



# LANDMARK'S FLOORING FUTURE

An update from the EC about our activities and next steps | 11/12/20

## Our context

### WE'RE A DIVERSE COMMUNITY WITH DIVERSE NEEDS

Landmark is a community of 282 apartments. Some are rented; many are owner-occupied. Some people are very accustomed to living in apartments; for others, Landmark is their first experience.

We all have different personal circumstances, and in a year where many of us have spent more time at home than ever before, we will have noticed different things about our neighbours. If, that is, we can figure out who our neighbours are: Landmark's unique design doesn't make this too easy!

### LANDMARK'S VIEWS ON FLOORING ARE ALSO DIVERSE

Flooring, and particularly its acoustic quality, has become an increasing concern for some owners this year, following a complaint by one of our owners who made public her concern. We have heard from over 10 owners on the topic of flooring, including 3 complaints about noise. In addition, the concerned owner has taken the owners' corporation and the Executive Committee to ACAT and her upstairs neighbours to the ACT Magistrates Court in response to alleged disturbance relating to the installation of non-carpet flooring.

At the same time, we receive a number of requests to move to non-carpet flooring each year. This year we have received 6 such applications, 5 of which have been approved and we have heard how important non-carpet flooring having is to some owners.

We appreciate how much the issue matters to you. We are grateful to everyone for sharing their views and perspectives. Flooring will likely continue to be on owners' minds in the coming decade, as the original carpets come to the end of their lives.

### OUR ROLE AS THE EC IS TO FIND A WAY FORWARD

Our role as an EC, in relation to flooring, is to make decisions which best ensure that everyone can, within reasonable limits, peacefully enjoy their home or investment property at Landmark. Peaceful enjoyment comes in many forms. To that end we endeavour to apply the relevant legislation, seek expert advice on behalf of owners, listen to owners' views and resolve issues where appropriate.

It isn't about our personal views, although of course we acknowledge these are important to be open about. Across the EC, we have 3 different flooring types in our apartments, and there are different flooring types in the apartments around us too. Our personal views about what we'd like to see moving forward vary, which also ensures we stay focused on the collective.

**HERE'S WHAT WE'VE BEEN DOING**

We have listened to owners in-person and carefully read correspondence. We have consulted, and had shared with us, a variety of expert opinions and reports. This includes an initial opinion from an independent acoustic engineer, Ben White, from White Noise Acoustics (who bears no relation to our EC member with the same surname and is not known by any member of the EC!).

**THIS DOCUMENT SUMMARISES OUR PROGRESS SO FAR**

Here we aim to give a short, accessible summary of what we think we know so far, and where it looks like it is taking us next. This reflects no single person's view, but instead attempts to navigate a compromise that can work for us as an entire community. We know there are people patiently waiting for decisions, so we want to make this process as swift, thorough and open as possible, and we are grateful for your patience.

## What we've learned so far

**THERE'S A LOT MORE TO FLOORING THAN HARD AND SOFT**

We have learned more about flooring than we ever thought possible. One thing is clear: there are lots of types, and they all have very different acoustic properties. Tiles, wood, laminate, vinyl, and carpet all come with very different thicknesses, installation requirements and sets of considerations. Further, all apartments will have some non-carpet flooring – often tile in the bathroom and kitchen areas – so location matters too.

As growing numbers of apartments have begun to replace their original carpets, we have heard a diversity of proposals for a diversity of flooring types – beyond 'hard' and 'soft'. Multiple owners have gone above and beyond the basic 'hard flooring' requirements – often incurring additional expense – to select and install flooring which will most dampen noise, out of respect for their neighbours, and we want to acknowledge their considerate approach.

➤ Once we have implemented the new approved rule, we think it could be a good idea to put together some tips for best practice for each flooring type and location. This could support owners who wish to change their flooring, and support neighbours and ECs in carefully responding to any proposals put forward.

**NOISE IS NOT ALL ABOUT FLOORING**

Even if a floor has great acoustic properties, the sound from the apartment will vary depending on how it is used. Loud televisions, sports equipment, karaoke nights, stiletto shoes, dragging furniture, jumping children. all of these can equally cause noise. Some carpeted apartments are noisy, while some non-carpeted apartments are not.

We know we need to do better on communicating with owners about all forms of noise, including warnings about renovations and managing complaints.

Owners and tenants may first try to reach amicable solutions with their neighbours before approaching the EC. In some cases, it might take trying several different things to find an amicable resolution: behaviour changes, slippers, curtains, furniture, felt feet for chairs, even sound-dampening wall art could all help if we are asked to try them for the sake of a neighbour.

In particular, we want to find ways to facilitate communicating between owners. Landmark's unique design makes it hard to know where noise is coming from, or who is living around you. Sometimes a quick text message to alert a neighbour they are doing a particularly disruptive activity will be enough to improve the situation for everyone. At other times, intervention by strata managers may be useful.

➤ We think it could be useful to lay out a noise concerns process for all noise – flooring or otherwise – once a concern reaches R&H. We also encourage anyone experiencing noise to communicate with us about it, via the Community app or the contact information at the end of this document.

