remain in the unit for as long as is necessary to do something mentioned in subrule (1).
- (3) An executive committee representative is not authorised to do anything in relation to a unit mentioned in subrule (1) unless—
 - (a) the executive committee or the representative has given the owner, occupier or user of the unit reasonable notice of his or her intention to do the thing; or
 - (b) in an emergency, it is essential that it be done without notice.
- (4) The executive committee may give a written authority to a person to represent the corporation under this rule.

executive committee representative means a person authorised, in writing, by the executive committee under rule 12 (4).

13. Audit

The financial records of the Owners Corporation must be audited annually and an audit report presented to the Owners Corporation annual general meeting.

Common property usage and facilities

14. The Corporation may set aside a portion or portions of the common land for gardening purposes and permit in writing unit owners to use that land or parts thereof to grow plants or keep animals or birds thereon SUBJECT TO any conditions which the Corporation may impose.
15. (1) Every unit owner who obtains the use of any garden area under the preceding rule:
 - (a) shall not use the same EXCEPT as a garden and for the purpose of growing plants or keeping animals or birds and shall not grow or keep animals or birds or permit to remain on the garden allotment, EXCEPT with the written permission of the Corporation, any plant or animal or bird EXCEPT a plant or animal or bird grown for food or other domestic purposes PROVIDED THAT if the Corporation considers that a plant or animal or bird whether grown or kept for food or other purpose is noxious or causing a nuisance may require the unit owner to remove the same and the unit owner shall forthwith comply; and
 - (b) shall at all times keep such garden allotment well cultivated and tended.
- (2) If the unit owner shall be guilty of a breach of any conditions subject to which a unit owner has been granted a garden allotment or of any of the conditions in the preceding subsection the Corporation shall without prejudice to any other rights or remedies of any kind, be it liberty by its servants, agents or workmen to enter into the garden allotment and to remove and/or destroy the animal or bird or plant planted or remaining in the garden allotment in contravention of such condition and to remove any fertilizer, herbicide or insecticide or other chemical prohibited in such conditions and/or to apply any substance to the allotment on any part thereof to any plant growing thereon to neutralize or counteract the effect of any such fertilizer, insecticide, herbicide or chemical.
- (3) Without limiting the generality of this rule, the Corporation may grant garden allotments subject to conditions relating to access by other unit owners, use of water and drainage and fees chargeable for use of garden allotments.
16. The Corporation may construct and maintain community facilities on the common property and may make rules regulating the use of such facilities.
17. The Corporation may construct and maintain facilities on the common property and may make rules regulating the use of such facilities.
18. **Easements**

Neither the Owners Corporation nor any unit owner thereof shall, except as permitted by the entity holding title to the easement, do or cause to be done any thing which shall in any way encroach on any easement over any part of the land comprised in the Units Plan.
19. **Storage of Combustible or Inflammable Materials**
 - (1) A unit owner must not, except with the prior written permission of the owners Corporation, use or store on the unit or on the common property any explosive, combustible or inflammable chemical, liquid or gas or other inflammable material.
 - (2) This Rule does not apply to any chemicals, liquids, gases or other material used or intended to be used for domestic purposes (not exceeding 20 litres).
20. **Noxious and Invasive Plants**

A unit owner must not grow or suffer to be grown any noxious plant, or any other plant which may cause substantial nuisance to other unit owners, or any plant recognised as an invasive weed or a pest plant by relevant authorities in the ACT.
21. **Chemical Plant Sprays**

A unit owner must not chemically spray or otherwise treat any plants in the unit or his or her garden plot or the common property in a way that may cause substantial risk to the health of other persons.
22. **Damage and Removal of Trees**
 - (1) A unit owner must not, without the written permission of the Executive Committee, cut down or destroy or cut off any part of any tree located on the common property.

- (2) A unit owner must ensure that any tree or part of any tree cut down, destroyed or cut off in the unit area or the common property is done so in accordance with the requirements of any applicable ACT law (for example, in accordance with the requirements as set out in the *Tree Protection Act 2005* and any other relevant superseding legislation).

23. House Rules

- (1) The Owners Corporation (OC) may adopt by special resolution House Rules that shall be interpreted and adopted by the OC with the same force as the Rules of the OC.
- (2) The House Rules are not OC Rules and shall only explain how the OC Rules shall operate.
- (3) The Executive Committee shall have the power to enforce the policies in the House Rules adopted by the OC.

24. Breach of Special Privileges and Permission for Minor Use of Common Property

- (1) A unit owner must comply with all conditions attached to any grant of special privilege by the Owners Corporation (OC).
- (2) A unit owner must comply with all conditions attached to any permission for minor use of common property by the Executive Committee (EC) or the OC.
- (3) The EC or OC may take action against any unit owner to enforce any condition attached to any grant of special privilege and permission for minor use of common property, if a unit owner fails to comply with such conditions on the reasonable written request of the EC or OC.

25. Damage to Common Property

- (1) A unit owner must minimise the movement of motor vehicles off the sealed roads and shared carparks in the Units Plan.
- (2) A unit owner must not, except in emergencies or when reasonably and infrequently required, access corridors parallel to the rows of units and other off-road areas with motor vehicles.
- (3) Parking of motor vehicles, other than on unit driveways, shared carparks and on sealed roads is not permitted.
- (4) A unit owner is responsible for repairing or making good any damage caused to the common property by themselves or their licensees or service providers whilst transporting any furniture, equipment, other large objects or deliveries through or on common property within the Units Plan.
- (5) Any loss and damage suffered by the Owners Corporation (OC) as a result of the unit owner or occupier transporting any furniture, equipment, other objects or deliveries through or on common property may be recovered from the unit owner or occupier as a debt due to the OC.

26. Rubbish on Common Property

- (1) A unit owner must not, except with the written approval of the Owners Corporation (OC), leave or maintain anything on the common property outside the unit that is substantially to the detriment of the appearance of the Units Plan.
- (2) A unit owner must only store bins for rubbish and recycling within the unit area, unit subsidiary or such other areas as may be approved from time to time by the Owners Corporation (OC). Such areas may include purpose-built bin enclosures, the carports or shared carparks on common property and other places where bins can be stored unobtrusively without affecting the use and enjoyment of another unit owner.
- (3) A unit owner must not, except with the written approval of the OC, keep, deposit or throw any rubbish, dirt, dust or other materials or discard items on common property.
- (4) A unit owner may deposit plant material from gardening in and around the unit area only into designated green waste collection areas.
- (5) A unit owner may store firewood that is intended to be used for domestic purposes, if stored unobtrusively without significantly affecting the use and enjoyment of the common property by another unit owner.
- (6) The OC may cause any item kept, deposited or thrown on the common property by a unit owner to be removed and disposed of.

- (7) Where the OC is aware that any item kept, deposited or thrown on the common property belongs to a unit owner, the OC must provide the unit owner with written notice of the intention to remove and dispose of any item.
- (8) Where the unit owner does not remove the item within 21 days of receiving the written notice, the OC may remove and dispose of any item on common property.
- (9) The unit owner must pay the costs of and incidental to the OC and its employees and agents for having any item removed and disposed which is recoverable by the OC as a debt due by the unit owner.

27. Community Road Rules

- (1) The Owners Corporation (OC) may put up signage on the common property, imposing speed limits for driving within the Units Plan.
- (2) The ACT road rules apply on the private roads and shared carparks within Wybalena Grove. A unit owner, occupier and their visitors must drive all vehicles, including trucks, cars, motor bikes and bicycles, within the OC's posted speed limit, within the alcohol and drug rules that apply on the public roads and carparks, with due care for the safety of all people and animals around them and with due care for all structures on common or individual unit land.
- (3) A unit owner must not, without the OC's written approval, drive or allow to be driven on Units Plan any vehicle in excess of three (3) tonnes weight.

