



Renovations Information



Renovations to a Lot

When proposing to undertake renovations to a lot, the lot owners should review this factsheet and we suggest you complete an application form and checklist. Upon completion, submit the application form and checklist, along with any supporting documentation, to the owners corporation, c/- **Fresh Strata**. This will allow us to communicate your plans to the owners corporation in an attempt to gain their approval.



The Lot

In owners corporations, the lot owner owns the inside of the unit but not the main structure of the building. Usually the main walls encompassing the lot, the ceiling, roof and the floor are common property. The internal walls within the lot (eg. the wall between the kitchen and lounge room), floor coverings such as carpet and fixtures such as renovated bathrooms and kitchens are all the property of the lot owner.

It is also important to note that while non-load bearing internal walls are not defined as common property, a council Development Application may still be required where you are changing the dimensions of any room.



Airspace

A lot owner effectively owns the airspace (and everything included in the airspace) inside the boundary walls, floor and ceiling of the lot.

Lot airspace may include balconies and courtyards. Everything within the airspace must be maintained at the owner's cost.



Common Property

The registered strata plan defines the boundaries between common property and lots in a strata scheme. The following is a checklist for common property:

- Floor includes a ramp or stairway
- Wall includes any door, window or other structure within the wall and their working parts
- Ceramic tiles originally attached to a common property surface (eg. The floor or boundary wall)
- Pipes in the common property or servicing more than one lot (ducting panels)
- Electrical wiring in the common property or servicing more than one lot
- Parquet and floor boards originally installed
- Vermiculite ceilings, plaster ceilings and cornices
- Magnesite finish on the floor

- Balcony doors are usually common property if the strata plan was registered after 1 July 1974
- Load bearing columns or walls
- The slab dividing two storeys of the same lot, or one storey from an open space roof area or garden areas of a lot (eg. A townhouse or villa), is usually common property if the strata plan was registered after 1 July 1974, unless the registered strata plan says it is not.

If you wish to clarify any areas of common property for your owners corporation, please contact Fresh Strata for further information.

Alterations to Common Property

Any proposed renovations to a lot that involve additions, modifications or damage to common property must be supported by an exclusive use by-law which is authorised by special resolution at a general meeting of the owners corporation.

Exclusive Use By-Law

If the alterations affect common property, an exclusive use by-law should be drafted (preferably by a solicitor approved by the owners corporation). The solicitor will be aware of what terms and conditions the exclusive use by-law will need to contain with consideration to issues such as:

- That the work be performed by a licensed tradesperson. The owner should provide necessary details so that a license check can be made.
- That the tradesperson is adequately insured and inclusive of public liability.
- That the owner is specifically documented as being responsible for the repair, maintenance, and/or replacement of any 'works' and that this responsibility passes to any subsequent lot owner.
- That the owner is responsible for reinstatement of any damage to common property.
- That the work will be performed whilst creating minimum disturbance to other residents and avoiding damage to common property. For example:
 - Transportation of all construction materials, equipment, debris and other material will be managed in a manner reasonably directed by the owners corporation.
 - All areas of the building outside of the lot will be protected from damage by the works or by the transportation of construction materials, equipment and debris in a manner reasonably accepted by the owners corporation.
 - All areas of the building outside of the lot will be kept clean and tidy throughout the performance of the works.
 - The works will be performed during times approved by the owners corporation.
 - The works will not create any noise that causes discomfort, disturbance or interference with activities of any other resident of the building.
 - Debris will be removed immediately from the building during the works.

- The lot owner will comply with the requirements of the owners corporation to comply with any by-laws and any relevant statutory authority concerning the performance of the works.

Where an exclusive use by-law is required, plans, quotes, engineer's reports, the proposed by-law and other supporting documentation, including the lot owner's written consent to the by-law must be presented to the owners corporation at a general meeting. For a special resolution to be passed, no more than 25% (of the aggregate unit entitlements) of lot owners who are entitled and voting on the motion can vote against the motion. Once the by-law has been passed at the meeting by special resolution it can be registered at the Land and Property Information (LPI) Division of the Department of Lands (refer to Section 52 (1) (a) of the *Strata Schemes Management Act 1996*).

