
Renovations, Alterations, Additions

APPLICATION FORM

STRATA PLAN NUMBER: 76137

ADDRESS: 2-14 Eve Street, Erskineville NSW 2043

Dear Owner/Applicant,

The following Application Form has been designed for your use when seeking authority to undertake renovations and/or additions to your lot.

When lodging your application, you must submit a completed application form along with all associated plans, diagrams, specifications etc.

If you have any queries, please contact our office.

RENOVATIONS OR ALTERATIONS TO A LOT

When proposing to undertake renovations, additions or alterations to a lot, the lot owners should review this application and we suggest you complete the accompanying application form and checklist.

Upon completion, please submit the application form and checklist, along with any supporting documentation, to the Owners Corporation, care of Dynamic Property Services. This will allow us to communicate your plans to the Owners Corporation in an attempt to gain their approval.

THE LOT

In most strata schemes, the lot owner owns the inside of the unit but not the main structure of the building. Usually the four main walls, the ceiling, roof and the floor are common property. The internal walls within the lot (e.g. the wall between the kitchen and lounge room), floor coverings such as carpet and fixtures such as baths, toilet bowls and bench tops 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. The Council Development Application requires approval by the Owners Corporation.

THE AIRSPACE

A lot owner effectively owns the airspace (and anything 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.

AREAS OF COMMON PROPERTY

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 (e.g. 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 floorboards 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 (e.g. 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.

TYPICAL REQUESTS

Typical requests that are received by the owners corporation include:

- Air conditioner
- Foxtel or other paytv
- Pergola
- Removal of internal wall
- Change the tiles in wet areas i.e. bathroom, laundry
- Change window dressing

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.

CLARIFICATION OF COMMON PROPERTY

The registered strata plan defines the boundaries between common property and lots in a strata scheme. If you wish to clarify any areas of common property for your strata scheme, please contact your Strata Manager for further information.

CLARIFICATION OF COMMON PROPERTY

If the alterations affect common property a common property rights use by-law must be drafted (preferably by the lot owner's solicitor). The solicitor will be aware of what terms and conditions the common property rights by-law will need to contain with consideration to issues such as:

- That the work be performed by a licensed tradesperson. The lot owner should provide necessary details so that a licence check can be made
- That the tradesperson is adequately insured and inclusive of public liability
- That the lot 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 lot owner is responsible for reinstatement of any damage to common property
- That the work will be performed whilst creating minimal 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 acceptable 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 a common property rights by-law is required, plans, quotes, engineer reports, the proposed by-law and other supporting documentation must be presented to the Owners Corporation along with the lot owner's written consent confirming that should the by-law be

passed at the meeting by special resolution, that it can be registered at the Land and Property Information (LPI) Division of the Department of Lands (refer to Section 108 of the *Strata Schemes Management Act 1996*).

SPECIAL RESOLUTION

Following receipt of the documentation, the Strata Committee should request the Secretary to add the motion for discussion at the next Annual General Meeting. However, if the lot owner wishes to expedite the process, they may, at their expense, request in writing that an Extraordinary General Meeting be held to resolve the matter.

The common property rights by-law must be presented at the general meeting as a proposed special resolution. For a special resolution to be passed, at least 75% of the entitled and attending lot owners must support the resolution. If the motion is specially resolved (or no more than 25% of the unit entitlements vote against the resolution), Dynamic Property Services will make the necessary arrangements to have the by-law registered with the LPI (at the cost of the requesting lot owner).

A by-law must be registered within three (3) months of the passing of the resolution, otherwise the decision is considered lapsed and the motion would need to be passed again at another general meeting.

Any lot owners who fail to follow the correct procedures run the risk of having orders made for the reinstatement of common property to its original form.

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 152 of the *Strata Schemes Management Act (2015)*, must advise the Owners Corporation in writing giving 14 days' notice of their 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 Strata Committee may receive this advice and if satisfied, advise the lot owner that they acknowledge receipt of the notice and have no objections to the proposed alterations.

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.

PART A**APPLICATION****APPLICANT**

Please complete details within the form contained

Family name / Company name

Given names

Contact person (company)

Postal address

Post code

Telephone / Email

(H)

(W)

(M)

(E)

Strata Plan / DP No.

SP / DP #

Lot No.

**SITE COMPLEX |
COMPLEX
DETAILS****PART B****RENOVATION WORKS****DESCRIPTION
OF
RENOVATIONS**

So as not to cause delays in your application, please provide as much detail as possible of the proposed renovation/works.

