



Victoria Square Renovation Application to the Body Corporate for Victoria Square CTS 5217

(V.1 as at 24 June 2024)

SUBMISSION FOR CONSIDERATION OF LOT OWNER MOTION FOR COMMITTEE FOR BODY CORPORATE FOR “VICTORIA SQUARE” TO CONSIDER¹

TO: The Body Corporate for Victoria Square Community Titles Scheme No. 5217

From: The Applicant(s)

When to use this form:

The Applicant(s) proposes to do the **Proposed Work** at Victoria Square 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

Lot owner 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:

1. 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
2. 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
3. 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

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) acknowledges that this completed application and all attachments must be emailed to the Body Corporate Secretary via: <ol style="list-style-type: none"> a. the Body Corporate Manager (The (Nuu) Co hello@thenuco.com.au; and b. the Building Manager (enquiries@vsapartments.com.au); <p>who will then provide it in full to the Committee for the Committee's consideration.</p> 2. The Committee must consider it and decide the lot owner motion(s) as soon as reasonably practicable and within 6 weeks;⁵ 3. The Body Corporate's records, which may include useful building and services plans are available to all lot owners on the Strata Vault for Victoria Square; 4. The Applicant(s) acknowledge the Proposed Work is <u>not to commence</u> before the Committee's decision in writing is received by the Applicant. 5. Victoria Square's community management statement contains important exclusive use by-laws that apply to various parts of the common property for the benefit of particular lot owners. These by-laws must be considered by the applicant.
Applicant(s) Signature(s) confirming the above Lot Owner acknowledgements:
Date of signature(s):

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.](#)

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



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

<p>Description of the location(s) of the Proposed Work:</p> <p>Note: Please describe in writing the nature and location(s) of the proposed work:</p>	
<p>Quotes, drawings and specifications</p>	Attach all quotes, drawings and specifications from contractors when you submit this application
<p>Estimated cost of the Proposed Work:</p>	\$
<p>Drawings of location(s) of the Proposed Work</p> <p>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.</p>	<p>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.</p>
<p>Name, company, contact details of the Contractor(s) proposed to carry out the Proposed Works:</p>	
<p>How you propose to transport and dispose materials and rubbish during the Proposed Works</p>	
<p>How many days/weeks you believe the Proposed Work will take?</p>	



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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 Victoria Square; and
2. the by-laws contained in the community management statement for Victoria Square, 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.

Victoria Square by-laws that may be relevant:

The following Victoria Square by-laws are relevant to renovations and are provided below for your reference:

34. RENOVATIONS AND MOVING

An Owner or Occupier of a lot must not renovate or refurbish their Lot, or transfer items from or to their Lot that are of a bulky nature or are otherwise of a substantial size (collectively referred to as 'Renovation'), without adhering to this By-law as follows:

- (a) An Owner or Occupier must notify both the caretaker/building manager and the Committee via written notice of the approximate:
- (i) scope;
 - (ii) duration; and
 - (iii) method of performance (including, but not limited to, the provision of an approximate time table where possible),

of the intended Renovation, at least two weeks prior to the actual Renovation taking place or otherwise as soon as practicable, and keep them informed of any changes to these details.

- (b) *Where a third party is to be used for the Renovation, the relevant Owner or Occupier must ensure that the third party or parties meet with the caretaker/building manager of the Scheme Land for an induction.,*

- (c) The induction is to include (but is not limited to) direction as to the ingress and egress both from the relevant Lot and the Common Property – which is to be in such a way so as to minimise any disruption to the other occupiers; and

- (d) When performing the Renovation the relevant Owner or Occupier must ensure that the following is abided by:

- (i) *Where a Renovation that deals with the actual performance of works in renovating or refurbishing (other than in an redecorating sense), or performing equivalent works to a Lot:*
 - a. These works are only to occur between the hours of 9:00am and 4:00pm from Monday to Friday and from 9:00am to 12 noon on Saturday. No such works are to be undertaken or performed on Sunday; and
 - b. All reasonably practical efforts to satisfy the Committee of compliance with the Work Health and Safety Act 2011 (Old) or any equivalent or ancillary legislation, in performing the Renovation, either personally or via a third party, must be taken.