28. Repair and Maintenance of Utility, Access and Other Structures that Service Unit Only

- (1) A unit owner must at the owner's cost repair and maintain the individual utility services (for example, sewer, electricity, phone, water, stormwater and gas services) that run underground from the edge of a unit owner's unit entitlement, through common property, that connect to the utility mains, unless damage to those individual utility services is shown to be caused by the Owners Corporation (OC) or a defect of the common property.
- (2) Individual access structures (paths and driveways that run over common property connecting the unit to the nearby shared path, road or shared carpark) exhibit a great diversity of styles and materials, depending on the individual unit owner's preference. Individual unit owners are required to maintain their individual access structures.
- (3) The unit owner must ensure that their individual access structures take a reasonably direct route to connect the unit to the nearest shared path, road or shared carpark, occupying no more area of common property than is reasonably necessary to provide access to the unit.
- (4) The unit owner must ensure that their individual access structures do not unreasonably interfere with the reasonable use and enjoyment of the common property by other unit owners or have any significant adverse effect on the appearance of the common property or the safety of occupiers of the units or of the public.
- (5) The unit owner must, at the unit owner's cost, properly maintain and keep their individual access structures in a state of good and serviceable repair and must repair and replace them (or any part of them) as required from time to time. If damage to them is shown to be caused by the Owners Corporation (OC) or a defect of the common property, the OC reserves the right to provide a serviceable repair or replacement as it sees fit, not necessarily like for like.
- (6) Owner-installed driveways are permitted only for units 15 to 23, unit 48, and units 85 to 95.
- (7) The unit owner must at the owner's cost repair and maintain any other item installed on common property and used only for the benefit of the unit. The unit owner must ensure that the item does not unreasonably interfere with the reasonable use and enjoyment of the common property by other unit owners or cause any significant adverse effect on the appearance of the common property or the safety of occupiers of the units or of the public, regardless of whether that installation has or has not been authorised by the OC. Examples of such items include, but are not limited to, air-conditioning systems, hot-water systems and awnings.
- (8) The OC reserves the right to repair, replace or remove any of the items mentioned in sub-rules (1) through (7), and to remediate any loss or damage to the common property of the OC caused by the owner's breach of those sub-rules, if that breach is not rectified within a reasonable time after a written request is made by the OC to rectify the breach. The unit owner must pay the costs of and

incidental to the OC and its employees and agents to rectify the breach, which is recoverable by the OC as a debt due by the unit owner.

29. Special Privileges – Unit 33

Special privileges were granted to the owner of unit 33 by unanimous resolution 2 of the general meeting of 23rd September 1976 as follows:

That;

“1. an area 3.6m X 4.0m approximately formed by the western wall of Unit 34, the southern end of Unit 33 and the eastern wall of the carport which is a subsidiary of Unit 33,

2. an area of approximately 0.5 m² adjacent to the western wall of Unit 33 for the erection of a fireplace be granted under and for the exclusive occupation of the Proprietor of Unit 33“.

Note: Item 1 would have been described more clearly as 'an area approximately 3.6m X 4.0m formed by the western boundary of Unit 34, the southern boundary of Unit 33, the eastern boundary of the subsidiary of Unit 33 and the northern wall of the P4 carport.' The two parking spaces for unit 33 in the north-western corner of the P4 parking area are on the unit 33 subsidiary.

30. Special Privileges – Parking

Special privileges for the exclusive use of parking spaces on common property are granted to the owners at any time of the following units (“**the Members**”), in the locations specified by the table and parking area diagrams on the following terms and conditions.

Unit Number	Special Privileges Allocated*
1	1 parking space with carport and 1 unimproved parking space in area P7
2	1 parking space with carport and 1 unimproved parking space in area P7
3	1 parking space with carport and 1 unimproved parking space in area P7
4	1 parking space with carport in area P1
5	1 parking space with carport in area P1
6	1 parking space with carport in area P1
7	2 parking spaces with carports in area P1
8	1 parking space with carport and 1 unimproved parking space in area P7
9	1 parking space with carport in area P7
10	1 parking space with carport and 1 unimproved parking space in area P7
11	1 parking space with carport in area P1
12	2 parking spaces with carport in area P1
13	1 parking space with carport in area P1
14	2 parking spaces with carports in area P1
24	2 parking spaces with carports in area P2
25	2 parking spaces with carports in area P2
26	1 parking space with carport in area P2
27	1 parking space with carport in area P2
28	1 parking space with carport in area P2
29	2 parking spaces with carports, 1 in area P2 and 1 in area P4
30	1 parking space with carport in area P4
31	1 parking space with carport in area P4
32	1 parking space with carport in area P4 and 1 unimproved parking space adjacent to unit 23
34	1 parking space with carport in area P4
35	1 parking space with carport in area P4
36	2 parking spaces with carports in area P4
37	2 parking spaces with carports in area P2
38	2 parking spaces with carports in area P2
39	2 parking spaces with carports in area P2
40	2 parking spaces with carports in area P2
41	1 parking space with carport in area P2
42	2 parking spaces with carports in area P2

43	1 parking space with carport in area P6
44	1 parking space with carport in area P6
45	1 parking space with carport in area P6 and 1 unimproved parking space in area P5
46	1 unimproved parking space in area P5 with approval for a carport
47	1 parking space with carport in area P5
49	1 unimproved parking space in area P5 with approval for a carport
50	1 parking space with carport in area P4
51	2 parking spaces with carports in area P4
52	1 parking space with carport in area P4
53	2 parking spaces with carports in area P4
54	1 unimproved parking space in area P5 with approval for a carport
55	1 unimproved parking space with approval for a carport and 1 unimproved parking space in area P5
56	2 parking spaces with carports in area P5
57	1 unimproved parking space in area P5 with approval for a carport
58	1 parking space with carport and 1 unimproved parking space in area P5
59	1 parking space with carport in area P5
60	1 parking space with carport and 1 unimproved parking space in area P5
61	2 parking spaces with carports in area P6
62	2 parking spaces with carports in area P6
63	2 parking spaces with carports in area P6
64	1 parking space with carport and 1 unimproved parking space in area P10
65	1 parking space with carport in area P10
66	1 parking space with carport in area P9 and 1 unimproved parking space in area P10
67	1 parking space with carport in area P10
68	1 parking space with carport in area P9 and 1 unimproved parking space in area P10
69	1 parking space with carport and 1 unimproved parking space in area P10
70	1 parking space with carport in area P9 and 1 unimproved parking space in area P10
71	1 parking space with carport in area P9
72	1 parking space with carport and 1 unimproved parking space in area P10
73	1 parking space with carport and 1 unimproved parking space in area P10
74	1 parking space with carport and 1 unimproved parking space in area P10
75	1 unimproved parking space in area P9 with approval for a carport and 1 parking space with carport in area P8
76	1 parking space with carport and 1 unimproved parking space in area P9
77	1 parking space with carport and 1 unimproved parking space in area P9
78	1 parking space with carport and 1 unimproved parking space in area P9
79	2 parking spaces with carports in area P9
80	2 parking spaces with carports in area P9
81	2 parking spaces with carports in area P8
82	1 parking space with carport and 1 unimproved parking space in area P8
83	1 parking space with carport and 1 unimproved parking space in area P8
84	1 parking space with carport and 1 unimproved parking space in area P8