If the motion is passed, Fresh Strata will make the necessary arrangements to have the by-law registered with the LPI. All costs associated with the drafting, approval and registration of the by-law will be at the cost of the requesting lot owner.

Alterations not Affecting Common Property

If the alterations do not impact common property; it is still a requirement that any alteration to the lot must be brought to the attention of the owners corporation. The lot owner, in accordance with section 116 of the *Strata Schemes Management Act (1996)*, must advise the owners corporation in writing giving 28 days notice of intention to alter the lot. This provides the owners corporation with sufficient time to ask questions, or if necessary, make application for an order or interim order.

The executive committee may receive this advice and if satisfied, advise the lot owner that they acknowledge the receipt of the notice and have no objections to the proposed alterations.

Air Conditioning & Hot Water Services

The installation of air conditioning units and hot water services on a lot's balcony or attached to the outside wall of a lot will still require permission from the owners corporation, as pipe work will need to traverse through and/or into common property. Request for these services must be accompanied with details containing the locations of any plant and fittings with particular reference to any visual impact on the building and positioning of any drainage outlet pipes.

Reinstatement of Common Property

Any lot owner who fails to follow the correct procedures runs the risk of having orders made for the reinstatement of common property to its original form at their expense.

 Making an Application & Costs

An owner wishing to undertake renovations to their lot should contact their strata manager at Fresh Strata and ask for an application form to be sent to them. Please note that there may be costs involved in dealing with your application which will be borne by you. Further details as to the extent of those costs can be provided to you at the time of making your application.

Before lodging your application you should be aware that each application is considered on its respective merits. Precedents do not come into the decision making process. The decision is to be made by the committee or owners corporation at a meeting convened for that purpose. The cost of processing the renovations (providing advice, dealing with the committee and /or owners corporation will be at the lot owners cost. You should allow as an average \$90 to \$130 for the costs, which is for 0.50 – 0.75 hours of a manager's time, charged in 15 minute increments.

Further notes:

- *Please note this information supplied is a guide only.*
- *This information is similar for Company Title properties.*
- *If you are in a Community Title property please request a copy of your management statement.*
- *Always ask your local council if a Development Application (DA) is needed.*



Renovations Application

Part 1	Application and site details
<p>Applicant</p> <p><i>Please note that the applicant is the only person the owners corporation will communicate with in the matter.</i></p>	<p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/></p> <p>Family name (or Company) _____</p> <p>Given names (or ACN) _____</p> <p>Contact person (if company) _____</p> <p>Postal address _____ _____</p> <p>Post Code _____</p> <p>Telephone (H) _____ Telephone (W) _____ Mobile _____ Facsimile _____</p> <p>Email _____</p>
<p>Site Details</p>	<p>Strata Plan No. _____ Lot / Unit No. _____</p> <p>Strata Plan Address _____ _____</p> <p>Post Code _____</p>
<p>Owner's Consent</p> <p><i>Every registered owner of the lot must sign this form.</i></p> <p><i>If the owner is a company, this form must be signed by 2 directors or a director and a company secretary.</i></p>	<p>Name of Owner or authorised person _____ _____</p> <p>Position Title (if company) _____</p> <p>Postal address _____ _____</p> <p>Post Code _____</p> <p>Telephone (H) _____ Telephone (B) _____ Mobile _____ Facsimile _____</p> <p>As owner/s of the property to which this application relates, I/we consent to this application. I/we also consent for authorised representatives of the owners corporation to enter the lot at an agreed time to</p>

