

## Strata renovations and common property



If you want to make a renovation that affects the common property, the responsibility for maintaining that part of the property may be transferred to you. This is decided by the owners corporation and will usually depend on how much your renovations affect the common property.

The owners corporation would need to approve giving you the job of maintaining it. For it to decide this, it must pass a 'common property rights' by-law.

In New South Wales, waterproofing is categorised as a major renovation work. Also, walls and shared plumbing are generally part of strata common property, and therefore usually owners corporation responsibility to fix and maintain.

You should get in touch with your strata manager or owners corporation to get clarity on who is responsible for the repair work and how it may affect your property. That way, you can ensure that your property is compliant with the minimum performance requirement for waterproofing shower areas, as specified in the Building Code of Australia (BCA)

### Giving notice

If your work changes the structure of a lot (for example, removing a wall or installing ducted air conditioning), you must also give the owners corporation at least 14 days' written notice before the work starts.

Your notice should describe how your renovations will change the property structure.

### Approval

Before it does so, you must agree to the rule. This means you agree that you will maintain the common property. The details for this responsibility will be in the by-law. You should keep this in mind when you plan on seeking renovations that will have a big impact on common property.

Changing the rules: Many owners corporations update their by-laws to make the process of requesting approvals quicker and easier.

For example:

- an owners corporation creates a by-law that adds a range of items to the list it considers 'cosmetic', meaning owners don't need to seek approval each time.
- the owners corporation creates a by-law that allows the strata committee to make all decisions on 'minor' renovations, rather than going to the full meeting of the owners corporation.

Overall, renovations and waterproofing in strata schemes require careful planning and consideration to ensure that they are carried out safely, legally, and in a manner that does not negatively impact other lot owners or the strata scheme as a whole.

### Cosmetic Renovations

Cosmetic work doesn't need approval. Cosmetic work can't change the outside of a property or affect things like structure and waterproofing.

You are allowed to:

- install or replace hooks, nails or screws (for hanging paintings or other items on walls)
- install or replace handrails
- paint the interior
- install or replace blinds and curtains
- fill minor holes and cracks in internal walls
- lay carpet
- install or replace built-in wardrobes.

This applies to all strata schemes. Your strata scheme can choose to add more types of work to the list of cosmetic work. The owners corporation can pass a by-law to do this.

### Minor Renovations

Minor renovations need approval, often this is from the strata committee. Many schemes give the approval power to the strata committee. Otherwise, approval will require a vote at a general meeting. Write to the strata manager or secretary and ask them to vote on your changes.

You'll need more than 50% of the votes cast in favour of the work at the meeting. If the strata committee does not have the power to approve minor renovations, you'll need to ask for approval at an annual general meeting (AGM) or an extraordinary general meeting (EGM).

Minor renovations can't involve:

structural changes or changes to a property's outside appearance anything affecting waterproofing (for example, most bathroom renovations).

Before you get approval, you may also need to show your strata committee:

- plans of the work, including dates and times of when the work will be done
- an acoustic certificate to show sound insulation if you're installing flooring
- qualifications and details of the tradespeople who will do the work.

### Major Renovations

The strata committee can't approve major renovations.

Major renovations include:

- structural changes (for example, moving a structural internal wall)
- waterproofing (for example bathrooms)
- changes affecting the outside appearance of the property, such as an access ramp
- work that needs approval under other laws (for example, council approval)
- changes to the ceiling or making a false ceiling.

### Tenants

If you're a tenant, you should write to your landlord to ask them before you make any changes.

If the landlord agrees to the change, they must follow the strata approval process that is listed above, on the tenant's behalf. The landlord cannot unreasonably reject requests for 'minor' changes as set out in the tenancy laws.

### Waterproofing

Waterproofing is an important consideration for strata schemes, as leaks and water damage can cause significant issues for both individual lot owners and the strata scheme as a whole. Waterproofing works should be carried out by qualified and licensed professionals, and any necessary permits should be obtained before starting the works.

[CONTACT US](#)

*Disclaimer:*

*The information contained in this news post is general in nature and is intended to provide a general summary only and should not be relied on as a substitute for professional advice.*