

**OWNERS APPLICATION
RENOVATIONS, INSTALLATIONS AND IMPROVEMENTS**

Owners who intend to carry out internal renovations to their lot/s, are required to follow the below works procedure:

1. Provide details of your proposed renovation by completing this form in full and submit to this office, allowing up to 30 days for processing.
2. Your completed form will be circulated to the Strata Committee for their review; this office will advise if any further information is required.
3. The approval process is dependent on the Owners Corporations by-laws, and the type and extent of the proposed works.

Note: renovations fall into 3 categories:

- **Cosmetic Changes** - lot owners can proceed without seeking approval, however, 14 days advance notice should be provided to the Owners Corporation via this application form.
- **Minor Renovations** - depending on the schemes by-laws; approval is required, either via the strata committee or by majority vote at a general meeting of the Owners Corporation.
- **Major Renovation** - depending on the extent of the works being carried out and the impact on common property, a by-law could be required under the Strata Schemes Management Act 2015.

(Please refer to the attached Fair Trading fact sheet for information on categories of renovations)

4. If a by-law is required, we can assist to have this drafted by a chosen solicitor which must be passed by special resolution at a general meeting. The drafting of this by-law will be at your cost directly.
5. A general meeting will need to be held to formally approve the by-law and the proposed scope of works for the renovations. This general meeting will be at your cost directly unless authorised by the Owners Corporation.
6. Once approval has been given, you may proceed with the works.

Schedule of Fees

For us to assist with your renovation request, additional fees apply.

Application Fee \$75.00

Strata Manager From \$220.00 per hour - arrange & attend Owners Corporation general meeting

Drafting By-law From \$550.00 - Solicitor cost estimate

By-law Search, Consolidation & Registration \$550.00 - NSW Land Registry Service, plus search fee

NOTES ON RENOVATION PROCEDURE

Progressing the Application

The Strata Committee are working as volunteers to handle matters for your Strata Scheme, therefore we can offer no guarantee that a decision will be made within a set timeframe. As a guide, this process usually takes between 7 and 30 days.

By-Law Procedure

When the application is reviewed, depending on the extent of the works being carried out and the effect on common property, it is possible that a by-law could be required under Section 143 and 108 of the Strata Schemes Management Act. Should this be the case, our office will assist you to have a chosen/suggested Strata Solicitors draft your by-law. Once the by-law is ready, a copy will be reviewed by the Strata Committee to ensure it meets the requirements of the Owners Corporation. If the by-law is approved in principle by the committee they will call an Extraordinary General Meeting (EGM) in order it can be considered by the Owners Corporation as per the requirements of the legislation (the cost of this meeting would be charged to the Lot Owner). Alternatively the by-law can be submitted by the lot owner to the next Annual General Meeting (AGM). By-laws can only be passed by Special Resolution – where no more than 25% of votes are cast against the motion, based on units of entitlement (including votes in person and by proxy).

Other Documentation Required

Depending on the nature of the works you may also be asked to submit an Engineers Report, Dilapidation Report, drawings, plans etc. Should the works also require council approval a Development Application (DA) would need to be submitted. Please check with your local council to see if your works falls into this category – please note your works may be approved by the council and not by the Owners Corporation or vice versa.

Hard Flooring

If you are looking to install hard flooring please check the relevant by-law for your building for further information, however please note that this is classified as a 'minor renovation' requiring approval from your Owners Corporation. Dependent on the by-laws this approval could be in the form of an Ordinary Resolution at a General Meeting. Should you proceed to install, you should use the highest grade of underlay/sound insulation available (if not defined in the by-laws) to minimise the risk of breaches of by-laws.

Checklist

The following documents should be provided with the completed application if available/applicable:

- Scope of works
- Program of works
- Contractors appointment & required documentation (including insurances, licensing etc)
- Designs/plans
- Structural Engineers Report
- Dilapidation Report
- Copy of Home Owners Warranty Insurance (if required)
- Draft By-law (if available/required)
- Development Application (if available/required)
- Where applicable, upon completion of works please provide any certification issued i.e.
 - Waterproofing Certificate
 - Electrical Wiring Certificate
 - Plumbing Certificate
 - Structural Engineers Certificate
 - Fire Compliance Certification

SECTION 1

APPLICANT DETAILS

Strata Plan Number:	<input type="text"/>
Building Address:	<input type="text"/>
Lot / Unit No:	<input type="text"/>
Lot Owner Full Name/s:	<input type="text"/>
Contact Ph:	<input type="text"/>
Contact Email:	<input type="text"/>

SECTION 2

PROPOSED WORKS

Provide a Detailed Description of Proposed Works:

Do any of the proposed works exceed \$20,000?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Removal of Bathroom Tiles?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Alteration of Walls? <i>(if yes, engineers plans & certificate must be attached)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Alteration of Pipes / Plumbing? <i>(if yes, attach plans with advice from the plumber on how it will affect the common property)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Alteration of Cables / Electrical? <i>(if yes, attach full plans)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Replacement of Soft Flooring (i.e. carpet) with *Hard Flooring <i>(i.e. tiles, timber, laminate or vinyl)?</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

(if yes, advise the rooms involved and what will be installed under the flooring to ensure transmission of noise is compliant with the schemes by-laws and Australian Standards)

***Please note: check your Owners Corporation By-laws for possible acoustic requirements.**

SECTION 3
PROGRAM OF PROPOSED WORKS:
Proposed Commencement Date:

Proposed Completion Date:

Noisy Works:

(specify all noisy works and estimated duration that may disturb other residents).
SECTION 4
CONTRACTOR LIST:

Trade	Company & License No.	Contact Name	Phone	Email

SECTION 5
REMOVAL OF MATERIAL
What Provisions for Protection of Common Property?