* This table and associated parking area diagrams have been adjusted to reflect motions granting special privileges subsequent to the Parking motions of 2012 and the Tribunal rulings that gave effect to those motions along with subsequent carport construction approved under the terms of the grant of special privilege.

a) The Member has an exclusive right to park vehicles in a parking space allocated to the Member's unit as a special privilege.

b) The Member shall pay to the Owners Corporation such amounts as the Owners Corporation may from time to time determine are necessary for the maintenance and repair of that part of the common property over which the Member has been granted special privileges. Such amounts shall be paid within fourteen (14) days of the Owners Corporation requesting any such amount in writing unless a longer payment period is specified. In the event that an owner fails to make payment in accordance with this clause the Owners Corporation will be entitled to recover the unpaid amount as a debt owed by the Member together with any reasonable costs incurred in recovering that amount. Costs include without limitation strata management fees and legal fees.

c) The Member shall pay to the Owners Corporation such amounts as the Owners Corporation may from time to time determine are necessary for the construction, maintenance or repair of a carport on that part of the common property over which the Member has been granted special privileges, but not any other improvement unrelated to parking. Such amounts shall be paid within fourteen (14) days of the Owners Corporation requesting any such amount in writing unless a longer payment period is specified. In the event that an owner fails to make payment in accordance with this clause the Owners Corporation will be entitled to recover the unpaid amount as a debt owed by the Member together with any reasonable costs incurred in recovering that amount. Costs include without limitation strata management fees and legal fees.

d) The Member shall not use the area over which a special privilege has been granted or the carport or any other improvement erected on it for any purpose other than the parking and garaging of vehicles, the storage of his, her or their personal effects, and any other purposes from time to time approved in writing by the Owners Corporation. When storing any items other than motor vehicles in the special privilege parking areas Members must:

- i. ensure that any items which are flammable are stored in a fireproof container;
- ii. ensure that no items are stored in such a way that they may spill or fall over;
- iii. ensure that no items stored pose a trip or fall hazard;
- iv. ensure that no sharp edges are left uncovered; and
- v. comply with local government requirements for the storage, handling and collecting of stored items.

Storage of larger quantities of personal effects for extended periods can become an eyesore and the Owners Corporation may require the removal of items deemed excessive by notice given in writing to the Member concerned. Where the Member does not remove the item within 7 days of receiving the written notice, the Owners Corporation may remove and dispose of the item. The Owners Corporation without providing any notice may remove or make safe items which are deemed to be a hazard to owners, visitors or contractors.

e) The Member must pay the costs of and incidental to the Owners Corporation and its servants and agents for having any item deemed excessive or a hazard under clause (d) removed, disposed of or made safe in accordance with that clause. Costs include without limitation strata management fees and legal fees which are recoverable by the Owners Corporation as a debt due by the Member.

f) The Member shall not do anything which might interfere with or prevent the Owners Corporation from carrying out its statutory duties in relation to either the area of the common property over which a special privilege was granted or the carport or any other improvements erected on it or the balance of the common property, and shall allow the Owners Corporation such rights of inspection and access as those duties may require.

g) The Owners Corporation may carry out any of its functions on the space or the carport or any other improvement without unreasonably interfering with the Member's use of the space for parking vehicles.

h) The Member shall not modify the carport or any other improvement erected on the area over which a special privilege has been granted or erect any permanent structure on that area without an ordinary resolution of the Owners Corporation approving the proposed course of action. The Member shall comply with any conditions imposed by the Owners Corporation in its approval.

i) Rules of Owners Corporation that apply within the Member's unit shall also apply within special privilege areas associated with that unit.

j) Members are not obliged to exercise their exclusive parking rights and may permit other Members, tenants or visitors to use the space.

k) Members may wish to exchange a special privilege area associated with one unit with that of another unit. Such an exchange requires special resolution of the Owners Corporation.

l) A grant of special privilege may be terminated, in accordance with a special resolution, by written notice given by the Owners Corporation to the person to whom the grant was made. In the event of such termination taking place in respect of the special privileges granted by the motion, then the Corporation shall be at liberty (subject to the provisions of the Act) to make such payments as it sees fit to compensate the Member for the termination of the special privilege.

Common Property Carport Maintenance House Rule

For the purposes of 'Rule 30 Special Privileges - Parking', when the Executive Committee (EC), acting for the Owners Corporation (OC), determines that any repairs and/or maintenance is required on any or all of the carports erected over a common property parking space, responsibility for meeting the cost of these repairs and/or maintenance shall be divided equally per carport-covered parking space among all owners subject to Rule 30, with the following exceptions:

- In recognition that recently constructed carports are likely to have fewer repair and maintenance requirements while they remain new, the users of carports 10 years old or less are only required to meet the cost of repairs and maintenance on their particular carport block shared equally per space with the other users of that block. Once a carport block is older than 10 years, carport costs will be shared as above.
- The costs of repair and maintenance of the electrical circuits for lighting and the OC's solar electric equipment and any other improvements for the more general benefit of the OC remain a cost to the OC as a whole.
- The costs of installation, repair and maintenance of electrical circuits for electric vehicle charging that supply individually allocated parking spaces or groups of allocated parking spaces remain the responsibility of the unit owner or groups of owners that benefit from that circuit, as set out in Resolution 9 of the 2018 AGM.
- Since unit 33 uses two spaces within the P4-north carport block that is maintained as a complete structure with the other common property carports, unit 33 shall be included in the above pro rata sharing of repair and maintenance costs of the common area carports even though unit 33's two parking spaces and the corresponding parts of the P4-north carport sit over unit 33's unit subsidiary.

31. Smoking

- (1) A unit owner, occupier or user of a unit must ensure that smoking of tobacco or any other substance does not contravene default rules 7 or 9 ('unreasonable interference with use and enjoyment', 'nuisance' or 'substantial annoyance').
- (2) Restrictions on smoking that apply in the vicinity of ACT public playgrounds also apply to Wybalena Grove's common property playgrounds.