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- (ii) All reasonable efforts to minimise noise must be taken, including but not limited to the closing of all windows and doors within the Lot.
- (iii) Subject to By-Law 2, the production of excessive noise must be strictly limited as absolutely necessary and must not occur for a prolonged period of time.
- (iv) All reasonable efforts to minimise damage to the Common Property must be taken, including but not limited to the application of protective measures to the lift walls and floors if reasonably required.
- (v) All reasonable efforts to comply with any work health and safety plans or requirements must be taken.
- (vi) No rubbish or building materials related to the Renovation are to be deposited within the designated receptacles for garbage on the Common Property. Rubbish is not to be placed on Body Corporate common property or in car spaces.
- (vii) The balcony of a Lot is not to be used for the cutting of materials to be used in the Renovation.

9. ALTERATIONS TO THE LOT

- (a) An Occupier **must not** make a change to the external appearance of a Lot or make any structural alterations to a Lot (including any alterations to gas, water, electrical installations or work for the purpose of enclosing in any many whatsoever the balcony of any Lot and including the installation of any air conditioning system), except with the **consent in writing of the Body Corporate Committee.**
- (b) Prior to the Body Corporate Committee giving its consent, it may request an **engineer's report** be obtained at the cost of the Occupier seeking the consent referred to in by-law 9(a) in relation to the effect on the structural integrity of the building.



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10. WINDOW AND FLOOR COVERINGS

- (a) An Owner must not have window coverings visible from outside the Lot unless those window coverings have a white backing, or unless the window covering has a design approved in writing by the Body Corporate.
- (b) The Body Corporate requires that Lot Owners maintain a high standard of sound proofing in their Lots.
- (c) A Lot Owner and/or Occupier may replace any carpet laid in the Lot with carpet but must not otherwise remove any existing flooring or floor coverings or install, or cause to be installed, any hard flooring including, without limitation, polishing the concrete or installing tiles, wooden floorboards or any other hard surface or material ('Flooring'), or otherwise interfere with any other acoustic treatments or acoustic sensitive areas without obtaining prior written consent of the Body Corporate Committee, and, where necessary or applicable, the prior written consent of any relevant authority.
- (d) When seeking the Body Corporate's consent, the Owner or Occupier must provide:
 - (i) a written proposal of the work to be carried out which must set out the type of specifications of the material to be used together with the details of sound-proofing materials to be incorporated in the new Flooring sought; and
 - (ii) a written assurance from the Owner or Occupier's supplier that the product proposed to be used in the application for the purposes of such Flooring meets the minimum requirements of these by-laws and any other conditions imposed by the Body Corporate from time to time.
- (e) In determining an application under by-law 10(c) the Body Corporate must ensure that the application complies with the following minimum requirements:
 - (iii) The Flooring must be installed in such a manner and with such materials as to achieve a three (3) star rating ('Star Rating') as determined in accordance with the Association of Australian Acoustical Consultants ('AAAC') per the AAAC Guideline for Apartments and Townhouse Acoustic Rating 2010, or failing its operation, the equivalent rating in any replacing or amending instrument or any instrument that can be said to be a derivative thereof either now or in the future, or the standardised weighted impact sound pressure level ('Sound Pressure Level'), commonly denoted as L_{nT,w}, which can be said to be the approximate equivalent of the Star Rating.
 - (iv) The Flooring must have an acoustic underlay of a thickness or material as necessary to satisfy by-law 10(e)(i) and supporting evidence that this underlay will not crush or otherwise decay or deteriorate over time to such a degree that could be construed to be unreasonable as opposed to a reasonable rate of fair wear and tear expected of similar product on the market.
 - (v) *The Flooring is to be installed by an installer relevantly trained and qualified in the laying of acoustic/hard floor systems.*
- (f) Following the installation of the Flooring, the Owner or Occupier must at its costs have the applicable Star Rating or equivalent Sound Pressure Level determined by a field test conducted by an accredited acoustic consultant approved by the Body Corporate. The Owner or Occupier will provide a copy of the consultant's report to the Body Corporate Committee within seven (7) days of receiving it.
- (g) Where the determined Star Rating or Sound Pressure Level of the completed Flooring is less than the level detailed in by-law 10(e)(i), the Owner or Occupier must, within a reasonable time and at its cost, cause the removal of the Flooring to comply with the requirements in that by-law. Following any such remedial action being taken, the provisions of by-law 10(f) must again be complied with by the Owner or Occupier.



