



Renovation Application to the Body Corporate for Surfers Fairways West CTS 11469 (v.1)

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

TO: The Body Corporate for Surfers Fairways West Community Titles Scheme No. 11469

From: The Applicant(s)

When to use this form:

The Applicant(s) proposes to do the **Proposed Work** at Surfers Fairways West 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/worksites/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 West;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?	



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 West; and
2. the by-laws contained in the community management statement for Surfers Fairways West, 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 West by-laws that may be relevant:

- (c) Any alteration to gas, water or electrical installation;
- (d) Any enclosure in any manner whatsoever;
- (e) Any installation or a wireless television aerial outside a Lot;
- (f) Any layering or relaying of exterior flooring (including, without limitation, tiling and decking) outside of a Lot or balcony;
- (g) Any painting or affixing of signs, advertisements, notices or posters to or on any part of a Lot which is visible outside the Lot;
- (h) Any erection of external blinds; or
- (i) Any installation of insect screens or shutters on doors or window which are visible from outside a Lot.

31.2 Prior Approval

Prior to seeking approval from the Body Corporate for any alteration or addition to a Lot of the kind described in by-law 31.1 (a) – (d), the Owner seeking consent must supply details of the proposed renovations to the Manager of whom will then liaise with the Committee. The details of the proposed work must include:

- (a) Detailed plans (of the changes) and detailed engineering plans and, if requested by the Committee, any relevant certification;
- (b) Detailed descriptions of the proposed renovations (for example plumbing, cables and wiring, flooring, installing air conditioning and alike);
- (c) All relevant local authority approvals;
- (d) All contractors' names, registration, licenses and valid insurance details for each contractor performing the proposed work;
- (e) Copy of the certificate of currency of insurance from the trades people performing the work;
- (f) Expected commencement and completion dates for proposed works;
- (g) If the work includes alterations to the original layout, or structural alterations of any kind, then the Owner must provide at the Owner's expense. A certificate from a registered structural engineer, independent of the Owner and approved by the Committee in favour of the Body Corporate, certifying that the works will not effect the structural integrity of the building; and
- (h) Any additional information reasonably requested by the Committee.



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31.3 Exterior Flooring/Tiling

Prior to seeking approval from the Body Corporate for any alteration, renovation or addition to a Lot of the kind described in by-law 31.1 (e), the Owner seeking consent must supply details of the work to the Manager of whom will then liaise with the Committee. The details of the proposed work must include:

- (a) A written undertaking from the Owner that the existing exterior flooring and any under laying screed or bedding will be completely removed prior to the laying of any new flooring or tiling;
- (b) All contractors' names, registration, licences and valid insurance details for each contractor performing the proposed work;
- (c) Detailed description of the type, brand and category of waterproofing membrane that will be applied prior to the laying of the new flooring;
- (d) Written certificate from a Queensland qualified water proofer that the surface preparation and waterproofing material proposed to be installed on the Lot fully complies with all relevant Building Codes and completely prevents moisture penetration;
- (e) Detailed description of the type, colour, composite material, slip rating and thickness of the proposed flooring; and
- (f) Any additional information reasonably requested by the Committee (i.e. photographs or tile samples) in order to be able to ensure the buildings appearance is kept in uniform and colour tone.

31.4 Notice

Prior to undertaking the alterations or renovations the Owner or Occupier must:

- (a) Give notice in writing to the Body Corporate seven (7) days prior to commencing the work so that Owners and Occupiers may be informed;
- (b) Provide one (1) business day notice to the Body Corporate prior to any material being moved through any Common Property area.

31.5 Noise

In addition to by-law 3, when undertaking any work itemised in by-law 31.1 (following receipt of approval from the Body Corporate) the Owner must:

- (a) Ensure all activities involving noise and/or vibration by way of, for example, drilling, cutting, jackhammering or grinding is concentrated into as short a time as possible. For the avoidance of doubt, activities involving noise and/or vibration are not permitted or approved by the committee outside the hours of 8:30am – 4:30pm Monday to Friday; and
- (b) Ensure that no building work or trade work is performed before 9.00am and after 4:00pm on Saturdays and at not time on Sunday or public holidays.



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31.6 Safety Standards and Compliance

When undertaking any work itemised in by-law 31.1, the Owner must at all times ensure:

- (a) That the work is and will be conducted in accordance with the Building Code Australia (BCA), relevant Australian Standards, all relevant laws and regulations, codes of practice and these by-laws;
- (b) That the work is carried out solely by qualified and appropriately insured contractors whose details have been provided to the Committee in accordance with by-law 31.2 as applicable;
- (c) The Work, Health and Safety laws are complied with including:
 - (A) Preparation of safety documentation such as Work Method Statement ("WMS") for any high-risk work (the WMS must be signed and dated by each contractor/s undertaking the work);
 - (B) Implementation of adequate processes and procedures for the management and reduction of any risk associated with the proposed work; and
 - (C) Holding adequate public liability insurance and if applicable, workers compensation insurance and provide to the Committee proof of a Public Liability Policy on request;
- (d) That the operation of all fire safety equipment in the Lot are not impeded in any way by the Lot renovations or alteration and, if requested by the Committee, the Owner shall at the conclusion of the works provided to the Body Corporate with a fire safety inspection certificate.
- (e) Ensure that contractors and/or their agents do not store equipment and/or materials on any part of the common property without the Committee or Manager's written consent, any shall use any designated area marked with an exclusion/safety zone bunting by the Manager for such purposes.
- (f) Following completion of any alteration or addition to a Lot of the kind described in by-law 31.1, the Owner or Occupier must have the work inspected and approved by a qualified builder or, where applicable, a duly qualified water proofer. A copy of a duly completed certificate or approval and/or compliance and photo evidence must be provided to the Committee within seven (7) days of completion if so requested.