32. Execution of documents by owners corporations (refer UTMA, 9A)

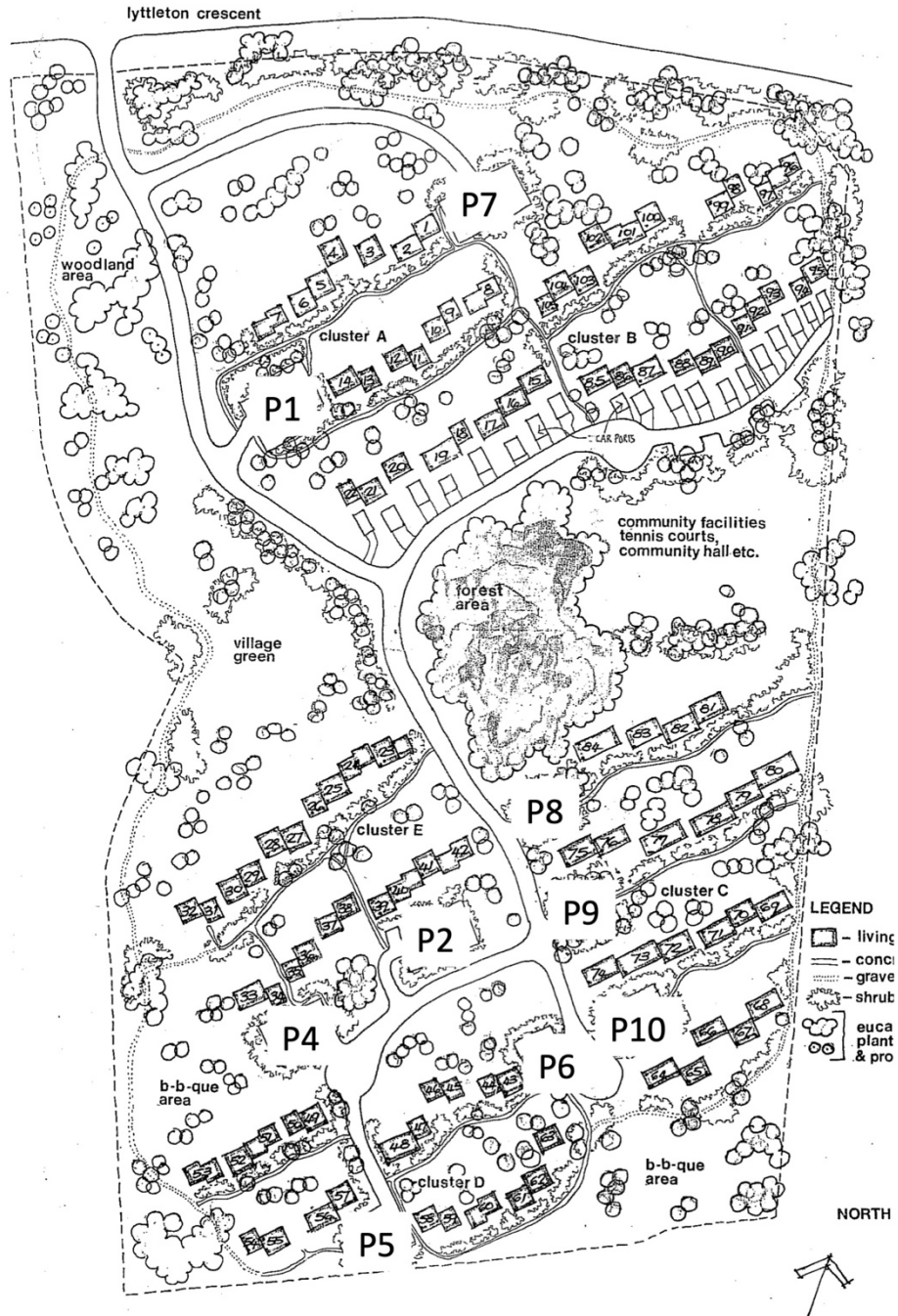
- (1) An owners corporation must execute a document in 1 of the following ways:
 - (a) if the owners corporation has a common seal – by attaching the seal to the document:
 - (i) as authorised by a resolution of the owners corporation; and
 - (ii) with 2 executive members witnessing the attaching and signing the document as witnesses;
 - (b) without using a common seal:
 - (i) by 2 executive members, as authorised by a resolution of the owners corporation, signing the document; or
 - (ii) if a manager for the owners corporation is delegated this function – by the manager, as authorised by a resolution of the owners corporation, signing the document.
- (2) The manager may affix the common seal of the Owners Corporation to:
 - (a) reduced quorum meeting notices;
 - (b) Rules registration documents;
 - (c) Notice of Change of Address for Service of Documents for a Body Corporate at the Land Titles Office; and
 - (d) certifications under Section 119 of the Act;

(e) any other document requiring the common seal with the written authorisation of the executive committee;

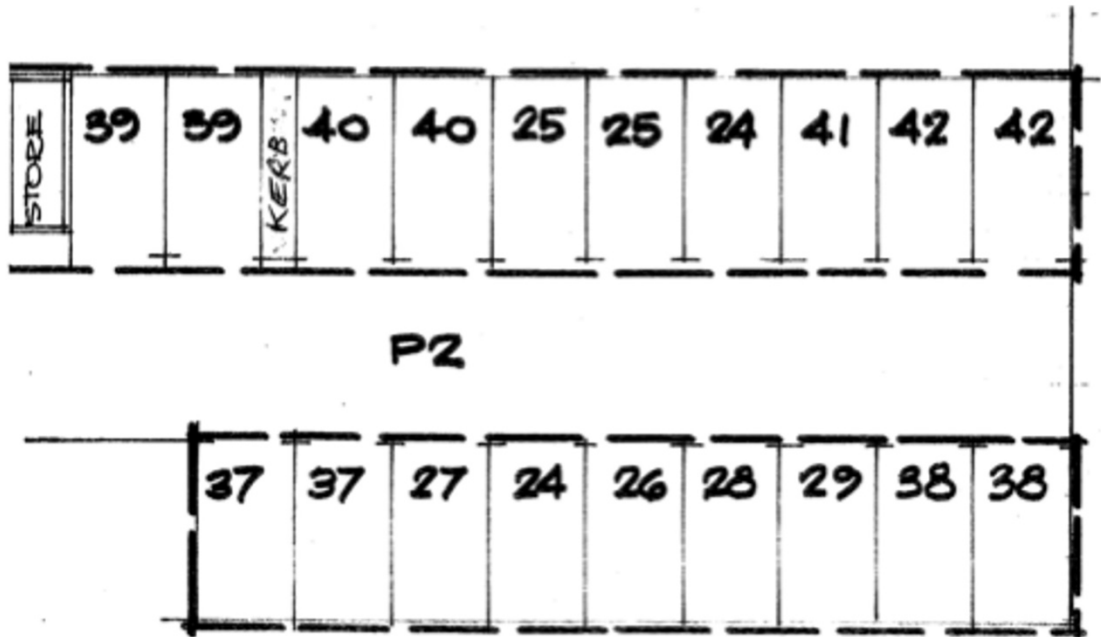
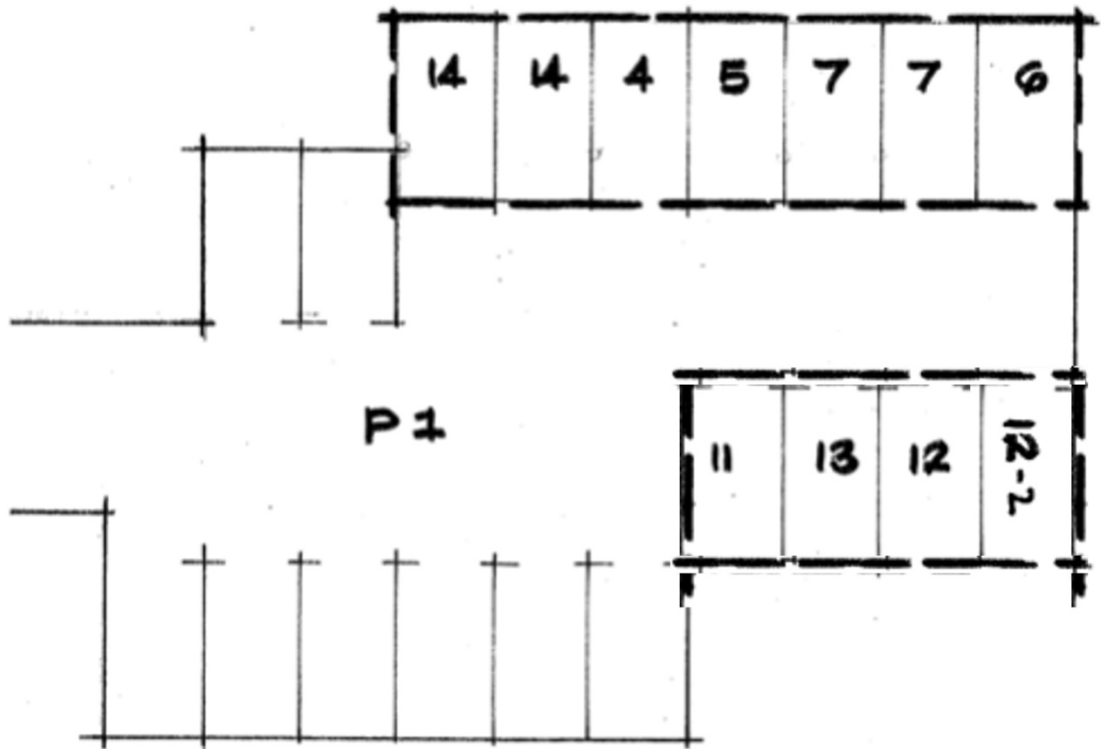
without following procedure outlined in Rule 32(1)(a).

