



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

Different rules apply as to the consent required 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 approval from the owners corporation escalating at each stage.

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

Minor and other works require the convening of an extraordinary meeting (or inclusion in the agenda of the annual general meeting) of the owners corporation unless a by law has been registered authorising the strata committee to approve the application.

Note that the strata committee normally cannot approve bathroom renovations as this involves waterproofing which is outside the definitions of cosmetic and minor works.

A template of an application requesting approval for minor renovations is attached as a separate document.



### **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
- 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 the 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
- Any other work that may be added to this list by regulations or by-laws. (No additional regulations are currently applicable)



### **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 however the strata committee can be delegated this approval power if a by law delegating this authority has been passed.

Note that if the work you wish to undertake includes a bathroom alteration to the wet areas then approval cannot be granted under minor renovations and this must be referred to a general meeting.

The approval may be subject to reasonable conditions imposed by the owners corporation.

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.
- 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.
- Waterproofing.

Before obtaining the approval of the owners corporation an owner of a lot must give written notice of proposed minor renovations 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.
- Arrangements to manage any resulting rubbish or debris.



An owner of a lot must ensure that:

- 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.
- Minor renovations and any repairs are carried out in a competent and proper manner.

Minor renovations **do not** include:

- Work that consists of cosmetic work.
- 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.
- 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 preparation and lodging of any by law required is at the cost of the applicant.

### **Note**

If you are uncertain as to whether proposed works are cosmetic, minor renovations or other works 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.
- Installing a screen or other device to prevent entry of animals or insects on the lot.
- 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.