

HOW TO OBTAIN AUTHORISATION FOR WORKS ON YOUR PROPERTY

Breakfast Point is widely acknowledged as an outstanding community. In part, this is attributed to the measures in place ensuring uniformity of both the internal and external appearances of dwellings, gardens and streetscapes. A brief overview of relevant legislation is outlined below. Subsequent information identifies the process for obtaining permission for works that require approval by the Breakfast Point Community Association prior to commencement.

THE BREAKFAST POINT COMMUNITY ASSOCIATION

The Breakfast Point Community Association comprises several Subsidiary Bodies. These are the Owners Corporations, Precincts and Neighbourhood Associations. Each of these are bound by a Community Management Statement (CMS) for Breakfast Point drawn up under the Community Lands Management Act 1989. The CMS comprises By-laws and Architectural and Landscape Standards (AL&S) that underpin the management of community through the BPCA.

WORKS WHICH REQUIRE AUTHORISATION

Works which require authorisation are those works that can be seen externally. This will include any changes to building paint colours or to gardens, any alterations or additions, and even external appearance of internal blinds. These procedures need to be followed by all members within the Breakfast Point Community (DP270347).

Under Section 8 of the Community Management Statement, owners can submit applications to undertake works which require the approval of the Community Association, by the process described below.

Note – All applications must be approved by the Community Association (CA) before any works are commenced.

THE APPLICATION PROCEDURE - HOW TO GET AUTHORISATION

1. An Owner proposing to undertake work must firstly apply to their Owners Corporation, Precinct or Neighbourhood Association. The application form is available from the Members' website at www.breakfastpoint.org.au and found under *Community Association Documents*. Supporting documentation is required to be submitted with the application. This may include plans or drawings (including a site plan where applicable), all specifications, certificates and any other information required for the assessment process.
2. Upon completion of the application, an owner or the Subsidiary Body, must then engage the services of the Community Schemes Architect (*), to assess the application.
3. The Scheme Architect may ask the applicant to submit any further information necessary to complete the assessment. The applicant must comply with such a request.
4. Upon completion of the assessment the Architect will submit a report on the application to the owner together with their recommendation for approval, approval subject to any conditions, or refusal. Any conditions of approval will be clearly listed in the recommendation. The recommendation shall then be put as a motion in a meeting agenda of the Subsidiary Scheme Executive Committee (Owners Corporation, Precinct Committee or Neighbourhood Association).

5. The application should then be approved by the Subsidiary Scheme and minuted accordingly. If approval is required by the City of Canada Bay Council, the Subsidiary Scheme manager is to affix their seal to a City of Canada Bay Council Development Application (DA) Form.
6. The application must then be forwarded to the Community Manager (**) who will, in consultation with the Executive Committee Secretary, include the application in the next agenda of the Executive Committee's Assets and Standards Subcommittee. Documents required are the:
 - completed Application Form
 - Community Scheme Architect's report
 - Minutes approving the application from the Subsidiary Scheme (Owners' Committee, Precinct, Neighbourhood etc. as appropriate)
 - Plans and specifications if applicable
7. The Community Manager will contact the applicant to confirm receipt of the application and the required documentation and supply the date when the application will be considered by the Assets and Standards Subcommittee.
8. The Assets and Standards Sub-Committee will review the application for compliance with the Community By-Laws and the Architectural and Landscape Standards. If the application is successful, the recommendation of the Assets and Standards Sub Committee will then be included on the agenda of the Community Association Executive Committee meeting. The applicant and Subsidiary Body (Owners Corporation /Precinct/Neighbourhood) will be advised of this. The Community Association Executive Committee will deal expeditiously in determining the application. If the Assets and Standards Sub-Committee determines the application does not comply, both the applicant and the Owners Corporation/Precinct/Neighbourhood will be advised in writing.
9. On determination of the application the Community Manager (**) will immediately notify the applicant and the Subsidiary Body as to the terms of the resolution of the Executive Committee.

Note - In the event lot owners or subsidiary schemes undertake works without approval they will be instructed to reinstate their property to its original condition at their cost.

The Breakfast Point Community Association is a fantastic Community and well known for its amazing external appearance. A certain degree of uniformity and compliance is essential to ensure that this high standard is maintained. This can only be achieved if all owners comply with the Community Management Statement and seek approval before undertaking any works that require Community Association consent.

If you have any questions regarding the application process (or whether your works application requires the approval of the Community Association), please email the Community Manager, Nick Stephenson (nick.stephenson@bright-duggan.com.au).

* Community Manager: Bright and Duggan

** Community Scheme Architects: Giles Tribe

THE CMS AND THE AL&S

A Community Management Statement (CMS) has been draw up under the Community Lands Management Act 1989 and it applies to Breakfast Point. The CMS controls and preserves the essence of the Community Scheme. It contains requirements for compliance with its By-laws and Architectural and Landscape Standards (AL&S).

An Owner proposing to undertake work must first apply, using the Work Application Form to their Subsidiary Body (that is, their Owners Corporation, Precinct or Neighbourhood Association).

The applicant (owner) is to complete the application form enclosed in full and include all documents necessary for the assessor, the Scheme Architect, to make an informed assessment.

Documentation accompanying the application must include all plans or drawings (including a site plan where applicable), all specifications, certificates and any other information required for the assessment process.