



Renovation Application to the Body Corporate for Surfers Fairways East CTS 10247 (v.1)

SUBMISSION FOR CONSIDERATION OF LOT OWNER MOTION FOR COMMITTEE FOR BODY CORPORATE FOR “SURFERS FAIRWAYS EAST” TO CONSIDER¹

TO: The Body Corporate for Surfers Fairways East Community Titles Scheme No. 11418

From: The Applicant(s)

When to use this form:

The Applicant(s) proposes to do the **Proposed Work** at Surfers Fairways East described in **Part 3** of this Application. The Applicant seeks the Body Corporate's confirmation about whether:

1. the Body Corporate considers that Body Corporate approval is required for the **Proposed Work**; and
 2. if Body Corporate approval is required for the **Proposed Work**, then whether:
 - a. the Body Corporate requires more information from the Applicant about the nature or scope of the **Proposed Work**; or
 - b. if the Body Corporate has sufficient information about the **Proposed Work**, whether or not the Body Corporate approves the Proposed Work, and if so, whether any conditions apply to the approval.
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PART 1: Applicant's Proposed Motion for Committee

Committee Motion: That the Committee decide whether or not Body Corporate approval is required for the Applicant's Proposed Work, and if so, whether it requires more information from the Applicant about the nature or scope of the Proposed Work, or if the Body Corporate already has sufficient information about the Proposed Work, whether the Body Corporate approves the Proposed Work and if any conditions apply to the approval.

Purpose of this Form:

1. The purpose of this form is to enable the Committee to consider what impact, if any, the Applicant's Proposed Work may have on:
 - a. the Body Corporate's common property areas and building structures (including structural/load-bearing elements of the building and fire safety aspects), utility infrastructure that services more than one lot or common property and the obligations in the by-laws; and
 - b. the reasonable amenity expectations of other residents and owners in the scheme.

¹ Lot owners have the right to submit up to a maximum of 5 proposed motions to the Committee to decide within a 12-month period: [Regulation 50 of the Body Corporate and Community Management Act 1997](#). The Committee must decide a lot owner's motion as soon as reasonably practicable, and within a 6 week period after the motion is submitted unless it gives the lot owner a written notice stating that the committee requires more time to decide the motion, with the reasons it requires more time and the committee's decision is made within an additional period not exceeding a further 6 weeks (on top of the original 6-week period = 12-weeks). The Committee is not permitted to make decisions on lot owner motions that are about 'restricted issues' that the Committee can't make decisions about, or motions that would conflict with the Body Corporate and Community Management Act 1997, regulations or by-laws, or would be unlawful or unenforceable. If the Committee does not make its decision within the decision period (maximum of 12 weeks), then it means the Committee has not agreed to the motion.



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Please note the following obligations and restrictions:

Important please read:

It is important that work that requires a licence in Queensland is only carried out by a licensed contractor. Visit <https://www.qbcc.qld.gov.au/licences/start-your-career/when-you-need-licence>

to find out more about what kind of licence a contractor requires for particular building work in Queensland.

Electrical work in Queensland must only be carried out by a person with a current electrical contractor's licence. You can check here: <https://www.electricalsafety.qld.gov.au/electrical-license-search>

Most plumbing work in Queensland is regulated and requires a QBCC licensed plumber or drainer to undertake the work, to protect the community's health and safety.

There are 12 categories of 'notifiable plumbing work' under the Plumbing and Drainage Regulation 2019 that a licensed plumber can perform without a Council permit. Read here: <https://www.qbcc.qld.gov.au/worksite-building-practice/plumbing-work/categories-notifiable-work>

'Minor plumbing work' does not require a Form 4 to be submitted – but must still be done by a QBCC licensed plumber.

"Unregulated plumbing work" does not need to be done by a QBCC licensed plumber.

Waterproofing work valued at more than \$3,300 must be carried out by a QBCC Licensee with the appropriate licence.

1. **AIR-CONDITIONING CONDUIT PENETRATIONS THROUGH EXTERNAL WALLS:** Penetrations from air-conditioning condensers on balconies through external walls must be at a height at least 100mm (but preferably higher) from the floor level, and properly sealed to prevent water ingress and have an external conduit cover installed to ensure no rain water can enter the building.
2. Lot owners and occupiers must not interfere with the support or shelter provided by the lot for another lot, or the common property, in the scheme;²
3. Lot owners and occupiers must not, either within or outside the lot, interfere with utility infrastructure or utility services in a way that may affect the supply of utility services to another lot, or the common property in the scheme;³
4. The Body Corporate does not have the power to give a lot owner exclusive use rights for the enjoyment or special rights over utility infrastructure that is common property or a body corporate asset.⁴