- (3) The manager may sign on behalf of the owners corporation with the written authorisation of the executive committee without following procedure outlined in Rule 32(1)(b).

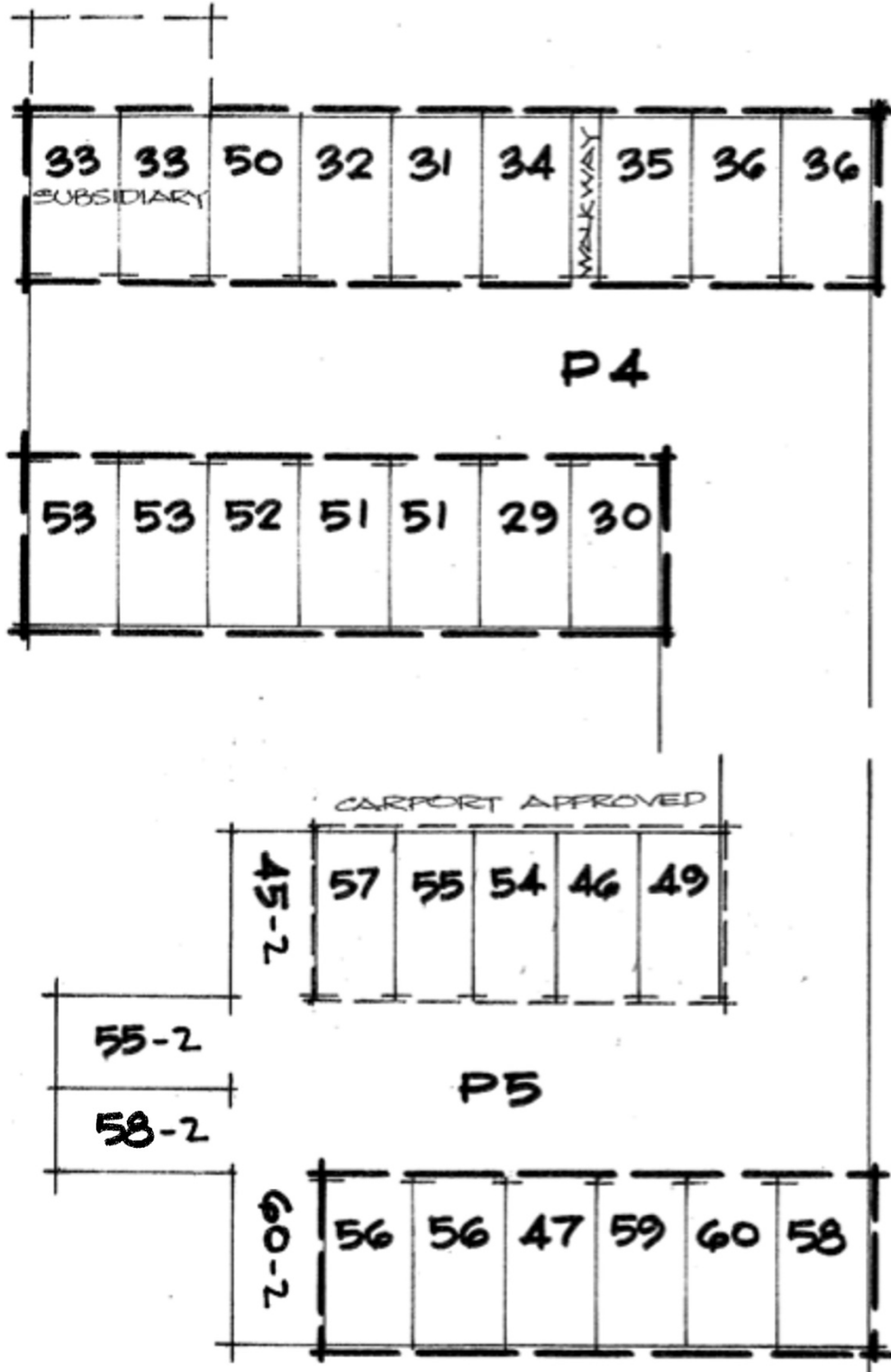
Rule 30 Parking Area Diagrams – P1 of 6



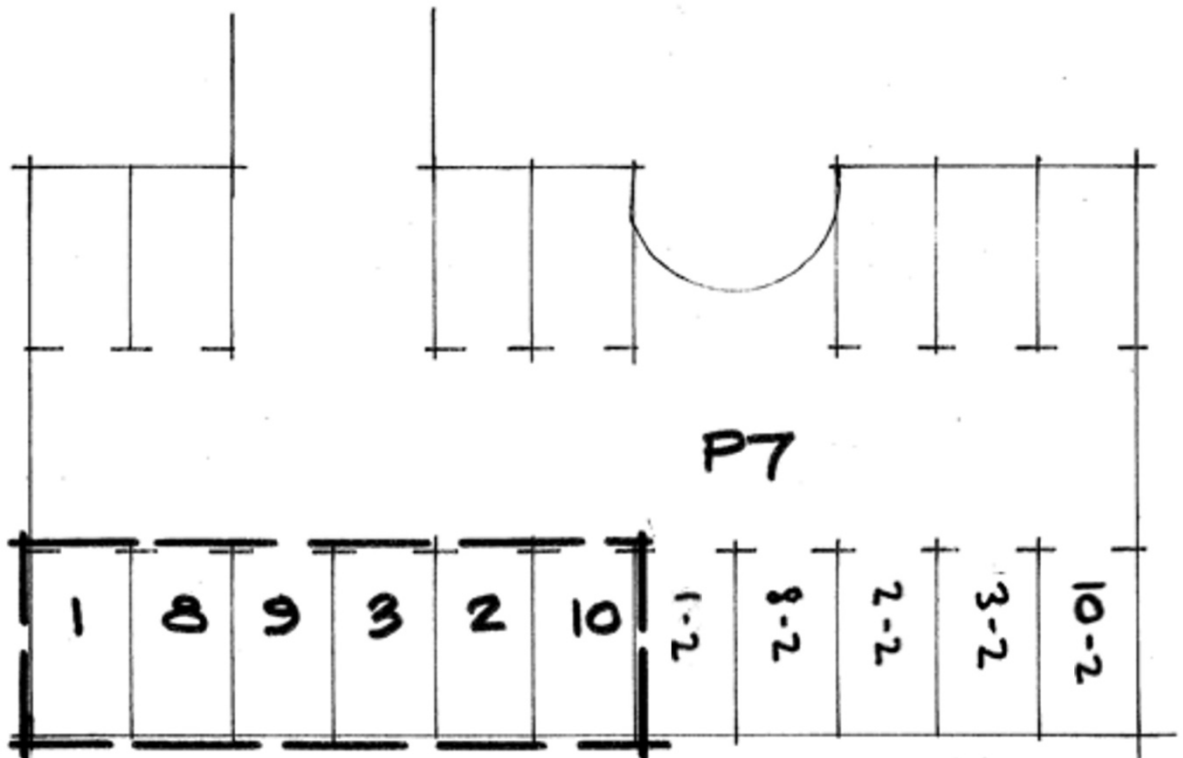
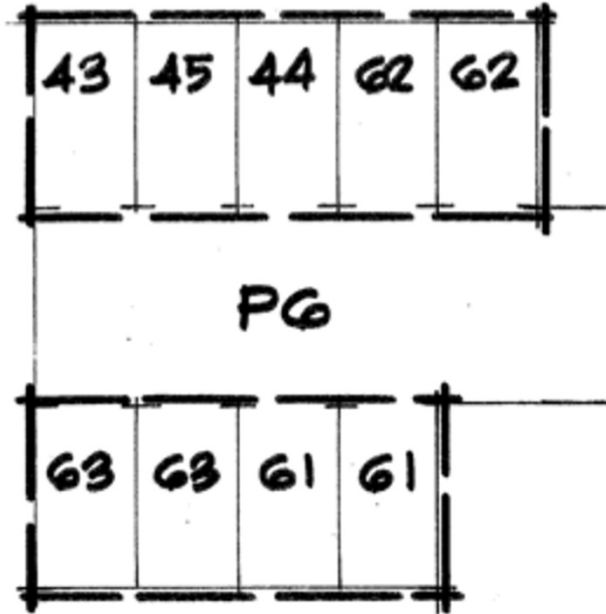
Rule 30 Parking Area Diagrams – Page 2 of 6



