

THE OWNERS – UNITS PLAN 2413

MODIFICATIONS AND ADDITIONS POLICY

(amended October 2021 to implement 2021 SGM motion on alternate flooring)

General

All proposed modifications/additions within the complex, including to balconies/terraces, require the approval of the Executive Committee of the Owners Corporation (hereafter the EC). These changes include the installation of Vergolas, variation of floor surfaces, internal non-structural walls, air conditioning, roof top skylights etc.

Applications for proposed changes must be forwarded to the Landmark Strata Manager to be circulated to the EC and must be approved before any modification/addition is commenced. Application forms are available from the Landmark Apartments Building Manager's office or via the Strata Manager. Only applications that are consistent with the design integrity and appearance of Landmark Apartments will be approved.

Note that currently Landmark Apartments are subject to National Capital Authority (NCA) approval for all externally visible modifications. By maintaining effective management of modifications, the Owners Corporation (OC) hopes to acquire and maintain "self-assessment" with periodic review by the NCA.

Who may apply?

Applications for modification will only be accepted from registered owners, hereafter referred to as modifiers.

Approval

In some instances, automatic approval will be given by the EC provided that the requirements specified have been complied with. In other cases, the EC will need to consider applications on their merits, which may involve requiring that suitable professional advice is provided. Some modifications/additions are unlikely to be approved by the EC under any circumstances.

Bond and Fee

A bond may be required for some modifications, to be held by the OC and a fee may be charged to cover expenses incurred by the OC in assessing the application.

Consultation

- The EC will require that any resident, who might reasonably be considered to be affected by the proposed modification, be consulted and their approval obtained before an application will be considered.
- If access through another unit or onto the balcony of another unit is needed to construct the modification, permission must be obtained from the owner/s of these units. This may involve consultation with tenants.

Required documentation

All applications must be accompanied by sufficient information to allow the EC to make a decision. This includes:

- Sketches or plans of the proposed modification and its location.
- A clear indication (with sketches if necessary) of what part of the structure will be visible from the

windows of other apartments or externally.

- An indication of any special requirements that may cause disturbance to the residents of the complex during installation.
- A sample of colours proposed to be used on structures, accompanied where possible by colour charts or brochures to assist (statements such as matching colours are insufficient).
- Certification from an appropriate practicing consultant for the relevant application.
- Internal modifications which involve any alteration to any part of the building that requires structural support to any other part of the building require the unopposed approval of the OC. Such applications must include full plans stamped with the approval of a practicing structural engineer together with building application issued by a building certifier.
- Should any modification require a development application from ACTPLA and NCA the applicant will be responsible for that application.
- Evidence in writing of potentially-affected-residents' agreement that the modification should proceed.
- Evidence of approval in writing from owners of units which need to be accessed in order for construction to proceed.

Certification of work

The Executive Committee may require the owner at their expense to provide a certificate of compliance with the approval.

Liability

- Any problems/complaints/nuisance issues that result from an authorised modification are the responsibility of the modifier. In consultation with the modifier, the EC will decide on any remedial action that may need to be undertaken to fix these problems.
- Any costs incurred in fixing will be borne by the modifier.
- Where any damage to the common areas has occurred, the modifier who makes an approved modification or addition is, as part of that approval, required to restore any damage to the common property to its original state at their cost.
- The modifier is responsible for the cost of the maintenance and upkeep of the modification or addition.
- All liabilities pass to subsequent owners of the apartment.
- Costs for ACTPLA and NCA approvals will be paid by the modifier.

Work practices

Once approval is given, modifiers will be responsible to ensure that the disturbance to all residents during installation is kept to a minimum. Work is only permitted Monday to Friday 9:00am to 5:00pm, Saturday 9:00am to 1:00pm and not on Sunday or public holidays. Modifiers are required to use qualified tradespersons for all work requiring trade certification. It is important that modifiers make their installer aware of the following conditions when working at Landmark Apartments:

- Construction materials must not be dumped in basement bins or on any part of the complex itself, or on the adjacent nature strips, verges and parkland.
- All common areas traversed by contractors must be protected, all care must be taken to avoid damage, and all rubbish removed. Care must be taken to avoid any damage to the waterproof membrane of the balconies in penthouse apartments and terraces above the basement car parks.
- The Building Manager must be notified before work commences and a schedule provided for the timing of the modification/addition.
- All building works are to comply with Work Cover's Occupational Health & Safety requirements as defined in the OH&S Act and regulations.