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- (h) Where the Flooring is installed and the determined Star Rating or Sound Pressure Level complies with the requirements of by-law 10(e)(i) and any other conditions imposed by the Body Corporate, the Body Corporate or its representative must notify the Body Corporate's insurers of the installation of the Flooring and the Owner or Occupier, whichever as may be applicable, will be liable for any increase in premium as a result of the installation of the Flooring.
- (i) If the Body Corporate is not reasonably satisfied that the proposed Flooring will not create a nuisance to other Lot Owners or Occupiers that is likely to disturb the peaceful enjoyment of that Lot or those Lots, then the Body Corporate Committee shall give notice to the applicant in writing notifying such that its application is not satisfactory.
- (j) The applicant shall be entitled to amend its application by changing the materials sought to be used and/or the sound proofing materials to be incorporated into the proposed Flooring until such time as its application is approved.
- (k) If the Body Corporate is satisfied with the application it shall give consent in writing to the applicant.
- (l) An Owner or Occupier of a Lot must allow a representative of the Body Corporate to inspect the Flooring at any reasonable time while the Flooring is being laid and when the Flooring has been completed.

11. APPEARANCE OF LOT

An Occupier must not hang any washing, towel, bedding, clothing or other articles 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 another Lot, the Common Property or outside the Scheme Land, except with the consent in writing of the Body Corporate Committee.

26. EXCLUSIVE USE OF PLAZA LEVEL COMMON PROPERTY FOR COMMERCIAL PURPOSES

The Owners for the time being of Lots 7 and 12 shall have the irrevocable rights of the exclusive use and enjoyment for themselves and their licensees and tenants of that part of Common Property identified in Schedule E and on the attached plan marked "G" for commercial purposes. The Owners shall be entitled to use that part of the Common Property by allowing any other Owner or his licensee, tenant or agent to lease or otherwise occupy part or all of the area for any purpose connected with any business conducted from any Lot for retail or commercial purposes. The right of exclusive use referred to in this by-law shall be exercised in such a manner so as to ensure at all times that reasonable access to and egress from the scheme land is available to all Owners and their agents, lessees, licensees and invitees. No future resolution of the Body Corporate or its Committee shall have the effect of amending, adding to or repealing this by-law, except and unless all Owners of the Lots to which this exclusive use is given agree in writing to the amendment, addition to or repeal of this by-law.

29. APPEARANCE OF PLAZA AREA

That in order to maintain the appearance of the plaza area to a standard acceptable to the Owners, all installations, fittings, furnishings, and signage (including affixing to the Common Property) must comply to a standard and criteria laid down by the Body Corporate. Owners must obtain prior written consent to the installation, etc. from the Body Corporate Committee, which shall not be unreasonably withheld.

27. EXCLUSIVE USE OF PART OF THE COMMON PROPERTY ON PODIUM LEVEL 4 – COOLING TOWERS FOR AIR CONDITIONING PURPOSES

The Owners for the time being of the Lots identified in Schedule E have the irrevocable rights to the exclusive use and enjoyment for themselves and their licensees and tenants of that part of Common Property identified in Schedule E and on the attached plan marked "H" for the purpose of installing, maintaining, repairing and if necessary removing and replacing air conditioning cooling towers and associated equipment together with, if necessary, all right of access to the area over part of the Common Property of the Podium 4 and the steps leading to that level for the purpose of installing, maintaining, repairing and replacing the cooling towers.



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31. SIGNAGE

The installation of signage on scheme land is subject to the following conditions.

- (a) An owner or occupier must not install any signage on scheme land visible from another lot or the common property without prior approval of the Body Corporate.
- (b) The signage is only to be used to advertise the business being operated from the relevant Lot.**
- (c) The Lot Owner must provide to the Body Corporate any information reasonably required by the Body Corporate Committee to consider consent which will include but not be limited to the following:
 - (i) plans and specifications for the signage;
 - (ii) details of the contractor that is proposed to be engaged to perform the works; and
 - (iii) evidence that the sign will comply with any relevant authority's requirements.
- (d) In considering its consent under this By-law the Body Corporate must
 - (i) consider whether the proposed signage is in harmony with the architectural design, the existing landscaping, existing signage and other aspects of the scheme;
 - (ii) not unreasonably withhold consent to approval under this by-law if the signage is:
 - a. of a tasteful colour, wording and design in keeping with the scheme's general décor, image, location and appearance; and
 - b. situated in a position so as not to infringe upon the rights of other Owners or Occupiers, or unreasonably interfere with the conduct of business in other Lots.
 - (iii) generally consider signs consisting of the following to be inappropriate and thus not approve such:
 - a. Canvas and/or roped signs;
 - b. Roped or continuous flags, emblems or bunting (external);
 - c. Flashing lights or signs whether installed internally or externally
 - (iv) stipulate the following conditions for externally affixed signs and internally illuminated window signs:
 - a. the visible face of such signage should not generally exceed one (1) square metre in surface area; and
 - b. must be attached to the front of the Lot's building line or otherwise in the Common Property as specified in any approval granted and deemed appropriate by the Body Corporate Committee as appropriate to that lot's use.
 - (v) stipulate the following conditions for outdoor "A Frame" signs:
 - a. the Moveable outdoor "A Frame" signs should not generally exceed, when extended, one (1) metre in height and should have exposed faces (front and back) of not more than 1.2 square metres in surface area; and
 - b. must be placed in front of the relevant Lot or in a location on the Common Property deemed appropriate to that Lot's use as approved by the Body Corporate Committee.
- (e) If consent of the local authority or other relevant authority is required the Owner or Occupier must obtain that consent at its own cost and provide a copy of the approval to the Body Corporate prior to the installation of the signage.



