



# Principal Body Corporate Renovation Application to the Body Corporate for Sphere Southport Living CTS 37951

(V.1 as at 2 June 2023)

## SUBMISSION FOR CONSIDERATION OF LOT OWNER MOTION FOR COMMITTEE FOR THE PRINCIPAL BODY CORPORATE FOR “SPHERE SOUTHPORT LIVING” TO CONSIDER<sup>1</sup>

**Please read carefully:**

**Your lot is part of a layered arrangement of community titles schemes. Therefore, you are bound to comply with the by-laws relevant to renovation work for the Body Corporate for your building’s subsidiary scheme and if your proposed renovation meets of any the below criteria, you will also need to apply for Principal Body Corporate approval.**

**If your proposed renovation work meets any of the above criteria, you may not commence the proposed work until such time as you have received approval in writing from both the Body Corporate for your building’s subsidiary scheme and the Principal Body Corporate.**

### Principal Body Corporate renovation criteria:

The proposed renovation will:

Alter:	Involve installation of:	Involve:
1. in any way the exterior appearance of the lot 2. the colour of the lot 3. the architectural appearance or theming of the lot 4. the windows of the lot	5. any television, radio or other electronic antenna or device of any type on any part of the lot that is visible from the exterior of the lot 6. any sign, advertisement, placard, banner, pamphlet or the like visible from outside the lot 7. reflective material or similar to the windows of the lot 8. window covers to the lot 9. shutters to the lot 10. awnings to the lot 11. a security alarm that emits a noise or alarm	12. any change or alteration to any part of the Principal Body Corporate common property or utility infrastructure 13. marking, painting, driving nails or screws or the like into any structure that forms part of the Principal Body Corporate common property 14. any noxious or offensive trade or activity to be carried out on the lot 15. any annoyance or nuisance which may or may likely interfere with the peaceful enjoyment of any other occupier or person using the common property

<sup>1</sup> 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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**TO:** The Body Corporate for Sphere Southport Living Community Titles Scheme No. 37951  
**From:** The Applicant(s)

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## When to use this form:

The Applicant(s) proposes to do the **Proposed Work** at the lot described in **Part 2** of this Application. The **Proposed Work** falls into one or more of the Principal Body Corporate renovation criteria.

The Applicant seeks the Principal Body Corporate's confirmation about whether:

1. the Principal Body Corporate considers that Body Corporate approval is required for the **Proposed Work**; and
  2. if Principal Body Corporate approval is required for the **Proposed Work**, then whether:
    - a. the Principal Body Corporate requires more information from the Applicant about the nature or scope of the **Proposed Work**; or
    - b. if the Principal 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 the Principal Body Corporate Committee

**Committee Motion:** That the Committee decide whether or not Principal 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 Principal Body Corporate already has sufficient information about the Proposed Work, whether the Principal Body Corporate approves the Proposed Work and if any conditions apply to the approval.

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## Purpose of this Form:

1. The purpose of this form is to enable the Committee for the Principal Body Corporate to consider what impact, if any, the Applicant's Proposed Work may have on:
  - a. the obligations in the Principal Body Corporate's by-laws; and
  - b. any development approvals relevant to Sphere Southport Living.

## Please note the following general 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;<sup>2</sup>
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;<sup>3</sup>
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.<sup>4</sup>

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<sup>2</sup> [Section 165 of the \*Body Corporate and Community Management Act 1997\*.](#)

<sup>3</sup> [Section 165 of the \*Body Corporate and Community Management Act 1997\*.](#)

<sup>4</sup> [Section 177 of the \*Body Corporate and Community Management Act 1997\*.](#)



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## Important information about building work, electrical work and plumbing work in Queensland

1. 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.
2. 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>
3. 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.<sup>5</sup>
4. 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'<sup>6</sup> does not require a Form 4 to be submitted – but must still be done by a QBCC licensed plumber.  
"Unregulated plumbing work"<sup>7</sup> does not need to be done by a QBCC licensed plumber.
5. "Waterproofing work" valued at more than \$3,300 must be carried out by a QBCC Licensee with the appropriate licence.

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<sup>5</sup> <https://www.qbcc.qld.gov.au/resources/guide/diy-plumbing-guide>

<sup>6</sup> Minor plumbing work for premises necessary for the following—

- unblocking sanitary plumbing or sanitary drainage
- repairing a broken or damaged pipe
- maintaining or repairing an apparatus
- installing, replacing or removing an apparatus, other than—
  - a dual check valve with atmospheric port; or
  - a temperature control device; or
  - a testable backflow prevention device; or
  - a water heater
- maintaining, repairing, replacing or removing a fitting or fixture
- maintaining or repairing a greywater use facility or an on-site sewage facility, other than repairing or maintaining an irrigation system for the disposal of effluent from the facility
- installing a greywater diversion device
- maintaining, repairing or replacing a fire hydrant or fire hose reel, unless schedule 3, section 2 applies to the work
- sealing a supply pipe downstream from the water meter for a class 1 or 10 building or structure
- installing, removing or replacing an automatic switching device for a rainwater tank

