

MONUMENT

REQUEST FOR PERMISSION TO INSTALL NON-CARPET FLOOR COVERING

Apartment no.		Lot no.	
Name (Must be the Owner or legal representative)			
Contact phone nos.		Email address	
<p>I request the consent of the Owners Corporation to install a Non-Carpet Floor Covering in my Lot, and hereby:</p> <ol style="list-style-type: none"> acknowledge that I have read and understand the By-Laws of Strata Plan 73908, including <i>By-Law 29 – Floor Covering</i> (reproduced overleaf); and agree to pay a bond of \$500 which will be refunded according to paragraph 8 of By-Law 29 (reproduced overleaf); and agree to abide by the By-Laws of Strata Plan 73908; and agree to use duly licensed employees, contractors or agents to conduct the Works and supply their contact details before each of them commences their work; and agree to ensure the Works are conducted in a proper and workmanlike manner and comply with the current Building Code of Australia and the Australian Standards and the law; and agree to use reasonable endeavours to cause as little disruption as possible; and agree to perform the Works only between the hours of 9:30 am and 3:30 pm, Monday to Friday, with Works on weekends and public holidays being strictly prohibited; and agree to transport all construction materials, equipment and debris in the manner reasonably directed by the Building Manager; and agree that the concrete slab is not to be altered, damaged or have any permanent fixtures attached to it, without the Executive Committee's approval; and agree that the apartment fire door is not to be altered; and agree to protect all affected areas of the building outside the lot from damage relating to the Works or the transportation of construction materials, equipment and debris; and agree to ensure that the Works do not interfere with or damage the Common Property or the property of any other Lot Owner other than as approved in By-Law 29, and if this happens the Owner must rectify that interference or damage within a reasonable period of time; and agree to not vary the Works without first obtaining the consent in writing from the Owners Corporation; and agree to notify the Owners Corporation that the Works have been completed; and agree to notify the Owners Corporation that all damage, if any, to lot and common property caused by the Works and not permitted by By-Law 29 have been rectified. 			
Attachments included with this application (Both must be received before application can be processed)	<input type="checkbox"/> Quote for installation <input type="checkbox"/> Acoustic insulation information		
Attachments required after installation	<input type="checkbox"/> Copy of certification from acoustic engineer		
Additional details for consideration by Executive Committee			
Signature		Date	

Please scan and email the completed form to stratamanager@themonument.com.au. Alternatively, please fax/mail the form to the Strata Manager using the contact details provided on the Monument website (www.themonument.com.au).

The Strata Manager will table your request at the next Executive Committee Meeting and you will receive written notification once a decision has been made.

20 PELICAN STREET SURRY HILLS NSW 2010

T: 02 9283 3630 F: 02 9283 5682 www.themonument.com.au

REQUEST FOR PERMISSION TO INSTALL NON-CARPET FLOOR COVERING

STRATA PLAN 73908 BY-LAWS

By-Law 29 – Floor Covering

29.1 Definitions

(i) In this by-law:

Commencement Date 30 July 2007

Non-Carpet Floor Covering means a floor covering on the lower boundary of a Lot (other than in a kitchen, laundry, lavatory or bathroom) other than carpet, including, but not limited to, parquetry, tiles, cork and marble.

Owners Corporation means The Owners — Strata Plan No 73908.

(ii) Where any term used in this by-law is defined in the *Strata Schemes Management Act 1996*, it has the same meaning as in that Act.

29.2 Application of by-law

This by-law applies to all Non-Carpet Floor Coverings, whether installed or laid before or after the Commencement Date.

29.3 Prohibition

- (i) After the Commencement Date an Owner must not install or lay a Non-Carpet Floor Covering in the Owner's Lot unless the complies with the conditions specified in paragraph 5.
- (ii) An Owner must not retain a Non-Carpet Floor Covering in the Owner's Lot that was installed or laid before the Commencement Date unless the owner complies with the conditions specified in paragraph 6.
- (iii) From 20 July 2011 an Owner must not remove any existing floor covering, if any, for the purpose of polishing the existing concrete slab, or leaving the concrete slab in an untreated state, for use as the finished floor surface.

29.4 Rights

Subject to the conditions in paragraphs 5 and 6, Owners are granted a special privilege to lay and maintain Non-Carpet Floor Coverings at the lower boundaries of their lot.

