

Body Corporate & Heritage Victoria Historic Verandah Rules & Protocols

The Willsmere Body Corporate Rules, in particular Schedule 3, were passed by the Body Corporate in order to comply with permit No. 1816 issued by the Historic Building Council (the HBC) now known as Heritage Victoria (HV) the time of re-development into the residential complex it is today. By way of those rules and supporting opinion and interpretation from HV, it is deemed that the patio areas or covered walkways are restricted by what can and cannot be stored in these areas.

An excerpt from the Rules, Schedule 3, is as follows:

“The Body Corporate does by this rule covenant with and undertaken to the HBC that it will NOT permit, consent to or allow any Member, except as provided or permitted by the said permit No. 1816 issued by the HBC to:

(d) store or place within the patio areas, or covered walkways any goods or things save for a modest size outdoor furniture setting and a modest number of pot plants, so that they shall not be unsightly or cluttered in appearance.”

It is furthermore the policy of the Body Corporate in regards to Historic Verandahs as follows:

1. The Body Corporate does not allow the storage of Barbecues on historic patios and walkways in support of Heritage Rules. As alternative storage areas cannot be provided at Willsmere, no barbecues will be so allowed in historic units.
2. The Body Corporate reserves the right to remove any barbecues so stored after providing the resident with 28 Day Notice to remove same.
3. No barbecue or fires or cooking of any nature is allowed on the historic patios, walkways or under any section of historic verandah at any time.
4. In conjunction with Heritage requirements, the Body Corporate supports only a “modest sized outdoor furniture setting and a modest number of pot plants” to be stored or kept on the historic patios/walkways at any time.
5. **NO PLANTS ARE ALLOWED ON HISTORIC WINDOW SILLS.** Residents have 48 hours to comply with removal of unauthorized plants and furnishings upon receipt of written Notice from the Body Corporate or its Managing Agent to remove. The Body Corporate through its Managing Agent reserves the right to remove and dispose of plants so installed.
6. The Member agrees to indemnify and keep indemnified the Body Corporate from all claims for any loss of or damage to the property of, or personal injury to, third parties resulting from or incidental to the use of the patio areas, including the placement of plants and items of furniture.
7. Areas of access and pathways to and from historic verandahs/stairwells/patios must be kept clear of debris and all debris/furnishings (including children toys and bicycles) are to be removed from the area upon request from the Body Corporate to do so.