Standards and colours

To assist residents, the following is a list of standards and colours that the EC will require to be used in applications for common modifications and additions:

External Blinds and Awnings

Awnings which extend out from the walls will not be approved. However external blinds that align closely with the walls are allowed. Blinds manufactured by:

A. Luxaflex

B. Markilux

C. Watson Blind and Awnings

may be installed. These can currently be supplied by Riteway, Watson Blind and Awnings and Coastal Decor but owners are free to choose any supplier.

Colours must match as closely as possible the colour of the walls on which the awnings will be mounted. A colour sample must be provided when applications for blinds are submitted. Maintenance is the responsibility of the unit owner, and the awnings must be maintained in good condition. Ripped, loose or flapping awnings are not allowed, and their removal will be requested. In order to minimise the need for this, the EC will pay particular attention when assessing applications to the sturdiness of the proposed system.

Security insect screens

External screen doors which face the exterior of the building may be replaced with 'Crimsafe' mesh in either black or charcoal mesh. The screen door frame must be powder coat Interpon 610 off white satin for high-rise and Dulux off white powder coat 33732 for low-rise apartments.

Apartment front doors

The front door of each apartment is a fire door and owned by the OC and therefore no permission will be given for any modification. The exception is for the installation of weather seals where type RP3 manufactured by Raven Products is permitted to be installed by a tradesman. Owners must advise the Building Manager that such an installation has been carried out.

Enclosing open car spaces into garages

Approval will only be given for enclosing open car spaces and turning them in to garages under very strict conditions which ensure fire safety, lighting, water pipes and other resident's facilities etc are not impacted.

Privacy lining to storage cage or garage

Material to be used is grey shade cloth (sample available from Landmark Apartments office). Material enclosing the area must be 300mm below the roof of car park to ensure sprinkler coverage of the whole area. Bulky items should not be placed against the cage completely covering the whole area in such a way as to impede the free flow of air.

Window covering

The facing side of any curtain or blind in a window or door which faces public or common property must be of white, off-white or cream. Metallised finishes will be permitted providing they do not result in excessive glare for onlooking apartments.

Solar window film

The film must not be overly reflective for onlooking apartments. Solar window film for the interior must be equal to BEKAERT LX70.

Spa/lap pools

These will not be permitted due to weight loading, noise, and excess water issues.

Satellite dishes or antennas

These are not permitted anywhere on the building, other than the one on each building for common usage of all units.

External feature walls and murals

No part of any apartment's external walls, privacy screens and balustrades is to be modified in any manner including painting a different colour, replacing the glass, attaching fixtures.

Airconditioning

Airconditioning is the responsibility of the registered owner of each unit. This includes maintenance, repairs and, if necessary, replacement. The latter requires a modification application whether the replacement is like for like or an upgrade to increase air conditioning capacity. Any upgrade will be required to consume the same or less power than the unit it replaces in order not to overload the electrical infrastructure providing power to each building at Landmark. To enable this comparison to be made, all applications for air conditioning upgrades or replacements must include the input power requirements of both the external compressor unit and the internal fan cooling unit. Replacement units must be no larger physically than the unit they replace and must be installed in the same location.

Replacing carpeted floor with alternative floor coverings

An owner must not replace floor coverings with any substance which may disturb the peaceful enjoyment of any occupant of another unit. An application to replace carpet with an alternate floor covering must include a report by an accredited acoustic consultant that the proposed flooring finish will, at a minimum, meet an acoustic standard equivalent to **L'nTw 29 dBA**.

Where this is demonstrated, modifiers will need to notify potentially-affected residents of their application, but residents' approval is not required for the flooring application to be considered.

Following installation, certification that the installation complies with the noise standards specified may be required by the EC. Further, the EC may request the applicant to provide independent acoustic testing after installation to verify that the minimum acoustic standard specified in this policy are met.

Related issues

Although not strictly modification or alterations, residents need to be aware that there are some restrictions on related aspects of their apartments. These are:

Maintenance of views

Shrubs, trees, umbrellas, or sunshades should not impede the views of other residents.

Free standing privacy screens

Natural vegetation to edge of terrace or balcony should not obstruct the view of other residents, nor in any event be higher than the height of inter-unit privacy screens, to ensure that it is in keeping with the design and integrity of the complex.

Trees/plants in pots/umbrellas on terraces

Maximum height – to be kept below the boundary between the ground floor apartment and the one above. Evergreen trees not to cast shadows onto neighbours' window/terrace.

No plants (creepers/climbers) are to be allowed to grow onto any part of the building for support, including on inter-unit privacy screens.

Corridor modifications

The common areas and apartment doors should not have any permanent decorative features added to them by residents. Permission for artwork may be given provided the applicant can demonstrate that all affected owners approve.