



## **OWNERS GUIDE TO COSMETIC AND MINOR WORKS**

Different rules apply as to the permissions required from the owners corporation for owner works to the lot and common property depending on the nature of the renovation proposed.

There is a three tier regime provided under the Strata Schemes Management Act with the level of consent from the owners corporation escalating at each stage.

- ❖ Cosmetic works (no consent)
- ❖ Minor works (owners corporation general resolution)
- ❖ Other works (owners corporation special resolution)

It should be noted that minor and other works require the convening of an extraordinary meeting (or consideration at the annual general meeting) of the owners corporation unless a by law has been registered authorising the strata committee to approve the application.

### **Cosmetic work by a lot owner (No consent required)**

The owner of a lot in a strata scheme may carry out cosmetic work to common property in connection with the owner's lot without the approval of the owners corporation.

"Cosmetic work" includes (but is not limited to) work for the following purposes:

- installing or replacing hooks, nails or screws for hanging paintings and other things on walls,
- installing or replacing handrails,
- painting,
- filling minor holes and cracks in internal walls,
- laying carpet,
- installing or replacing built-in wardrobes,
- installing or replacing internal blinds and curtains, and
- any other work prescribed by the regulations or by-laws.

In carrying out the cosmetic work, the lot owner must ensure that:

- any damage caused to any part of the common property is repaired, and
- the cosmetic work and any repairs are carried out in a competent and proper manner.

Cosmetic work does not include:

- work that consists of minor renovations (see below),
- work involving structural changes,
- work that changes the external appearance of a lot, including the installation of an external access ramp,
- work that detrimentally affects the safety of invitees to lot or common property, including fire safety systems,
- work involving waterproofing or the plumbing or exhaust system of a building in a strata scheme,
- work involving reconfiguring walls,
- work for which consent or another approval is required under any other Act, or
- any other work that may be added to this list by regulations or by-laws.

### Minor renovations by a lot owner

A lot owner may carry out work for the purposes of minor renovations to common property in connection with the owner's lot with the approval of the owners corporation. This approval is given by resolution at a general meeting.

The approval may be subject to reasonable conditions imposed by the owners corporation. The consent of the owners corporation cannot be unreasonably withheld.

"Minor renovations" include (but are not limited to) work for the purposes of the following:

- renovating a kitchen,
- changing recessed light fittings,
- installing or replacing wood or other hard floors,
- installing or replacing wiring or cabling or power or access points,
- work involving reconfiguring walls,
- removing carpet or other soft floor coverings to expose underlying wooden or other hard floors,
- installing a rainwater tank,
- installing a clothesline,
- installing a reverse cycle split system air conditioner,
- installing double or triple glazed windows,
- installing a heat pump,
- installing ceiling insulation, and
- any other work added to this list by regulations or by-laws.

These minor renovations must not involve:

- structural changes,
- changes to the external appearance of a lot, or
- waterproofing.

Before obtaining the approval of the owners corporation, an owner of a lot must give written notice of proposed minor renovations to the owners corporation, including the following:

- details of the work, including copies of any plans,
- duration and times of the work,
- details of the persons carrying out the work, including qualifications to carry out the work, and
- arrangements to manage any resulting rubbish or debris.

*A template of an application/letter to the owners corporation requesting approval for minor renovations is attached to this guide.*

An owner of a lot must ensure that:

- any damage caused to any part of the common property by the carrying out of minor renovations by or on behalf of the owner is repaired, and
- the minor renovations and any repairs are carried out in a competent and proper manner.

The by-laws may permit the owners corporation to delegate its functions under this section to the Strata Committee. This means that the Strata Committee may decide an application for consent for minor works.

Minor renovations do not include:

- work that consists of cosmetic work (see above),
- work that involves structural changes,
- work that changes the external appearance of a lot, including the installation of an external access ramp,
- work involving waterproofing,
- work for which consent or another approval is required under any other Act, and
- work that is authorised by a by-law or a common property rights by-law,

Lot owners should be aware that rectification orders can be made against them for either unlawful work and/or damage caused by work that has been carried out by them.

### **Other works by lot owner**

If the proposal relates to :-

- work that involves structural changes,
- work that changes the external appearance of a lot, including the installation of an external access ramp,
- work involving waterproofing,
- work for which consent or another approval is required under any other Act.

and there is not a registered by law authorising that type of work then the matter must be considered by the owners corporation at a general meeting (with the vote by special resolution). It may also be necessary to arrange the registration of a common property rights by law to protect any approval granted.

### **Arranging a general meeting**

The secretary or a strata committee of an owners corporation may convene a general meeting (that is not an annual general meeting) of the owners corporation at any time or if a qualified request is received.

(A qualified request is made by one or more owners of a lot or lots in the strata scheme having a total unit entitlement of at least one-quarter of the aggregate unit entitlement.)

It should be noted that meetings may have a lead time of 4-6 weeks so any renovation proposal requiring consent of the owners corporation needs to be lodged well in advance of the work being carried out.

### **Costs**

The costs associated with the convening of the meeting and the preparation and lodgement of any by law required is at the cost of the applicant.

### **Conclusion**

If you are uncertain as to whether proposed works are cosmetic, minor renovations or involve structural changes, then clarification should be sought from the owners corporation or strata manager prior to any work being undertaken.

The only exception to these rules are for the installation of:

- locking or other safety device for protection of the owner's lot against intruders, or
- screen or other device to prevent entry of animals or insects on the lot, or
- any structure or device to prevent harm to children.

Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with the appearance of the rest of the building.



[date]

To the Secretary  
The Owners – Strata Plan ##  
c/- Absolute Strata Management  
PO Box 478  
KOGARAH NSW 1485

Email:- info@absolutestrata.com.au

Lot [insert] of Strata Plan [insert]

**Application to request consent for minor renovations**

As owner/s of the above mentioned Lot we kindly request that the Owners Corporation approve the following minor renovations application.

The work that we intend to carry out for the benefit of our/my Lot will or may involve associated works on or to common property.

***Details of proposed works:***

***[insert]***

***Duration and times of the work:***

***[insert]***

***Details and qualifications of who will be carrying out the work:***

***[insert]***

***Arrangements to manage any resulting rubbish or debris:***

***[insert]***



In submitting this application, I/we confirm that:

- all necessary council approvals will be submitted to the Owners Corporation and will be obtained for the works at our own cost;
- all relevant photographs and/or plans of the proposed works are attached;
- all work will be carried out in a competent and proper manner (detailed of all builder and insurance for each builder is attached);
- installation, continual repair and maintenance, cleanliness and tidiness will be at our cost and responsibility; any damage caused to any part of the common property by the carrying out these renovations will be repaired at our expense and at the direction of the Owners Corporation; and
- any costs (including all legal, expert or administrative out of pocket expenses incurred by the Strata Committee in reviewing, considering, requesting further information, approving or rejecting this application) this will be paid by the applicant lot owner and we agree that such costs will be debited to our lot owner account held by the Owners Corporation upon receipt of a tax invoice issued by the Owners Corporation to the lot owner.

I/We look forward to receiving the owners corporation's response to this application seeking consent for these works to be carried out in the near future.

Kind regards

[INSERT FULL NAME AND SIGNATURE]

[contact phone and email]