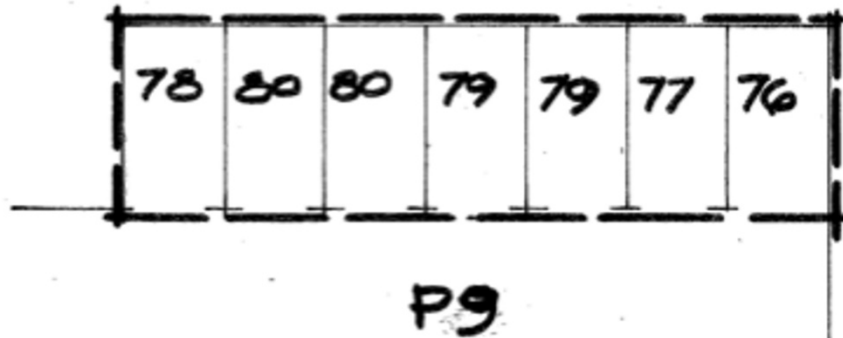
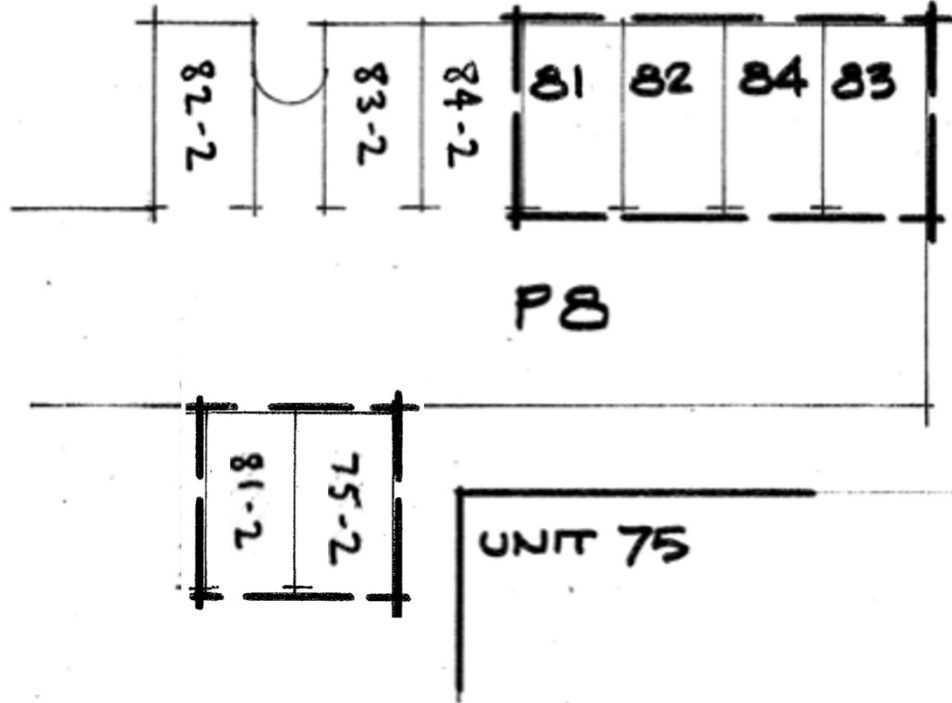
Rule 30 Parking Area Diagrams – Page 3 of 6



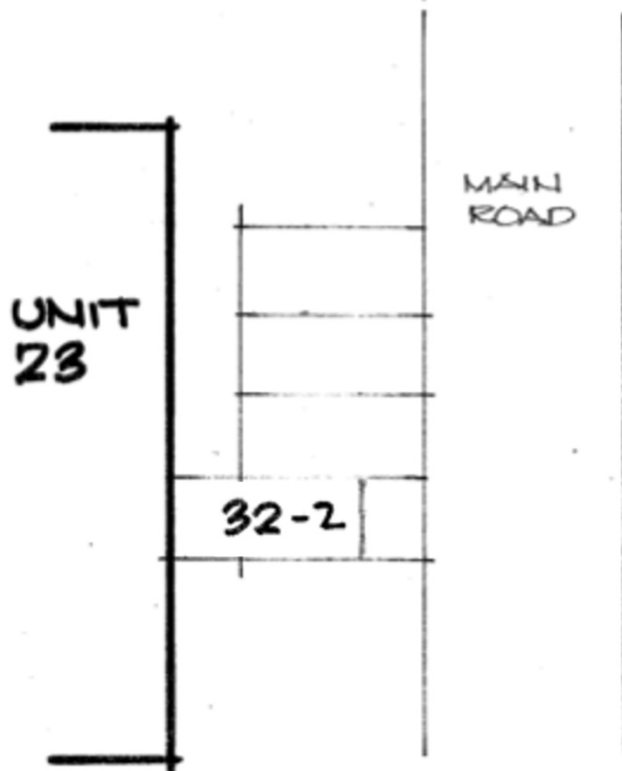
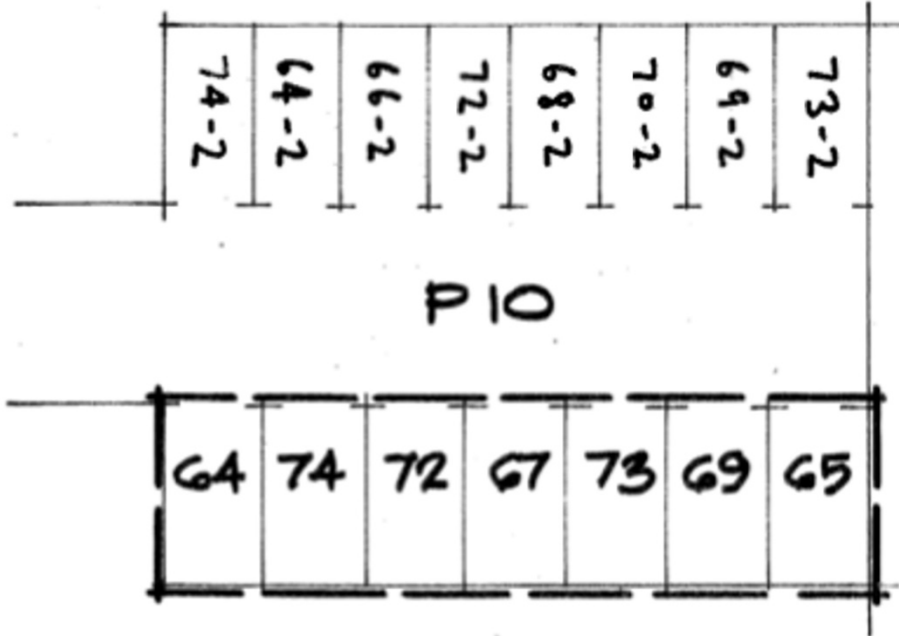
Rule 30 Parking Area Diagrams – Page 4 of 6