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- (f) All work associated with the installation of the signage must be completed at the cost of the Owner or Occupier, carried out in a good and proper workmanlike manner and consist of quality materials.
- (g) The signage must be maintained in good repair and condition and be regularly cleaned by the relevant Owner or Occupier.
- (h) The relevant Lot Owner or Occupier shall be responsible for effecting any additional insurance cover for the improvement to the relevant Lot or Common Property and the associated costs, evidence of which shall be supplied to the Body Corporate within seven (7) days of a written request.
- (i) The Body Corporate shall be indemnified by the Owner or Occupier for any costs associated with the installation, repair and maintenance of any signage.

32. IMPROVEMENTS

SHADE SAILS, PLASTIC CURTAINS, AWNINGS AND ENCLOSED STRUCTURES

- (a) An Owner or Occupier must not erect, make an improvement to or otherwise destroy, remove, dismantle nor perform any other similar action to any sail, plastic curtain, awning or other enclosing structure ("Structure") on the plaza level commercial area without consent of the Body Corporate.
- (b) An Owner or Occupier must provide to the Body Corporate any information reasonably required to consider whether consent should be given, which will include but is not be limited to:
 - (i) plans and specifications for the Structure;
 - (ii) details of the contractor that is proposed to be engaged to perform the works; and
 - (iii) evidence that the Structure, including all improvements to or otherwise the destruction, removal, dismantling of or any other similar action, will comply with any relevant authority's requirements.
- (c) In considering its consent, the Body Corporate must consider:
 - (i) whether the proposed Structure is in harmony with the architectural design, the existing landscaping and other aspects of existing improvements of the building, Common Property and the scheme;
 - (ii) whether all building and fire regulations can be observed;
 - (iii) the requirements of this by-law; and
 - (iv) anything else that the Body Corporate reasonably deems is appropriate.



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- (d) Any consent given by the Body Corporate may be given on reasonable conditions, including the type of material to be used and the size and color of the Structure.
- (e) The Structure, whether existing or proposed, must comply with the following:
- (f) Any proposed awning or similar structure are to be of the type Polyvinylidene Fluoride or other equivalent flame retardant material which possesses a self-extinguishing property and does not provoke the fall of burning droplets in the event that it burns.
- (g) All action or work associated with the completion of the Structure, where in accordance with By-law 32(a) such completion also contemplates the destruction, removal, dismantling or other similar action, must, at the cost of the relevant Owner or Occupier, comply with the following:
 - (i) All associated action or work must be carried out in a good and proper workmanlike manner, and where relevant by competent and appropriate contractors, by competent and appropriate contractors during normal business hours or as otherwise directed by the Body; and
 - (ii) All associated action or work must not cause any unreasonable noise, nuisance or other detriment to other Lot Owners or Occupiers, or any person lawfully using the Common Property.
- (h) The Owner or Occupier must maintain all Structures in a good condition and pay for all operating costs in relation to the Structure. This will include any capital replacements to the Structure that may be required. This obligation will exist irrespective of whether the Structure was erected/ installed by the Owner, Occupier or their predecessors or the Body Corporate.
- (i) If an Owner or Occupier does not comply with their obligations in By-laws 32(h) the Body Corporate may (but is not obliged to) perform those obligations at the cost and expense of the relevant Owner or Occupier.
- (j) If the consent of the local government is required for the Structure that consent must be obtained by the relevant Owner or Occupier at their cost and provide a copy of the approval to the Body Corporate.
- (k) The relevant Owner or Occupier shall indemnify the Body Corporate against any damage, loss, cost or expense whatsoever incurred or suffered by the Body Corporate to its property as a result of the Structure.
- (l) The Body Corporate reserves the right to replace a Structure at its discretion.