(Specify, steps taken to prevent dust / dirt from entering common property & cleaning of common property)
If using a skip bin, where will it be located?

Smoke/Heat Alarm:

(specify, the steps to be taken to prevent false alarms)
Do you have a Project Manager Overseeing the Works?

Yes

No
(Specify company name and contact details)

Do your Tradespeople have Effective Insurance?

(Contractor Licenses & Insurances may be requested by the Owners Corporation)

SECTION 6

ACKNOWLEDGEMENT

1. I/We have read the by-laws and will comply with any that relate to the proposed work.
2. I/We certify that the details provided in this application are correct to the best of my/our knowledge, and that any modifications to the plans and specifications are to be approved by the Owners Corporation.
3. I/We agree to pay the Application Fee of \$75 for Strata Management Services NSW to review this application, research by-laws and obtain instructions from the Strata Committee and that this amount will be charged directly to my levy account and that additional charges may apply if further Owners Corporation involvement is required.
4. I/We acknowledge that costs and charges outlined in the Schedule of Fees above are recoverable amounts referred to in Schedule 2(10)(8) of the Strata Schemes Management Act 2015.
5. I/We will use the services of appropriately professional licensed trades people who are covered by Public Liability insurance, as well as Workers Compensation (where required) and supply this to the Owners Corporation, if requested.
6. I/We will personally be responsible for the daily cleaning of any mess left on common property by my/our tradespeople.
7. Building materials and/or rubbish will not be stored on common property at any time.
8. I/We will be responsible for all the activities of my/our tradespeople and will ensure they are properly managed.
9. My contractors will not obstruct common property (inside/outside) at any time and I/we will ensure the safety of residents and the site throughout the project.
10. I/We will notify all residents of any noise that will take place, and the expected duration, at least one (1) week before the commencement of any works.
11. I/We acknowledge that any fines for false fire alarms attributed in any way to my renovations will be charged to my/our levy account for reimbursement to the Owners Corporation
12. All warranties for any waterproofing membranes installed must be in the name of the Owners Corporation and forwarded to the Strata Manager.
13. I/We will be responsible for all repairs, maintenance and ultimate replacement of the works.
14. I/We agree that a representative of the Strata Committee has the right to inspect the work at any time with one day's notice.
15. I/We will not proceed with any work until the Owners Corporation has provided written approval.

Applicants Name/s:

Signature of Owner/s:

Date:

Renovations

In a strata scheme

There are three types of renovations to strata homes:

- cosmetic work
- minor renovations, or
- major renovations.

An owner must gain permission before doing any minor or major renovations. Otherwise, they may have to change their place back to how it was before the renovations.

You are responsible for the repairs if you damage common property.

Tenants must gain their landlord's permission before making a change to their rented home. Refer to our general information for tenants: Asking to make an alteration.

Cosmetic work

Owners can do cosmetic work without approval. This includes day-to-day work such as:

- installing or replacing hooks, nails or screws for hanging paintings or other things on walls
- installing or replacing handrails within your lot
- interior painting
- filling minor holes and cracks in internal walls.

The owners corporation can declare other types of work are 'cosmetic'. They would need to pass a by-law to do so. Such work must not be a major or minor renovation (as defined by the law).

Minor renovations

You need approval before doing any minor renovations. An owner must get the owners corporation to approve these renovations by general resolution (over 50% of votes in favour).

Minor renovations include:

- renovating a kitchen
- changing recessed light fittings
- installing or replacing wood or other hard floors
- changing internal walls
- sustainability measures (such as a clothesline or reverse cycle air conditioner). However, these cannot involve changing the outside appearance of a lot or structural changes.

The approval process may need the owner to give details of the work. This may include:

- any plans of the work
- when the work will be carried out (times and dates)
- qualifications and details of the tradespeople who will do the work.

Speeding up the approval process

The owners corporation can delegate permission for minor renovations to the strata committee. It would need to pass a by-law to do so.

The owners corporation can also choose to define other kinds of work as minor renovations. It would need to pass a by-law stating the other work to be included in the 'minor renovations' definition. However, the owners corporation cannot include something that belongs to another category of renovations (such as waterproofing).

Major renovations

Major renovations may seriously affect the common property.

Major renovations include:

- structural changes
- waterproofing
- changes affecting the outside appearance of the property, such as an access ramp
- work that needs approval under other laws (for example, council approval).

Approval for major renovations

First, the work needs a special resolution vote before it can move ahead.

Next, the owner must give the owners corporation written notice at least 14 days before the work starts. This should describe the proposed alteration.

The owners corporation cannot delegate approval for major renovations to the strata committee (unlike for minor renovations).

Renovations and common property rights

Sometimes, a renovation may involve use of common property. Examples are:

- an air conditioning monitor being attached to a common property wall, or
- a parking space needed due to renovations.

An owner may receive the right to exclusively use a part of common property. They would do this through a **common property rights by-law**.

The common property by-law must state who is responsible for maintaining the common property. This responsibility would either:

- stay with the owners corporation, or
- go to an owner or owners.

Before the by-law can be passed, the lot owner or owners must first:

- agree to the by-law.
- consent to maintaining the common property (if the by-law includes this).

www.fairtrading.nsw.gov.au
Fair Trading enquiries 13 32 20
TTY 1300 723 404
Language assistance 13 14 50

This fact sheet must not be relied on as legal advice. For more information about this topic, refer to the appropriate legislation.

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