29.5 Conditions for new non carpet floor coverings

After the Commencement Date an Owner may install or lay a Non-Carpet Floor Covering in that Owner's Lot on condition that the Owner:

- (i) obtains the permission in writing of the Owners Corporation before any work is carried out in relation to the Non-Carpet Floor Covering;
- (ii) pays a bond of an amount to be determined by the Executive Committee from time to time;

Works

- (iii) when carrying out work in relation to the Non-Carpet Floor Covering:
 - (a) protects all areas of the Common Property from damage;
 - (b) does not disturb the peaceful enjoyment of the owner or occupier of another lot; and
 - (c) promptly removes all debris resulting from work;

Noise

- (iv) ensures that the **Lntw*** of the floor after the Non-Carpet Floor Covering has been installed is **50 or less** when carried out and calculated according to the requirements of ISO 140-7:1998 and ISO 717-2:1996;

* Lntw meaning the measurement used to measure the impact sound insulation of floors

(v)

- (a) provides the Owners Corporation at the Owner's expense within 14 days after the Non-Carpet Floor Covering has been installed and access has been granted for the purpose of testing by the Owner of the lot or lots below, a certified test report by a qualified engineer showing measured **Lntw** when carried out and calculated according to the requirements of ISO 140-7:1998 and ISO 717-2:1996 is **50 or less**;
- (b) should the certified test not meet the requirement as noted in clause 5(v)(a) above, the executive committee may, subject to sufficient grounds being provided, grant consent in writing for a variance of 10% of the stated requirement.

Maintenance

- (vi) properly maintains and keeps the Common Property to which the Non-Carpet Floor Covering is attached in a state of good and serviceable repair;
- (vii) properly maintains and keeps the Non-Carpet Floor Covering in a state of good and serviceable repair and replaces it as required from time to time; and

Cost

- (viii) pays all costs of the installation, maintenance and repair of the Non-Carpet Floor Covering.

29.6 Conditions for existing non-carpet floor coverings

An Owner may retain a Non-Carpet Covering in that Owner's Lot that was installed before the Commencement Date on condition that the Owner:

- (a) had previously obtained the permission of the Owner's Corporation to install the Non-Carpet Floor Covering and had complied with any conditions specified in that approval; or
- (b) had installed the Non-Carpet Floor Covering prior to the First Annual General Meeting of the Strata Plan and had complied with any specification provided by Multiplex Developments Pty Ltd (the developer); or
- (c)
 - (i) notifies the Owners Corporation that a Non-Carpet Floor Covering has been installed in the Owner's Lot; and
 - (ii) within 28 days after receiving a notice from the Owners Corporation requiring the Owner to do so, provides at the Owner's expense a certified test report by a qualified engineer showing that the measured **Lntw** when carried out and calculated according to the requirements of ISO 140-7:1998 and ISO 717-2:1996 is **50 or less**;

Maintenance

- (iii) properly maintains and keeps the Common Property to which the Non-Carpet Floor Covering is attached in a state of good and serviceable repair
- (iv) properly maintains and keeps the Non-Carpet Floor Covering in a state of good and serviceable repair and replaces it as required from time to time; and

Cost

- (v) pays all costs of installation, maintenance and repair of the Non-Carpet Floor Covering.

29.7 Notification and approval procedure

- (i) After receiving a request under paragraph 5(i) or a notification under paragraph 6(i)(c)(i) in relation to a Lot, the Owners Corporation must notify the Owners of all adjoining lots (both horizontally and vertically) that it has received such a request or notification.
- (ii) The Owners Corporation must not grant an Owner permission to install or lay a Non-Carpet Floor Covering until at least 14 days after notifying the Owners of adjoining lots in accordance with paragraph 7(i).

29.8 Refund of bond

- (i) After an Owner has provided a report in accordance with paragraph 5(v) the Owners Corporation must refund the bond, less any costs the Owners Corporation has incurred as a result of non-compliance by the Owner with this by-law.
- (ii) If an Owner has provided a report in accordance with paragraph 5(v) the Owners Corporation may arrange for independent testing of the flooring and any rectification required to be paid for out of the bond. The Owners Corporation must refund the bond, less any costs it has incurred as a result of non-compliance by the Owner with this by-law.