DECKING OR OTHER FLOORING SURFACE MATERIAL

- (a) An Owner or Occupier must not install, make an improvement to or otherwise destroy, remove, dismantle or perform any other similar action to decking or other flooring surface material ("Decking") on the plaza level commercial area except with the consent of the Body Corporate.
- (b) Whether Body Corporate's or the Body Corporate Committee's consent is required is to be determined in accordance with the requirements of the Accommodation Module.
- (c) In considering its consent under this By-law the Body Corporate or the Body Corporate Committee (as applicable) must consider whether:
 - (i) the Decking is in harmony with the architectural design, the existing landscaping and other aspects of existing improvements of the building, Common Property and the scheme;
 - (ii) all building and fire regulations can be observed;
 - (iii) the requirements of this by-law; and
 - (iv) anything else that the Body Corporate or the Body Corporate Committee (as applicable) reasonably deems is appropriate.



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- (d) The Lot Owner must provide to the Body Corporate or the Body Corporate Committee (as applicable) any information reasonably required by the Body Corporate or the Body Corporate Committee (as applicable) to consider its consent which will include but not be limited to the following:
- (i) plans and specifications for the Decking; and
 - (ii) details of the contractor that is proposed to be engaged to perform the works; and
 - (iii) evidence that the Decking, including all improvements to or otherwise the destruction, removal, dismantling of or any other similar action, will comply with any relevant authority's requirements.
- (e) Any Decking must comply with the following:
- (i) The Decking must be in harmony with the architectural design, the existing landscaping and other aspects of existing improvements of the building, Common Property and the Scheme Land, including, but not limited to, the design, build and colour scheme of, where relevant, the existing Decking; and
 - (ii) All relevant requirements of the Building Code of Australia 2010, including any associated regulations, replacing or amending legislation or instrument that can be said to be a derivative thereof either now or in the future, including any associated or relevant Australian Standards, are to be complied with.
 - (iii) The Decking must consist of quality materials.
- (f) All action or work associated with the completion of the Decking, where in accordance with By-law 33(a) such completion also contemplates the destruction, removal, dismantling or other similar action, must, at the cost of the relevant Lot Owner or Occupier, comply with the following:
- (i) All associated action or work must be carried out in a good and proper workmanlike manner, and where relevant by competent and appropriate contractors, during normal business hours or as otherwise directed by the Body Corporate or the Body Corporate Committee (as applicable); and
 - (ii) All associated action or work must not cause any unreasonable noise, nuisance or other detriment to other Lot Owners or Occupiers, or any person lawfully using the Common Property.
- (g) The Any consent given by the Body Corporate or the Body Corporate Committee may be given on reasonable conditions but must not be unreasonably withheld.



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- (h) The Owner and/or Occupier of the relevant Lot must maintain all the Decking in a good condition at its sole cost and expense and pay for all operating costs in relation to the Decking. This will include any capital replacements to the Decking that may be required. This obligation will exist irrespective of whether the Decking was erected/ installed by the Owner, Occupier or their predecessors or the Body Corporate. The words "relevant Lot" include, but are not limited to, those Lots which enjoy exclusive use of common property in which the Decking is located, or otherwise primarily benefit, in comparison to the other Lot Owners of the Scheme, from the Decking where that Decking is located on Common Property. Such a deeming of this maintenance obligation is not in any way construed to be a weakening of the Body Corporate's ownership rights in said Decking.
- (i) *If an Owner or Occupier does not comply with their obligations in By-law 33(h) the Body Corporate may (but is not obliged to) perform those obligations at the cost and expense of the relevant Lot Owner or Occupier.*
- (j) *If the consent of the local government is required for the Decking that consent must be obtained by the relevant Owner or Occupier at their cost and provide a copy of the approval to the Body Corporate.*
- (k) The relevant Lot Owner or Occupier shall indemnify the Body Corporate against any damage, loss, cost or expense whatsoever incurred or suffered by the Body Corporate to its property as a result of the Decking.
- (l) The Body Corporate reserves the right to replace such Decking at its discretion. However, any replacement Decking will be subject to this By-law as if the Body Corporate were an Owner of the relevant Lot."