



APPLICATION TO ALTER FLOOR COVERING PURSUANT TO BY-LAW 13

Name of Owner	
Name of Real Estate Agent (if applicable)	
Lot / apartment number	
Applicant's email	
Applicant's contact number	
Rooms affected Note 1 An application is not required for a bathroom, laundry, lavatory or kitchen	
Current floor surface	
Proposed floor surface Note 2 Include any manufacturers or suppliers details regarding proposed floor	Flooring Type and details: _____ Underlay Type and details: _____ Manufacturer/supplier: _____
Attach any documents, which demonstrate that the new floor will comply with by-law 13? Note 3 By-law 13 requires compliance with the 5 star rating of the Australian Association of Acoustical Consultants or the standard prescribed by the City of Sydney whichever is the higher standard at the time of application	Documents provided to demonstrate the new flooring will meet the standard prescribed in by-law 13: <input type="checkbox"/> Yes <input type="checkbox"/> No Type of document: _____
<u>Declaration:</u> I _____ hereby acknowledge that in making the flooring application approval is at the absolute discretion of the Executive Committee, and that: <ul style="list-style-type: none">- Flooring installation cannot be undertaken until I have this consent- A further Engineers report be provided to Owners Corporation after installation within three months to certify that by-law 13 has been complied with- Flooring be rectified or reinstated immediately if acoustic testing does not comply with minimum requirements- Agreement that all costs will be paid to rectify any damage caused to common property- Confirmation that all work will be undertaken by appropriately licenced and insured trades people and that evidence of this is provided to the Facilities Manager- Confirmation that all rubbish will be removed from site	
Applicant Signature _____ Date of Application _____	
Official Use Only:	Approved Yes <input type="checkbox"/> No <input type="checkbox"/> Acoustic Report received? Yes <input type="checkbox"/> No <input type="checkbox"/>

Documents to reference:

- **Registered By-Laws 13 for SP 86806**

13. Floor Coverings

13. By-law 13. Floor Coverings (Revised 27th June 2019)

- 13.1. An owner or occupier of a lot must ensure that all floor space within the lot is covered or otherwise treated to an extent sufficient to prevent the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- 13.2. If an owner proposes to replace a floor covering within an owner's lot with material other than carpet, the minimum noise transmission to be achieved for the floor covering must be the standard prescribed at the time of installation of the new flooring by the City of Sydney or the **5 star rating** set by the Australian Association of Acoustical Consultants, whichever is the higher standard.
- 13.3. An owner proposing to change any flooring within a lot must (other than rooms specified in 13.7):
- (a) make an application to the Owners Corporation, on the form prescribed from time to time, for approval to change the flooring, which will not be unreasonably withheld, provided the application contains sufficient information (by way of plans, specifications, scope of works or any other documents considered necessary by the Owners Corporation) to enable the Owners Corporation to satisfy itself that the requirements of this by-law regarding noise transmission will be satisfied; and
 - (b) following installation of the flooring, provide the Owners Corporation with an acoustic report signed by an acoustic engineer or other appropriately qualified person who has inspected the completed flooring and certifies that this by-law has been complied with.
- 13.4. If a certificate is not provided to the Owners Corporation within 3 months of a request by the Owners Corporation that the certification be provided or if the Owners Corporation receives any complaint regarding noise from the flooring from an adjoining lot, the Owners Corporation may, by notice in writing require the owner to replace the flooring with carpet laid over heavy duty underlay. An owner served with a notice from the Owners Corporation must comply with the notice within 3 months of service of that notice and provide evidence to the Owners Corporation of such compliance.
- 13.5. If the carpet in a lot has been replaced with another type of flooring, the owner must maintain the new flooring in a state of good and serviceable repair and must renew or replace when necessary to maintain the standard prescribed by by-law 13.2 at the time of installation.
- 13.6. This by-law does not apply to floor space comprising a laundry, kitchen, lavatory or bathroom unless the location of such room is also proposed to be altered from its original location at the date of registration of the strata plan.
- 13.7. An owner will not be permitted to have any flooring cover other than carpet within a bedroom within a lot (unless the bedroom is above a non-habitable area, i.e garage or storage), where carpet was the original flooring cover in that bedroom.