



Paradise Towers Renovation Application to the Body Corporate for Paradise Towers CTS 14978

(V.1 as at 23 February 2023)

SUBMISSION FOR CONSIDERATION OF LOT OWNER MOTION FOR COMMITTEE FOR BODY CORPORATE FOR “PARADISE TOWERS” TO CONSIDER¹

TO: The Body Corporate for Paradise Towers Community Titles Scheme No. 14978

From: The Applicant(s)

When to use this form:

The Applicant(s) proposes to do the **Proposed Work** at Paradise Towers 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:

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) acknowledge that this completed application and all attachments must be emailed to the Body Corporate Manager via 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 Paradise Towers;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):

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>Estimated cost of the Proposed Work:</p>	<p>\$</p>
<p>Drawings of location(s) of the Proposed Work</p> <p><i>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.</i></p>	<p><i>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.</i></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 Paradise Towers; and
2. the by-laws contained in the community management statement for Paradise Towers, 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.

Paradise Towers by-laws that may be relevant:

By-laws 1,2,5,8 & 14 are relevant to renovations and are provided below for your reference:

1. NOISE

The occupier of a lot must not within the scheme land create any noise, including from video and computer games, television and stereo, likely to Interfere with the peaceful enjoyment of the occupier of another lot or of any person lawfully using common property

2. VEHICLES

- 2.1 The occupier of a lot must not, without the Body Corporate's prior written approval, park a vehicle or allow a vehicle to stand on the common property, or permit an invitee to park a vehicle or allow a vehicle to stand on the common property.
- 2.2 Approval under By-Law 2.1 must state the period for which It Is given.
- 2.3 The Body Corporate may cancel an approval under By-Law 2.1 by giving seven (7) days written notice to the relevant occupier.
- 2.4 Any vehicles parked or standing in any parking space by any person other than as provided for under By-Law 27.1 with respect to that particular parking space, shall be deemed to have parked without authority and such person is liable to have any such vehicle removed by the Body Corporate, the expenses of any such removal to be borne by the registered owner or user of the vehicle.
- 2.5 Any vehicle parked on common property in an area not delegated for the use as a car park shall be deemed to be parked without authority, and the registered owner or user of such vehicle is liable to have that person's vehicle removed from the common property, the expenses of such removal to be borne by the registered owner or user of the vehicle.
- 2.6 The Body Corporate may direct Its authorised representative to permit parking in the available spaces identified as spare spaces on the plans attached and marked "B", and that priority shall be given to providing parking for occupiers of lots in the building and tradesmen providing services to lots in the building or to the Body Corporate.



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5. DAMAGE TO COMMON PROPERTY

- 5.1 The occupier of a lot must not, without the Body Corporate's prior written approval, mark, paint, drive nails, screws or any objects into, or otherwise damage or deface a structure that forms part of the common property.
- 5.2 However, an occupier may install a locking or safety device to a door or window to protect the lot against intruders.
- 5.3 The occupier of the lot must keep a device installed under By-Law 5.2 in good order and repair.

8. APPEARANCE OF LOT

The occupier of a lot must not, without the Body Corporate's prior written approval:

- (a) make a change to the external appearance of the lot;
- (b) hang any article (including washing and bedding) if the article is visible from another lot or from any part of the common property or from outside the scheme land;
- (c) display any article (including signs, advertisements, placards, banners, pamphlets and the like) if the article is visible from another lot or from any part of the common property, or from outside the scheme land;
- (c) erect any external blinds or awnings; or
- (e) erect, renovate or replace curtains, blinds, or window or door coverings (including tinting) if it is visible from another lot or from any part of the common property, or from outside the scheme land.

14. STRUCTURAL ALTERATIONS

Structural alteration (including alteration to water or electrical installations, or enclosing a balcony, or installing an air conditioning system) must not be made to any lot without the Body Corporate's prior written approval.