	<p>carry out inspections relating to this application if required.</p> <p>Signature/s _____</p> <p>_____</p> <p><i>Without the owner's consent, the owners corporation will not accept the application. If you are signing on the owners behalf as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence (eg .Power of Attorney, executor, trustee, company director, etc.)</i></p>
Part 2 Proposed renovations	
<p>Description of renovation</p> <p><i>Describe briefly all proposed renovations to the lot. Please attach further details to the application if necessary. Supporting documentation, such as plans samples, brochures or specifications should also be attached.</i></p>	<p>Alteration <input type="checkbox"/> Erection of Structure <input type="checkbox"/> Demolition <input type="checkbox"/> Other <input type="checkbox"/></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>Estimated cost of work</p> <p><i>The estimated cost of the renovations, labour and materials or contract price should include GST.</i></p>	<p>Estimated cost of work: \$</p> <p>Name and qualifications of contractor and/or qualified person certifying cost of work:</p> <p>_____</p> <p>_____</p> <p>_____</p>
Part 3 Checklist and declaration	
	<p>The completed checklist must be submitted with this application. Failure to provide the required documentation of an acceptable standard is likely to result in your application being returned by the owners corporation.</p>

Declaration	<p><i>All the details in the accompanying checklist must be provided. A lot inspection may be necessary prior to the assessment of any application Fresh Strata will contact you if this is deemed necessary by the owners corporation or its nominated representative.</i></p> <p>I/We apply for approval to carry out the renovation works described in this application. I/We declare that all information in the application and checklist is, to the best of my knowledge, true and correct. I/We also understand that if the information is incomplete the application may be returned, delayed, rejected or more information may be requested. I/We acknowledge that if the information provided is misleading, any approval granted may be void.</p> <p>Signature/s _____</p> <p>_____</p> <p>Date _____</p>
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Required	Applicant		Office Use Only		
	Yes	N/A	Yes	No	N/A
<input type="checkbox"/> Completed application form Original Plus two copies to be included	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Internal structural changes (plans attached) Plans showing the changes to the internal structural components of the lot and penetrations of the structural columns of the building, floors or ceiling are to be provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> External Changes (plans attached) Plans showing the changes to the exterior of the building are to be provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Development Application (copy attached) A copy of the Development Application supplied to Council (if required) including all supporting documentation must be provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Architectural integrity (evidence attached) The Strata Schemes Management Act (1996) requires all works to be in keeping with the architectural integrity of the existing building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Floor coverings (evidence attached) The Strata Schemes Management Act (1996) requires that all non-wet areas are to be covered with soft coverings, such as carpet, or otherwise treated to an extent sufficient to prevent the transmission of noise from floor space that is likely to disturb the peaceful enjoyment of other occupiers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Air Conditioning (evidence attached) Air conditioners, ventilations or associated ducting shall not be installed, modified or removed without written approval of the owners corporation. All details including manufacturer's noise ratings, compressor size location of plant and fittings must be supplied.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Required	Applicant Yes N/A	Office Use Only Yes No N/A
<input type="checkbox"/> Plumbing, electrical and fire (evidence attached) <ul style="list-style-type: none"> ▪ All plumbing and electrical work to be performed by a licensed tradesperson to the standards of relevant authorities. Evidence is to be attached. ▪ Installation or replacement of hot water services, if fitted, must have overflow trays and drains installed in accordance with Australian Standards. Evidence to be attached. ▪ Installation or replacement of quick-shutting (quarter turn, lever action or similar) taps are to be fitted with water hammer arrestors on both hot and cold water lines. Evidence to be attached. ▪ All wet areas are to be sealed in accordance with the Building Code of Australia. Evidence to be attached. ▪ Additions or alterations to the electrical or water supply to the lot are to be detailed. ▪ Additions or alterations to cables, pipes through riser ducts, ceiling, floors or walls (or works of such nature when impacting on common property are to be detailed). ▪ Any alterations, connection or disconnection to the fire detectors are to be detailed. If approved, the changes shall be certified by the fire certification contractor appointed by the owners corporation. 	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Access to ducts, risers and windows Areas to which the owners corporation may require access to in the future, such as drainage duct covers and windows, must remain fully accessible and of the same existing size.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Estimated start and finish dates The applicant is to provide details of the estimated start and finish dates.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Exclusive Use-By-Law (copy attached) In the event that any changes are to be made to common property, the applicant must draft (or arrange for a strata law specialist to draft) an exclusive use by-law for consideration by the owners corporation at a general meeting.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Part 4	Indemnity
	<p>The applicant hereby indemnifies the owners corporation against:</p> <ol style="list-style-type: none"> 1. Any damage to the common property, or the lot of another owner, resulting from the works outlined in this application; 2. The cost of repair to the common property and that any such damage will be made good by the applicant at his/her expense within seven (7) days; 3. Any fees and expenses incurred in enforcing the conditions of approval and any relevant by-laws; and 4. The cost of a defects survey which may be required for the common property and neighbouring units of the proposed works. <p>Signature/s _____</p> <p>Date _____</p>
Part 5	Owners Corporations Approval
<p><i>This section is to be completed by the owners corporation or their authorised representative.</i></p> <p>Works Contract</p> <p>Works Home Warranty Insurance</p> <p>Occupants Notification</p>	<p>Approval of this application is granted under the following conditions:</p> <p>All residential building work in excess of \$1,000 requires a written contract. Such contract must comply with the <i>Home Building Act 1989</i>. A copy must be supplied to the owners corporation.</p> <p>Home Warranty Insurance (HOW) cover is required for any residential building work where the value exceeds \$20,000 and requires the performance of a licensed tradesperson. A copy must be supplied to the owners corporation.</p> <p>Seven (7) days prior written notice shall be provided to all occupants of the scheme and posted on the notice board. The notice must include the following details:</p> <ul style="list-style-type: none"> • A summary of the works; • The applicant's name and telephone contact details; • The main contractor/s name and telephone contact details; and • Council's approved hours of work
Hours of work	The hours of work are strictly limited to between 7:00am and 5:00pm Monday to Friday and 8:00am to 1:00pm on Saturdays (excluding public holidays).
Compliance	All works must comply with the Building Code of Australia and all other relevant codes, standards and specifications. The works must also comply with any development or building consent approved by council.
Licensed Tradespersons	All trades people contracted by the application who perform residential work in which the labour content is in excess of \$200 or is of a specialist nature, must be licensed.
Access to common property	When access is required to common property, it is the responsibility of the applicant to ensure no damage is caused. Any damage, including dirt or stains to common property flooring, will be made good at the cost of the applicant.
Parking	Tradespersons and contractors are not permitted at any time to park on common property.
Use of lifts (if applicable)	<ul style="list-style-type: none"> • The interior of the lift must be protected against possible damage at all times; and • The lift shall be released for use by other residents after each load.
Waste Disposal	The applicant is responsible for the removal of all waste resulting from the works. The owners corporation's garbage bins are not permitted to be used for this purpose. The applicant may (with