31.7 Rubbish and General Cleanliness

When undertaking alterations or renovations to Lots, Owners must:

- (a) Direct and ensure that all trade waste associated with any renovation work is removed from Scheme Land by the contractor concerned and shall not use the Body Corporate rubbish/communal bins or trolleys;
- (b) Comply with all Local Council laws and ordinances about disposal of garbage;
- (c) Ensure that contractors and or their agents shall only use the designated car space area for the collection of rubbish marked with an exclusion zone/safety zone bunting by the Manager if a garbage skip is not in use; and
- (d) Ensure that no dirt, dust, rubbish or marks are left on, or damage is caused to, the common property (including without limitation, lifts, parking areas, and foyers) and ensure that the areas of common property that are accessed because of the renovations or alterations are kept clean and tidy after use.

31.8 Use of Lifts

- (a) An Owner must do all things reasonably necessary to ensure that no contractors and/or their agents use the passenger lifts for transporting any of the following items without the Body Corporate's prior consent:
 - (i) Furniture, plants, equipment, building materials or any other bulky item;
 - (ii) Any commercial trolley or materials.
- (b) The passenger lifts must be available for use by Owners, Occupiers, Invitees and agents at all reasonable times unless otherwise agreed in writing by the Committee or Manager.



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31.9 Trade/Delivery Vehicles and Parking

When undertaking alterations or renovations to Lots, Owners must:

- (a) Ensure that building materials are only delivered or removed from the Lot between the hours of 8.30am and 4.30pm, Monday to Friday and between 9.00am and 4.00pm, on Saturdays. No deliveries or removals are permitted on Sundays or public holidays;
- (b) Ensure that their trade/delivery driver does not obstruct Vehicles from entering or leaving Common Property;
- (c) Direct contractors and their employees to park only in the resident car park assigned to its respective Lot only within the specified working times in 31.9 (a)(i) above. All trade/delivery vehicles must be moved to the street or golf club car park when attending the Scheme outside the specified working hours.

31.10 Costs

- (a) The Owner accepts all risk and responsibility for any injury caused or suffered by contractors or other Invitees engaged by the Owner while on Scheme Land.
- (b) In accordance with the provisions of the Act, if there is any damage to the Common Property as a result of the alterations or renovations undertaken by an Owner, that Owner must pay to the Body Corporate the cost of repairing the Common Property. Such costs will be recoverable from the Owner as a liquidated debt.

31.11 Air Conditioners

- (iii) The air conditioner noise level must not exceed a maximum of 5 decibels above back ground noise (maximum average present back ground noise has been measured of 50 decibels) and must not drip over the balcony onto other balconies of Lots within the Scheme;
 - (iv) The outdoor compressor unit must have a powder coat paint finish, and interior surfaces rust proofed (inclusive of all assembly screw, nuts and bolts). The external compressor unit may be repainted by the Body Corporate if and when the building is painted;
 - (v) The Owner must indemnify the Body Corporate against any damage to persons or property arising from the installation of the air conditioning unit and furnish to the Body Corporate proof of a Public Liability Policy prior to the commencement of the installation;
 - (vi) All costs relating to the air conditioner installation and the future operation of the unit inclusive of condensate pump, additional noise attenuation materials if required plus other ancillary items inclusive of additional safety fixings deemed necessary for high wind conditions as may be nominated by the Committee are the sole responsibility of the Owner; and
 - (vii) The Owner must ensure that the air conditioner is in first class working condition and appearance at all times and failure to maintain the unit to the appropriate standard may result in the removal of the air conditioner by the Body Corporate at the expense of the unit owner.
- (b) If reasonably required by the Committee, the Lot Owner must arrange for the air conditioning and external compressor unit to be inspected by an air conditioning technician nominated by the committee. The inspection fee plus any additional fees charged by the independent technician in the performance of his/her duty to the Body Corporate is to be paid direct by the Owner to the inspecting technician nominated by the Committee. The inspection fee plus any additional fees charged by the independent technician in the performance of his/her duty to the Body Corporate is to be paid direct by the Owner to the inspecting technician.



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6. Damage to Common Property

Any 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:

- (a) Any locking or other safety device for protection of his Lot against intruders; or
- (b) Any screen or other device to prevent entry of animals or insects upon his Lot PROVIDED THAT the locking or 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.

34. 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.

52. Fire Regulation

The firehoses contained in or about the Common Property shall not be used by a Proprietor or Occupier of a Lot other than in the case of an emergency, all stairways including the fire stairways shall be kept in a clean and tidy condition at all times. Proprietors or Occupiers shall not use fire cupboards for storage or any other periods.

42. Furniture and trade materials, delivery and removal

Each Proprietor of a Lot shall ensure that all deliveries of furniture and 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 Caretaker or the Body Corporate Committee. Removals shall not be permitted at times which are considered unreasonable by the Caretaker or the Body Corporate Committee.



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21. 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, remove 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.

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 be held 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 respects with the Noise Abatement Act 1979, as amended;

3.2. Any event of any unavoidable noise in a Lot at any time, the Proprietors thereof shall take all practical means to minimise annoyance to other 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 the early mornings hours.

27. External Appearance

27.1 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 their lot which will in any way alter the external appearance of the building.

27.2 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 27.1 and 31.1) 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 (the 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.

The purpose of this by-law is to ensure so far as practicable, that blinds installed on the exterior of the building are the same or similar in appearance to those presently installed to provide a uniform appearance when viewed from outside the building.

4. Obstruction

A Proprietor or Occupier of a Lot shall not obstruct lawful use of Common Property by any person.



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