### **SOME NOISE IS NOT FROM A NEIGHBOUR**

We also know that some noise, especially some construction-like sounds, comes from infrastructural components of the building. Reporting this noise can be valuable in case it signals a problem to be rectified. We would like to do better at capturing information about noise coming from the building itself and acting on it where appropriate.

➤ We encourage people to log infrastructure-like noise (hammering, banging, mechanical sounds in particular) with R&H via the Community app, so that they can collate and act on it where appropriate.

### **IT IS DIFFICULT TO SEE HOW BANS OR VETOS WOULD WORK**

We have heard that a small number of owners wish to ban all non-carpet flooring, because such coverings may introduce noise or reduce their property value. We have heard from other owners that non-carpet flooring is essential for health or lifestyle reasons, or because non-carpet flooring may increase the value of their property.

We want to ensure we propose a way forward that takes into account the needs of all our community. For those who require non-carpet flooring, a total ban, or the ability for some residents to veto them, prevents them from peacefully enjoying their apartment. Equally, having no acoustic protection, or installing new flooring without telling anyone, is not an option either.

➤ We have considered it carefully and we do not intend to propose a way forward that either prevents people from installing non-carpet flooring (either a ban, veto option, or a standard that is unattainable at Landmark), or permits people to lay non-carpet flooring without the best achievable acoustic protection. We think this approach will secure our reputation as a premium apartment complex and will comply with our responsibilities and constraints under the recent amendments to the Unit Titles (Management) Act.

**STANDARDS AND RATINGS ARE A GOOD START, BUT NOT A PERFECT FIT**

A number of people have proposed using the AAAC star rating system, while others have equally highlighted that there are problems with this approach. For context, the AAAC system was developed in 2017 as a guide for the design process of apartments, and takes into account internal, external and residential noise intrusion. It is intended as a way to quantify and communicate opinions and is itself subject to change.

This particular system did not inform the original design of Landmark; it did not exist at the time. The system is not specific to residential noise intrusion from flooring, and it is intended to inform rather than be enforced. With this in mind, if it is applied to Landmark, this must be done with a fair amount of caveating and care.

Where the AAAC system is concerned, six stars appears almost impossible to achieve, while three stars is what many good apartment complexes have these days - but we think we can set a higher standard. Overall, though, we want to emphasise that it is hard to boil the complexity of this matter down to a single rating number.

➤ We are seeking further guidance on specific use of the AAAC rating system, and also thinking about how we could shape a Landmark-specific minimum standard which is informed by the AAAC system as well as specific to our unique Landmark context.

**FLOORING TECHNOLOGY HAS ADVANCED SINCE LANDMARK WAS BUILT**

When Landmark was constructed, some apartments chose carpet and others chose to have non-carpet flooring installed. Since the time Landmark was built, flooring technology has improved. Carpeted flooring, by most measures, has superior acoustic properties to other floor covering types. But there are growing opportunities to install non-carpet flooring whose acoustic quality is an improvement on some of the options available almost two decades ago.

➤ We are interested in exploring new technology, especially where it can improve the value and comfort of our apartments. In charting a way forward, we are ensuring we only propose changes which will add value to our apartments, not those which devalue or diminish our previous standards.

## Where we're going next

### SEEK FURTHER EXPERT ASSESSMENT

We will continue to listen to your views and invite you to submit them in the following way. It would be of particular value to hear from people who feel their views remain unrepresented, or who have suggestions inspired by the above information.

Submit via the MyCommunity app or Email to Karin: [ktaylor@rhstrata.com.au](mailto:ktaylor@rhstrata.com.au)

We are also seeking further advice from acoustic engineer Ben White now that we have compiled more input from owners and have begun to refine our recommendation. We will be providing all owner submissions to Ben to assist him in his deliberations. In particular, we will seek specific advice on:

- What is the highest acoustic standard that could be achieved by non-carpeted flooring at Landmark?
- What are the flooring installations and guidance that could achieve this standard?
- How could achieving this standard be managed through a flooring rule?

### PUT A PROPOSAL TO THE OWNERS' CORPORATION FOR DECISION

We would like to get this resolved as soon as possible, as we are mindful that some owners are awaiting a resolution to replace carpets that are starting to feel a bit scruffy.

With that in mind, here is our timeline for next steps:

**Sunday 20 December 2020:** Deadline for submissions to be considered by the acoustic engineer and EC (this looks like a short timeline, but we note that we have been accepting submissions for months already and we are aware of the need to make timely progress; we will consider all submissions already received so there is no need to resubmit anything).

**Friday 15 January 2021:** Complete consultation with independent acoustic engineer\* and begin drafting a new rule.

**Friday 29 January 2021:** Circulate final proposed new rule to the owners' corporation for decision at subsequent general meeting.

If supported by the majority of owners, this should allow us to recommence processing flooring change applications under the new approved rule by **early March 2021**.

\* Pending his availability over the summer period.