Special By-law 128 — Lot 63 (Unit C35) Major Work

128.1 Introduction

This By-law gives the Owner of Lot 63 ("You") special privileges to carry out and retain Major Work on your Lot and CP, as well as exclusive use and enjoyment of CP occupied by your works under certain conditions.

128.2 Works specified

a) The "Major Work" on your Lot and CP covered by this By-law are as follows:
   i) Removal of existing kitchen, laundry & robes;
   ii) Stripping of existing bathroom fittings, fixtures & tiles
   iii) Removal of walls to create open plan kitchen;
   iv) New tiled floors throughout;
   v) Installation of new kitchen, pantry & laundry;
   vi) Installation of new fixtures & fittings to bathrooms; and
   vi) New lighting.

b) The following plans and specifications are attached and form part of this By-law:
   i) Scope of works;
   ii) Consulting Engineer's report; and
   iii) Floor plan.

128.3 Authorisation, Right of Exclusive Use and Responsibility

a) We permit you to undertake the Major Work and give you a special privilege to keep and maintain it on the conditions set out in By-law 115 and this By-law.

b) You have a right of exclusive use and enjoyment of so much of the Major Work that comprises part of CP on the terms and conditions set out in this By-law.

c) We retain the right of access and use of any part of CP affected by your Major Work for the purpose of fulfilling any obligation which we may have under Strata Legislation or any other law.

d) You are responsible at all times for properly maintaining and keeping in a state of good and serviceable repair your Major Work and, when necessary, renewing or replacing any part of your Major Work.

128.4 Terms & Conditions

a) Before commencing Major Work, you must:
   i) provide us a copy of all tradespersons' licences and public liability insurances;
   ii) pay our costs incurred in connection with the preparation, reviewing, passing and registration of this By-law.

b) You must complete your Major Work within the expected time frame and in accordance with the plans and specifications.

c) Your Major Work must be carried out in a competent and proper manner by licensed tradespersons.

d) You must comply with all applicable statutes, By-laws, regulations, rules and other laws for the time being in force.

e) You must minimize disturbance to the peaceful enjoyment of others during your Major Work.

f) You must pay all costs associated with your Major Work and properly maintain them.

g) You must give our nominated representatives access to inspect your Major Work within 48 hours of any request.

h) You must rectify any part of your Major Work that do not comply with the NCC or any applicable Australian Standard at your own cost.

i) You must notify us in writing as soon as your Major Work has been completed.

j) You must restore any damage to other parts of CP or any other Lot caused by your Major Work at your own expense, no matter when such damage may become evident.

k) You indemnify and keep us indemnified against all actions, proceedings, claims, demands, costs, damages and expenses which may be incurred by or brought or made against us arising out of your Major Work, the altered state, condition or use of CP arising from your Major Work or any breach of this By-law.

128.5 Breach of this By-Law

a) If you breach any condition of this By-law and fail to rectify that breach within 30 days of written notice from us, then we may:
   i) Rectify any such breach;
   ii) Enter any part of CP or your Lot, by our agents, employees or contractors in accordance with the Act for the purpose of rectifying any such breach; and
   iii) Recover as a debt due from you the costs of the rectification together with the our expenses incurred in recovering those costs including legal costs on an indemnity basis.

b) Nothing in this clause restricts the rights of or the remedies available to us as a consequence of a breach of this By-law.

KMH PROJECTS

SCOPE OF WORKS

DATE: 29 October 2019

PROJECT/SITE: Unit 35C, 1 – 3 Mc Donald Street, CRONULLA NSW 2230
CLIENT: Leonie + Matt Callachor
BUILDER: Matthew Campbell (KMH Projects)

SCOPE OF WORKS

PRELIMINARY WORKS:

- Disconnect all services to the kitchen and bathrooms.
- Protection installed to common areas

DEMOLITION:

- Strip out of existing kitchen cabinetry, robes, appliances fittings and fixtures
- Strip out of existing carpet and underlay
- Strip out ensuite and main bathroom tiles, fixtures and fittings
- Demolish walls as detailed on plans
- Demolish existing suspended ceiling to kitchen

CONSTRUCTION:

- Construct new walls to create walk in pantry and laundry
- Construct new suspended ceiling to kitchen area
- Rough in all services to laundry, kitchen and bathrooms as required
- Make good all walls and ceilings as required
- Make good walls to wet areas prior to waterproofing
- Waterproof all wet areas within laundry, ensuite and bathrooms with flexible polyurethane membrane
- Tile, grout and silicon all wet and living areas
- Tiles to be laid on sand and cement screed bed or direct fixed to concrete slab dependent on levels
- All wet area tiling to fall to required floor wastes
- Gyprock, set and sand new suspended ceilings as required to kitchen
- Install new joinery including benchtops to kitchen, pantry, laundry and robes
- Install new vanities to ensuite and main bathroom
- Install new showerscreens to ensuite and main bathroom
- Install new split system air-conditioning unit

FIT OUT:

- Install new skirtings and architraves throughout
- Install new doors and furniture throughout
- Fit off plumbing and electrical to kitchen, laundry, pantry and both bathrooms
- Fit off appliances to kitchen and laundry
- Undercoat and paint entire unit
- Install new carpets to bedrooms
- Clean unit and common areas on completion

NOTES:

- Common areas will be kept clean throughout build
- All vibration tools will be used during allocated hours
- All waste will be removed from the site daily

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Strata Title Management
Suite 1, 191-193 Taren Point Road
Taren Point NSW 2229

29 October 2019
Ref. **X9328**

Email: *dgoodwin@stratatitle.com.au*

Re – **Proposed Internal Modifications at 35C_1-3 McDonald St, Cronulla**

I advise that I have carried out an inspection of the existing home unit at the above location, with a view to determining a method of removing some of the existing walls without affecting the structural integrity of the development.

The building has been constructed with non-load bearing brick walls between reinforced concrete slabs supported on reinforced concrete columns.

It is proposed to remove a section of the existing non-load bearing brick wall between the kitchen and living area as well as a section of the brick wall between the kitchen and laundry. (Refer attached plan)

Although the wall to be removed is non-load bearing, in its design, it is quite likely that there has been a slight deflection of the floor slab over. The effect of this deflection is that there could now be a section of the wall to be removed, possibly taking some load.

To maintain the status of the floor slab over I recommend that the removal of the wall take place as follows -

1. Install four temporary ACROW props, two on each side of the sections of wall to be removed.

2. Install vertical saw cuts through the brickwork at the location of the extremities of the proposed openings.

3. Remove the cornice from both sides of the wall and check for any locations where deflection of the slab over has caused that slab to be supported by the wall.

4. If there are no such occurrences continue the removal of the wall and make good the ceiling.

5. Remove the temporary ACROW props after the wall has been removed.

6. If there are locations of deflection/support, call a structural engineer to the site for further instructions.

For the amenity of the occupants of the other units in the building (especially immediately below) my recommendation is that the brickwork is removed with some temporary cushioning located on the floor on either side of the wall, to minimise vibration through the floor slab.

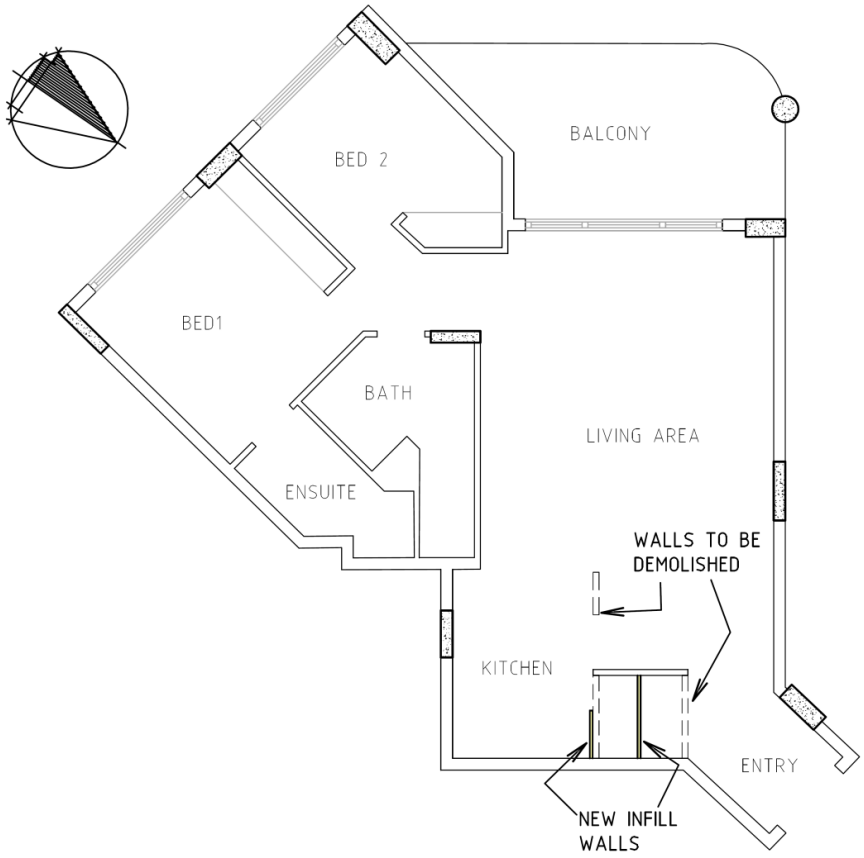
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S.D. WHELAN



UNIT 35C FLOOR PLAN

==== DENOTES WALLS TO BE DEMOLISHED

DENOTES EXISTING REINFORCED CONCRETE COLUMNS

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INTERNAL MODIFICATIONS at UNIT 35C, 1–3 MCDONALD ST CRONULLA for Ms. LEONIE CALLACHOR

FLOOR PLAN

IE Aust

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The Institute of Engineers, Australia

DESIGNED : RP	SCALE ~1:100 at A4		
DRAWN : RP	DATE OCT. 2019	JOB No. X9328	DWG No. S1