Rule 30 Parking Area Diagrams – Page 5 of 6



Rule 30 Parking Area Diagrams – Page 6 of 6



APPENDIX C – Wood-Fired (Pizza) Oven

LIGHTING THE OVEN

The recommended method is with firelighters, not paper+leaves+twigs. The oven manufacturer recommends “Jiffy” solid white blocks, *not* the individually wrapped version, and claims some types of firelighters produce black smoke and a chemical smell, whereas Jiffy produce neither. Just as important is the use of dry wood. If the wood you use is not sufficiently dry, this will produce smoke and the oven will struggle to light.

STEP 1 Break off 3 pieces of firelighter all about 5cm square. Place the paddle at the mouth of the oven and position the pieces of firelighter in the same direction as the handle of the paddle. (Fig 1)

Initially use wood about 40mm to 50mm across to start the fire. Place a piece of wood either side of the



(Fig 1)



(Fig 2)



(Fig 3)



(Fig 4)

firelighters. (Fig 2). Then stack 3 or 4 pieces of wood in the other direction. (Fig 3) Place more wood on top of the stack in the same direction as the first two. (Fig 4).

STEP 2 Carefully light the firelighters and gently slide the paddle with the lit stack to the back of the oven. Making sure that no one is close behind you; pull the paddle out with one swift motion. The firelighters can sometimes move at this point but simply use the tool to reposition them. The same applies to the wood stack. At this time, wood can be moved to make sure it is in the flame being produced by the firelighters. Now let the fire burn for 5-10mins. (Fig 5)

Fig 5

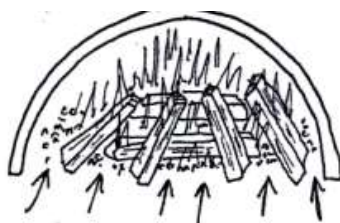


Additional wood can be added to the stack once it is past the mouth and inside the chamber where there is more room.

STEP 3 Now that the wood is burning and some hot coals have been produced, it is time to add some larger pieces of wood. About 4 to 5 good sized pieces will bring the oven up to a hot temperature ready to cook pizzas, which are cooked directly on the floor of the oven. The placement of the wood to the back chamber wall is the difference between a clear, clean running oven and one that smokes and struggles to fully ignite (Fig 6).

To feed more wood into the oven, it is just a matter of gently throwing it in the area where you want it to go and then adjusting its placement, if needed, with the paddle. After a short time,

Fig 6 (Back Chamber Wall)



Correct placement of wood



Incorrect

everyone develops his or her own technique of doing this. Once you have added more wood leave the fire to burn for 20 minutes.

STEP 4 After 20 minutes the fire should be well and truly lit and a good bed of coals has been produced.

Depending on the type of food you now wish to cook and the volume of food you can either add more wood to heat the oven right up, or add smaller pieces for a medium oven or spread the coals out for a cooler oven. Keep in mind that a hot wood-fired oven can get up to 800°C and a cooler one about 200°C.

Position of the fire: If you are trying to cook something that is long and thin, like a whole fish, you can put the fire on either the left or right side of the oven instead of the rear so that you can fit long trays into the oven without turning them side ways. For pizza, put the fire at the back and use the front for cooking.

TEMPERATURE GUIDE

High

A very hot oven has a fire producing flames that are visibly coming all the way over the inner chamber towards the flue. Use ten to twelve pieces of wood for start up. **A fire such as this should be lit every time the oven is used regardless of what is on the menu. It is important to heat up the floor and chambers with an intense heat initially to allow you to cook for extended period of time at lower temperatures.** Your oven should be ready to use in thirty minutes with an initial fire like this. First the roof goes black with soot then clears to white when the roof is hot enough to burn the soot off again. This shows the oven is well heated: 500-800°C. If the roof is still black you can cook pizzas in it but they will take longer to cook properly.

Medium / High

The oven will have a good bed of coals glowing bright red, pieces of wood will also be glowing red and holding their shape and producing flames that will travel about half way to three quarters of the way over the top of the chamber. The oven should be like this about an hour from the start up time. To maintain this temperature, add another piece of wood to the fire occasionally.

Medium

Very similar to the medium/high oven but the flames travel about half way or less over the chamber and the wood will be starting to break down. The oven will be like this about an hour and half after light up.

Medium / Low

The oven has a good bed of coals glowing red and is still producing flames. The wood itself has lost its shape, broken down and collapsed forming the bed of coals. The flames will only just be lapping at the back of the chamber and certainly would not travel more than half way. The door can be placed in front of the opening to slow the air flow into the oven which reduces the rate heat is removed. Do not fit the door tightly when there is a flame in the oven as it will starve the fire of oxygen, put it out and start to smoke.

Low

Cooking at this temperature is purely utilizing the retained heat in the oven and locking it in using the door to fit tightly. There will be no flames and the bed of coals will be dark and have stopped glowing red.

Pizza: 500°C or higher, add wood periodically if cooking pizzas over a long time.

Roasts and vegetables: 250°C - 300°C usually about 4 pieces of wood, left to burn to red coals.

Breads: are cooked at 180°C, just when you think the coals are out. They will actually look a grey and black color, you may see a slight red, but there should not be any flame, more a retained heat.

Cakes and biscuits: 150°C.

Infra-red thermometer: Peter Campbell can lend you his thermometer to help you to get a feel for the temperatures achieved with different appearances of the fire.

Slow ignition: Damp ash will affect the fire and will not light properly; this can be caused by heavy rain entering the oven or even damp night air (ash attracts moisture). If the oven does not heat up within approx. 30 minutes and all the black carbon has not burnt off the roof of the oven you need to use more wood in the light up process. Ash need only be removed infrequently. In fact it helps when lighting up, as the coals get hot faster! Just brush it to the rear.

Wet wood can cause the oven chamber to heat up slowly. It can also cause heavy smoke to come out. Wet wood is not wet from the rain; it is a term used for wood which is young and still has sap within. An indication of wet wood is that you will notice, while burning, it glows on one side but is black on the

other. It may seem to take a long time to burn. This is the process of the wood trying to release all the retained sap.

Use of the Door: Use for slow roasting and for cooking breads from residual heat (stored up to 12 hrs) If the door is put on when the oven is running, the fire will go out and start smoking. Fit the door firmly when there is no fire and keep ajar when roasting.

HINTS

Cooking Pizzas: Cooking directly on the oven floor creates a crisp base. **The biggest problem is to avoid sticking while transferring to the oven.** Roll dough out thinly on a wooden board with plenty of flour to prevent sticking. Then jiggle/slide the paddle under, also lightly floured. Jiggle the pizza off gently onto the oven floor. [Another option is to use semolina or polenta on the board to prevent sticking.] When adding your toppings, don't take too long, as the moisture from the dough will dampen the flour and make the base stick to the board. A few simple toppings works best.

If you find you are burning the edges of your pizza, try brushing the edges with olive oil to help protect and prevent burning, or use the paddle to turn the pizza around when half-cooked.