² [Section 165 of the Body Corporate and Community Management Act 1997.](#)

³ [Section 165 of the Body Corporate and Community Management Act 1997.](#)

⁴ [Section 177 of the Body Corporate and Community Management Act 1997.](#)



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PART 2: Applicant Details [Applicant(s) to complete this Part 2]

Full Name(s) of Applicant(s):
Your Lot Number:
Your Best Contact Email Address & Phone Number:
Lot owner acknowledgements: <ol style="list-style-type: none">1. The Applicant(s) acknowledge that this completed application and all attachments must be emailed to the Committee's Secretary (via The (Nuu) Co hello@thenuuco.com.au who will then provide it in full to the Committee, including the building manager and body corporate manager;2. The Body Corporate's records, which may include useful building and services plans are available to all lot owners on the Strata Vault for Surfers Fairways East;3. The Committee must consider it and decide the motion(s) as soon as reasonably practicable and within 6 weeks;⁵4. The Applicant(s) acknowledge the Proposed Work is not to commence before the Committee's decision in writing is received by the Applicant.
Applicant(s) Signature(s) confirming the above Lot Owner acknowledgements:
Date of signature(s):

PART 3: Proposed Work [Applicant(s) to complete this Part 3]

Description of the location(s) of the Proposed Work: Note: Please describe in writing the nature and location(s) of the proposed work:	
Estimated cost of the Proposed Work:	\$
Drawings of location(s) of the Proposed Work Note: Please mark up on the "as constructed" drawing(s) for your Lot, all building structure(s) and utility service(s) that would be affected / changed by your proposed work. Alternatively, if you have an architect, draftsman, engineer or other expert involved, please provide their plans, drawings and specifications for the Proposed Work.	

⁵ [Regulation 50 of the Body Corporate and Community Management Act 1997.](#)



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	Note: To avoid delays in considering your motion(s) please ensure that all of the documents are attached when you submit this form to the Committee.
Name, company, contact details of the Contractor(s) proposed to carry out the Proposed Works:	
How you propose to transport and dispose materials and rubbish during the Proposed Works	
How many days/weeks you believe the Proposed Work will take?	



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Considerations

When the Committee is considering this application, if it does advise that the Applicant that it considers Body Corporate consent *is* required for the Proposed Work, the Committee will refer to:

1. the development approval for Surfers Fairways East; and
2. the by-laws contained in the community management statement for Surfers Fairways East, which may include, but not be limited to the following by-laws, when considering whether to grant approval and if so, on what conditions;
3. such other information reasonably necessary to determine the application.

Surfers Fairways East by-laws that may be relevant:

29. Structural alterations and renovations

- 29.1. No structural alteration shall be made to any lot (including any alteration to water electrical installations or work for the purpose of enclosing in any manner whatsoever the balcony (if any) of any lot) without the prior permission in writing of the Committee and if required by Section 37A of the Act a resolution without dissent passed at a general meeting of the Body Corporate. The Body Corporate Committee shall be entitled to request copies of such plans and specifications as it might consider necessary to enable it to grant its approval and the proprietor of a lot shall comply with all such requests.
- 29.2. An Owner or Occupier must not commence or carry out any renovations or refurbishments to any lot ("the Works") unless the Owner has complied with the provisions of this by-law and obtained the prior consent in writing of the Committee.
- 29.3. An application by an Owner or Occupier for the written approval of the Committee under paragraph 29.2 must:
 - (a) Comply with the terms and conditions stipulated by the Committee from time to time and be in the form approved by the Committee from time to time for that purpose; and
 - (b) Fully set out and specify the work that is proposed; and
 - (c) Be accompanied by a plan or drawing of the proposed Works.
- 29.4. The Committee may approve an application under paragraph 29.3 subject to such conditions as the Committee reasonably considers necessary in relation to the Works.
- 29.5. Any Owner who either:
 - a) carries out any renovation or refurbishment work ("the Works") without the prior written approval of the Committee; or
 - b) fails to comply with the conditions attaching to any approval of the Committee, under paragraph 29.4, must within a reasonable time of receiving the written notice of the Committee, cause the removal of the Works at the Owner's cost.

3. Noise

- 3.1. A proprietor shall not make or permit any noise likely to interfere in any way with peaceful enjoyment of other proprietors of lots or of any person lawfully using the common property. In particular, no proprietor of a lot shall hold or permit to hold any social gathering in his lot which would cause any noise which could unlawfully interfere with the peace and quiet of any other proprietor of a lot, at any time of the day or night and in particular shall comply in all respect with the Noise Abatement Act 1979 as amended.