<sup>7</sup> Unregulated work generally work for premises necessary for the following—

- replacing a shower head or domestic water filter cartridge
- replacing a jumper valve or washer in a tap
- repairing or replacing a drop valve washer, float valve washer or suction cup rubber in a toilet cistern
- replacing caps to ground level inspection openings on a sanitary drain
- cleaning or maintaining a ground level grate for a trap on a sanitary drain
- installing or maintaining an irrigation or lawn watering system downstream from a tap, isolating valve or backflow prevention device on the supply pipe for the watering system
- repairing or maintaining an irrigation system for the disposal of effluent from a greywater use facility or on-site sewage facility



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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:
<b>Lot owner acknowledgements:</b> <ol style="list-style-type: none"> <li>1. The Applicant(s) acknowledge that this completed application and all attachments must be <b>emailed</b> to the Committee's Secretary (via The (Nuu) Co <a href="mailto:hello@thenuuco.com.au">hello@thenuuco.com.au</a> who will then provide it in full to the Committee, including the building manager and body corporate manager;</li> <li>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 Sphere Southport Living – if you would like free access please contact us;</li> <li>3. <b>The Committee must consider it and decide the motion(s) as soon as reasonably practicable and within 6 weeks;</b><sup>8</sup></li> <li>4. The Applicant(s) acknowledge the Proposed Work is not to commence before the Committee's decision in writing is received by the Applicant and any written approval required from the Body Corporate for the building's subsidiary scheme.</li> </ol>
<b>Applicant(s) Signature(s) confirming the above Lot Owner acknowledgements:</b>
Date of signature(s):

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

<b>Description of the location(s) of the Proposed Work:</b>  Note: Please describe in writing the nature and location(s) of the proposed work:	
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<sup>8</sup> [Regulation 50 of the Body Corporate and Community Management Act 1997.](#)



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Estimated cost of the Proposed Work:	\$
Drawings and marked up photographs of location(s) of the Proposed Work and impact on the Principal Body Corporate criteria	<p><i>Note: To avoid delays in considering your motion(s) please ensure that all of the documents are <b>attached</b> when you submit this form to the Committee.</i></p>
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 Principal Body Corporate consent *is* required for the Proposed Work, the Committee will refer to:

1. the development approval for Sphere Southport Living; and
2. the by-laws contained in the community management statement for Sphere Southport Living, 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.

## Principal Body Corporate by-laws relevant to renovation work:

### 2 **General Appearance of Lots**

There must be no alteration to the exterior appearance of lots in Subsidiary Schemes unless the prior approval of the Committee has been obtained. For example, and without limitation:

- (a) the colour and architectural appearance or theming of such lots must not be changed;
- (b) windows must not be altered and no window covers, shutters or awnings, reflective material or similar is to be affixed to windows, without the approval (which approval is not to be unreasonably withheld or delayed) of the Committee.

### 4 **Items visible from Lots**

Subject to By-law 23 (Construction/Sale of Lots), an Owner or Occupier of a Lot will not hang washing, towels, bedding, clothing or other articles or display any sign, advertisement, placard, banner, pamphlet or like matter on the Common Property or on any part of his Lot in such a way as to be visible from outside the Lot unless it has been approved in writing by the Committee.

### 7 **Antennae**

No television radio or other electronic antenna or device of any type may be erected, constructed or placed or permitted to remain on any Lot or on the Common Property unless and until the same has been approved in writing by the Committee unless the same is contained within a Lot and not visible from the exterior of such Lot.

### 9 **Obstruction**

An Owner or Occupier of a Lot must not obstruct the lawful use of the Common Property by any person. The pathways and driveways on the Common Property and any easement giving access to the Common Property must not be obstructed by any such Owner or Occupier or used by them for any other purpose than the reasonable ingress and egress to and from their particular Lot.



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## 13 **Damage to the Common Property**

An Owner or Occupier of a Lot must 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 Committee.

## 14 **Committee to be Notified of Accidents etc.**

An Owner or Occupier of a Lot must give to the Committee prompt notice of any accident to or defect in any water pipes, gas pipes, electric installations or fixtures which comes to his knowledge and the Committee will have authority by its servants or agents in the circumstances having regard to the urgency involved to examine or make such repairs or renovations as they may deem necessary for the safety and preservation of any Lot or any buildings on the Scheme Land as often as may be necessary.

## 39 **Nuisance**

No noxious or offensive trade or activity may be carried on upon the Scheme Land or in any subsidiary scheme or Lot nor may anything be done thereon which may be, or may become an annoyance or nuisance or which may be likely to interfere with the peaceful enjoyment of any such Lot Owner or Occupier in a subsidiary scheme or any other person lawfully using the Common Property. No loud noises, noxious odours, exterior speakers, horns, whistles, bells or other sound devices (other than security or warning devices used exclusively for such purposes) noisy or smoking vehicles, large power equipment or large power tools, unlicensed off-road motor vehicles or items which may unreasonably interfere with television or radio reception of any Lot may be located used or placed on any portion of the Scheme Land or exposed to the view of other Owners or Occupiers without the prior written consent of the Body Corporate.