Breads: First of all you need to get the oven to the right temperature – ensure that the coals in the fire have died down so that there are only grey and black embers in the rear of the oven. It is suggested that you moisten the floor of the oven a bit before placing the dough on it; this creates humidity, which assists, in the rising process.

Place a wet rag on the end of a poker and wipe the floor down. Place the dough onto the floor and put the door on, cook the bread for 30 – 40 minutes. Rotate the loaf about 1/2 way through cooking time. Trial and error is needed with bread, try doing some small doughs first to get the timing right. To achieve good bread the preparation of the dough is important. Read the detailed downloadable instructions. Throw a small amount of flour onto the floor of the oven; if it smokes it is still too hot.

CARE OF THE OVEN

Cleaning: Clean the oven floor by raking the remainder of the fire to the front across the floor tiles once you have finished cooking. The next day, shovel the coals back to the rear with the paddle and brush the remaining ash. Any food residues should have burned off from the floor. Leave the door off to allow any moisture to evaporate.

Clean & Cool: Clean the oven floor with an old damp tea towel or a string mop. This will clean, but also can be used to cool down the oven if it gets too hot and you need to reduce the temperature fast.

Over-loading with wood: Do not abuse the oven by over-loading with wood and trying to use it as a main heat source during cooler months. Remember it is an oven and not a heater. You can damage the interior and cause cracking.

Curing: It is crucial to “cure” the oven if it has not been used for a long periods during the colder months. That means keeping a very low fire in the oven for a few hours over each of several days to slowly dry out the shell. The shell can be damaged by a hot fire if it has absorbed moisture and is not dried out slowly.

If you are noticing that it is difficult to keep the fire burning, we may have moisture in the oven. To test for this, put the door on tightly, leave it for three minutes and once it is removed if there are water droplets on the door this indicates a moisture build up. Please let the executive committee know if you suspect the oven need another ‘curing’.

Treated wood: Please only use unprocessed wood. **Don't use milled or treated timber of any kind.** This is so we can all be absolutely sure that no arsenic-laced ash could end up in our food. We have an ample supply of wood from Wybalena trees.

BOOKING and SHARING THE OVEN

For now we have a notepad to write in. Leave a contact phone and/or unit number. When you book it is a nice idea to include a comment about whether others would be welcome to join or follow you. A hot oven can do many pizzas in a short time. After you are done it will be ready to roast or bake at a lower temperature. Talk to your neighbours, find out when to have your bread dough ready, and let's make this a social thing!

HELP FOR FIRST-TIMERS

We recommend asking someone experienced to help you to get started the first time you use the oven. Executive committee members can put you in touch with someone.

DETAILED INSTRUCTIONS

The manufacturer's complete instruction book and recipes can be downloaded: <https://www.dropbox.com/s/ko236jyjw1bcvz/WoodovenUserGuide.pdf?dl=0> or tinyurl.com/p4a389r3

APPENDIX D – Wybalena Grove Community Garden Roles and Responsibilities for Management

Background

The 2018 AGM of the Owners' Corporation (OC) of Wybalena Grove (Units Plan 116) agreed to establish and fund a community garden on the eastern tennis court in accordance with the proposal at Attachment 8 to the Agenda Paper for the AGM (available on the Wybalena Grove website). A report on the establishment of the community garden is at Attachment A of Attachment 9 to the Agenda Papers for the 2019-20 AGM.

This document describes the management arrangements for the garden and will be included in the Wybalena Grove Information Booklet. This version was adopted by the 2025 AGM to supersede the version adopted at the 2019 AGM.

Key points

- Each household at Wybalena Grove is entitled to the use of a plot in the Community Garden.
- The Executive Committee (EC) will have overall responsibility for the Community Garden on behalf of the Owners Corporation.
- The Community Garden will be managed by a Garden Committee nominated by plot holders. The Garden Committee will elect a Convener or Conveners to coordinate the work of the Garden Committee and provide a point of contact with the EC.

Garden Committee and Convener Responsibilities

The principal responsibilities of the Garden Committee are to:

- Work in support of the Garden's aims, as set out in the garden proposal that was endorsed at the 2018 Wybalena Grove AGM.
- Act in an inclusive manner when seeking input from plot holders or making decisions about the management of the garden.
- Seek expressions of interest in early to mid-February from all residents in using a plot for the next twelve months from April to March, to be made in writing to the Garden Committee by 28 February.
- Allocate plots equitably up to an agreed maximum area among all applicants, preferably by consensus. The agreed maximum area may be reduced if necessary to fully accommodate demand for plots in the Community Garden.
- Maintain a list of current plot holders' names and contact details.
- Maintain a list of residents who have asked for a plot after the annual allocation has been made, in case plots become available during the year.
- Communicate issues raised by plot holders to the EC and vice versa.

- The Convener(s) will coordinate an annual report on the Community Garden for the AGM.
- Organise regular working bees and get together of plot holders to progress the work of the garden.

Executive Committee Responsibilities

The responsibilities of the EC are to:

- Provide oversight of the management of the garden and plot allocation as required, including adjudicating if necessary to ensure that plots are allocated equitably among all applicants.
- Make the final decision on plot allocation by 31 March, in accordance with its responsibility for the management of the common property and considering the advice of the Garden Committee.
- Ensure that each year's plot allocations are retained in the long term records of the Owners Corporation.
- Determine the plot fee on a per square metre basis for the upcoming year and seek OC endorsement for this through the annual budget process.
- Advise the Strata Manager of each plot holder's liability for plot fees in time to be invoiced to the owner(s) of the corresponding unit with the first half-year levies. Non-resident owners may then make their own arrangements to recover the plot use fee from the plot-using occupier(s) of their unit.
- Consider and decide on requests for expenditure referred by the Convener(s).
- Keep a Community Garden financial account via separate lines of income and expenditure in the sinking fund (50% of annual plot fees, intended for major improvements to the garden and long-term maintenance) and the general fund (50% of annual plot fees, intended for smaller improvements and routine expenses). Unspent monies will roll over each year, with the understanding that the Community Garden should be cost-neutral to the Owners Corporation and that accumulated funds from plot fees will be spent on the community garden.

Plot Holders' Responsibilities

- Plot holders must make an annual, written request via email or return of the *Expression of Interest Form* to the Convener(s), providing name, unit number and contact details.
- In applying for and using a plot, the gardener accepts that they will:
 - Act in accordance with the rules and responsibilities outlined in this document.
 - Act in accordance with the Owners' Corporation Rules which states that plot holders will "at all times keep [their plot] well cultivated and tended", which includes regular weeding, clearing of any diseased or rotting produce, and keeping the area surrounding their plot tidy and uncluttered.
 - Practice organic gardening by:
 - conforming to the rules of the Canberra Organic Growers Society (COGS) <https://cogs.asn.au/gardens/#gardenrule>, and

- using only inputs to the production process, such as fertilisers, soil amendments and sprays, that are allowed under the Australian Certified Organic standard.
- Be actively involved in the gardening of the plot allocated to them, allowing for differences in physical ability and extraordinary circumstance.
- Avoid plantings that might become weedy or sucker or impinge on other plots.
- Not use or interfere in any other plot, except by agreement with the plot holder or convener(s).
- Plot holders are strongly encouraged to:
 - Engage with the maintenance and life of the community garden more widely by, for example, attending working bees or volunteering for a special task to the benefit of the community.
 - Ensure that their plot is left in good condition when they relinquish it.
 - Respect the community spirit on which the garden is based by conducting themselves in a spirit of goodwill and harmony and keeping in mind the effect of their actions on others.