	the consent of the owners corporation) arrange for a waste skip to be located on common property to assist with waste disposal. However, seven (7) days written notice must be provided to all occupants of the owners corporation, detailing the required deposit date and period of attendance on-site.
Part 5 Cont.	Owners Corporations Approval
Variations to approved designs and/or plans	The applicant must advise the owners corporation in writing of any proposed variations to the approved designs and/or plans. The applicant must receive approval from the owners corporation for these variations prior to the works being commenced.
Cleanliness	The applicant is responsible for ensuring that all common areas, including car parks, passage ways, foyers, staircases, lift cars, etc are kept clean at all times. If the applicant fails to maintain the standard of cleanliness for the building, the areas will be cleaned by the owners corporation at the expense of the applicant.
Repairs and maintenance	On-going responsibility for all repairs and maintenance are to be met by the applicant.
Part 6	Signatures and Common Seal
Approval	<p>Continued approval and access to common property is only granted subject to an undertaking by the applicant that they will comply with these terms and conditions at all times.</p> <p>The owners corporation reserves the right to stop any works should an incidence of non-compliance with the terms and conditions be evident.</p> <p>The common seal of the owners corporation was affixed on _____ In the presence of:</p> <p>_____ Signature (s) _____ Print Name (s) _____ Designation</p> <p>Being the persons authorised by section 238 of the act to attest the affixing of the seal.</p>

No work is to commence prior to receiving written approval from the Owners Corporation or their Authorised Representative.