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- 3.2. In the event of any unavoidable noise in a lot at any time, the proprietors thereof shall take all practical means to minimise annoyance to either proprietors of lots by closing all doors, windows and curtains of his lot and also such further steps as may be within his power for the same purpose: and
- 3.3. Guests leaving after 11.00pm shall be requested by their hosts to leave quietly. Quietness also shall be observed when a proprietor of a lot returns to the dwelling late at night or in early morning hours.
- 4. Obstruction**
A proprietor or occupier of a lot shall not obstruct lawful use of common property by any person.
- 5. Damage to lawns, etc., on common property**
A proprietor or occupier of a lot shall not:-
- 5.1. damage any lawn, garden, tree, shrub, plant or flower being part of or situated upon common property; or
- 5.2. except with the consent in writing of the Body Corporate, use for his own purposes as a garden or any portion of the common property
- 6. Damage to Common Property**
A proprietor or occupier of a lot shall not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property except with the consent in writing of the Body Corporate, but this By-law does not prevent a proprietor or person authorised by him from installing:-
- 6.1. any locking or other safety device for protection of his lot against intruders: or
- 6.2. any screen or other device to prevent entry of animals or insects upon his lot provided that the locking or other safety device or, as the case may be, screen or other device is constructed in a workmanlike manner is maintained in a state of good and serviceable repair by the proprietor and does not detract from the amenity of the building: provided that the locking or other safety device or, as the case may be, screen or other device is of such colour and style as approved by the Body Corporate Committee.
- 10. Appearance of building**
A proprietor of a lot shall not, except with the consent in writing of the Body Corporate, hang any washing, towel, bedding, clothing or other article or display any sign, advertisement, placard, banner, pamphlet or like matter on any part of his lot in such a way as to be visible from the common property or any other lot.
- 11. Storage of flammable liquids, etc.**
- 11.1. A proprietor of a lot shall not, except with the consent in writing of the Body Corporate, use or store upon his lot or upon the common property any flammable chemical, liquid or gas or other flammable material other than chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any such chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.
- 11.2. A proprietor of a lot shall not bring to, do or keep anything in his lot which shall increase the rate of fire insurance on the parcel or which may conflict with the laws and/or regulations relating to fires or any insurance policy upon any property on the parcel or the regulations or ordinances of any public authority for the time being in force.
- 20. Window treatments such as curtains/slimline Venetian blinds**
A proprietor shall not install, renovate or replace curtains, vertical blinds or other window and door covers visible from outside the lot unless those curtains have white backing or unless such colour and design have been approved by the Committee. A proprietor shall not install, renovate and/or replace a curtain backing or window treatment without having the colour and design of same approved by the Committee. In giving such approvals, the Committee shall ensure so far as practicable that curtain backing and window treatment used in all lots have colours that are sympathetic to the tones of the building and present an aesthetic appearance when viewed from outside the building.



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25. External appearance

- 25.1. An owner or occupier shall not without the consent in writing of the Body Corporate perform any works or erect any structure in, on or to his lot which will in any way alter the external appearance of the building.
- 25.2. Balcony areas must always be maintained in a clean and tidy state, and under no circumstances may balcony areas be used for storage purposes.
- 25.3. Unless the prior written consent of the Body Corporate has been obtained, any outdoor blind installed by an owner or occupier (pursuant to by-law 25.1) must:
- (a) be of 'Zipscreen' design;
 - (b) for consistency with the colours of the Scheme building, have a frame:
 - (i) in the colour 'Anodised Bronze' if manufactured by Zipscreen; or
 - (ii) in a colour the same as 'Anodised Bronze' from Zipscreen, if manufactured by another company. This colour requires the consent of the Body Corporate prior to installation; and
 - (c) for consistency with the colours of the Scheme building, have a screen:
 - (i) in the colour 'Anodised Bronze' or 'Black' if manufactured by Zipscreen; or
 - (ii) a colour the same as 'Anodised Bronze' or 'Black' from Zipscreen, if manufactured by another company. This colour requires the consent of the Body Corporate prior to installation.

32. Replacement of glass

Windows shall be kept clean and promptly replaced by the proprietor or occupier of the lot at his expense with new glass of the same kind and weight as at present if broken or cracked. This By-Law shall not prohibit a proprietor from making a claim on any applicable Body Corporate insurance.

40. Furniture and trade materials, delivery and removal

Each proprietor of a lot shall ensure that all deliveries of furniture, furnishings and trade materials to and from the building shall be made only through the basement car park and not the main foyer and that notice is given to the Caretaker prior to any moving and the same must be done in the manner and at the time directed by the