Alteration Addition to the exterior of the lot/building Erection of structure or plant item Demolition Removing Wall Other Description of proposed renovations/works (*please attach letter/e-mail as applicable*)

ESTIMATED COST OF THE WORKS

The estimated costs to include all labour, materials and other associated costs of the proposed renovation/works

\$ Estimated costs of the works

Name of the builder / contractor carry out the works

Attach builders licence Attach builders insurance

Attach plans, specifications, drawings

Qualifications

Duration and time of work

Arrangements to manage any resulting rubbish and debris

PLANS AND SPECIFICATIONS

Attach any applicable plans, specifications and drawings of the proposed renovation/works

PART C DECLARATION

DECLARATION

This section must be signed and dated

The checklist is to be provided and submitted with your application. Should the checklist not be provided and associated documentation not be provided, the owners corporation will not be able to consider your request.

I hereby apply for approval for renovations to be carried out to my Lot, and hereby attached the completed Checklist for and associated documentation for the approval of the Owners Corporation.

I understand that should the information hereby contained be incomplete the application will be returned by the Owners Corporation. It is acknowledged that if the application and associated information provided is misleading, any approval granted may be deemed void.

Signature(s): Dated: / /

PART D APPLICATION CHECKLIST		APPLICANT		OFFICE USE		
		YES	N/A	YES	NO	N/A
<input type="checkbox"/>	Completed application form Original to be provided	<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 ceilings 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 (original attached) The original DA application to be provided to council is to be completed and provided (as necessary), inclusive of all supporting documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Architectural integrity (evidence attached) In accordance with the Strata Schemes Management Act (2015) all external works must 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) In accordance with the Strata Schemes Management Act (2015) 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 the 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 and air conditioner terms and conditions attached) Air conditioners, ventilations or associated ducting shall not be installed, modified or removed without the written approval of the owners corporation. All details including manufacturers noise ratings, compressor size and location of plant and fittings must be supplied, along with the air conditioner terms and conditions form.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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 licenced tradesperson to the standards of relevant authorities (evidence attached) ✓ Installation or replacement of hot water service, must have overflow trays and drains installed in accordance with Australian Standards ✓ Installation or replacement of quick shutting (quarter turn, lever action or similar) taps to be fitted with water hammer arrestors on both hot and cold-water lines. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<ul style="list-style-type: none"> ✓ All wet areas are to be sealed in accordance with the Building Code of Australia. ✓ 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 at the cost to the owner/applicant. 		
<input type="checkbox"/>	<p>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.</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	<p>Estimated start and finish dates The applicant is to provide details of the estimated start and finish dates, as well as time in terms of number of weeks to complete the proposed renovations.</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	<p>Common Property Rights By-Law In the event that any changes are to be made to the common property, the applicant must draft (or arrange for a property or strata law specialist) to draft a common property rights by-law for consideration by the Owners Corporation at a general meeting.</p> <p>Approval for such must be done via a special resolution of the Owners Corporation. In the event that approval is granted by the Owners Corporation at the general meeting, works cannot commence until the by-law is registered with the Land and Property Information (NSW).</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

PART E INDEMNITY

The applicant hereby indemnifies the owners corporation against:

- 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

Signature(s):

Dated: / /

PART F APPROVAL OF THE OWNERS CORPORATION

This section is to be completed by the owners corporation or their authorised representative

Approval is subject to the owners corporation passing a minuted resolution, either via a Strata Committee Meeting or via a General Meeting. Any approval that requires the holding of a General Meeting and/or a restricted matter, cannot be resolved or approved by the Strata Committee.

Pending what type of approval is required, the lead time may vary from 1 week to several weeks.

If approval is granted by the Owners Corporation, four (4) weeks prior to commencement, you must write to the Strata Committee and the owners corporation’s strata managing agents (Dynamic Property Services), to advise of the proposed start date of the works.

You must:

- 1. Advise of the proposed start and finish dates;
- 2. Where it is proposed to store any items and materials (requires consent from the Owners Corporation);
- 3. Allow access to the Strata Committee as required while the works are being carried out.

Ten (10) days prior to works commencing, notice shall be provided to all occupants at the building by providing a written notice to be placed in their letterbox and a copy to be placed on the Owners Corporations notice board, where applicable. The notice must include the following:

- 1. A summary of the works;
- 2. The applicants name and telephone contact details; and
- 3. Council’s approved hours of work.

OWNERS CORPORATION NOTIFICATION

OPPUPANTS NOTIFICATION

COMPLIANCE

COMMON PROPERTY

PARKING

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.

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.

Tradespersons and contractors are not permitted at any time to park on common property, unless there has been prior approval granted by the owners corporation.

USE OF LIFTS (AS APPLICABLE)

In the event that it is intended to use the owners corporations lift, where applicable, 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 Corporations 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 bin to be located on common property to assist with waste disposal. Such requests must be made in advance of works proceeding.

VARIATIONS

The applicant must advise the owners corporation in writing in advance, of any proposed variations to the approved application, design and/or plans. The applicant must receive approval from the Owners Corporation in advance of any works commencing.

COMPLIANCE

The applicant is responsible for ensuring that all common areas, including car parks, passageways, foyers, staircases, lifts etc. are 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.

Signature(s):

Dated: / /

