

Building work and renovation request

Lot owner application form

This form has been designed to assist you in navigating the application and approval process when seeking authority to undertake renovations or additions to your lot. This might include the installation of solar panels, electric vehicle (EV) chargers, or air conditioners on common property.

Your committee will review the application and all associated plans, diagrams, specifications, etc., including the checklist provided. Please submit the completed form to the committee and copy our office, providing adequate information to help ensure the assessment process is completed as efficiently and accurately as possible.

This form covers:

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Please note:

The information provided in the form is general in nature and is intended to help you understand the principles for processing applications for building or renovation works in an owners corporation property. Each scheme's approval process will vary slightly. Please always refer to your plan's by-laws, rules or other governance documents in conjunction with the information provided in this form.

1. What is common property vs your lot?

Lot

A lot is a part of land, buildings and airspace on a plan of subdivision that can be separately owned and sold. It also includes the areas that owners are responsible for and the portion of expenses they are obliged to pay.

Technically, individual lots are those parts of land, building or airspace that are not common property, road or a reserve, and include accessory lots such as car spaces, storage bays, and storerooms.

Common property

Common property includes any parts of the land, buildings and airspace that are not lots on the plan of subdivision. It may include gardens, passages, walls, pathways, driveways, stairs, lifts, foyers and fences.

The common property is collectively owned by the lot owners as tenants-in-common. Floor coverings and fixtures within a lot are usually the property of the lot owner.

2. When is approval required for lot owner building works or renovations?

Maintenance or renovation work affecting the internal appearance of lots

As the owner of your lot, you are entitled to renovate or refurbish the interior of your apartment or unit. However, you must notify your owners corporation if the renovations require a building or planning permit or if the works affect common property or other lot owners' or occupiers' enjoyment of the common property.

Factors affecting other lot owners could come from noise during renovations, alterations to common services, building materials or debris on common property and parking by contractors.

A copy of the notices can be found on the Consumer Affairs Victoria website.

Maintenance or renovation work affecting the external appearance of lots

An owner or occupier of a lot must obtain the written approval of the owners corporation before making any changes to the external appearance of their lot.

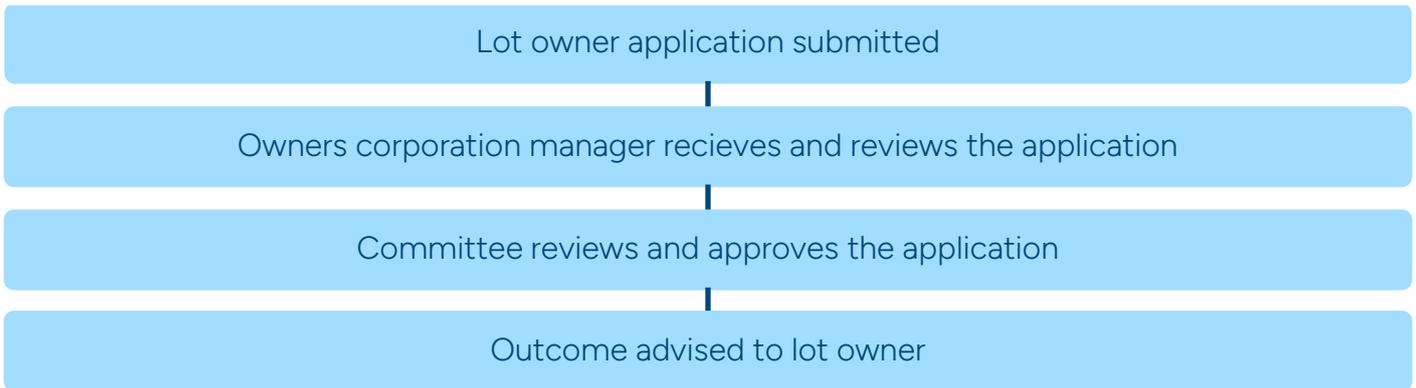
An owners corporation cannot unreasonably withhold approval but may approve subject to reasonable conditions to protect the quiet enjoyment of other lot owners, structural integrity or the value of other lots and common property.

Maintenance or renovation work affecting common property

Model rule 4.3 in the Owners Corporation Regulations 2018 states that an owner or occupier of a lot must not damage or alter common property or a structure that forms part of the common property.

Therefore, work that may alter common areas would require written approval from the owners corporation before going ahead. The most common example is the installation of air conditioning, which usually requires a compressor and pipes to be fitted to the exterior of the building and may require drilling into the wall.

3. The application and approval process



Further information and tips regarding renovations in owners corporation schemes can be accessed via the PICA Group website article library.

4. Important things to consider

Depending on the extent and nature of the works proposed, lot owners should consider the following key points when planning to undertake a renovation within their property:

- The works should be carried out by a licensed tradesperson. As the lot owner, you are responsible for providing the relevant details so that necessary checks can be made.
- Your tradesperson should be adequately insured, including public liability.
- You may need a development application (DA) approval from your local council for any layout changes or new construction. Approval of the owners corporation must be included with your council application.
- If your building is heritage-listed, it may require different approvals. Please investigate this before starting the application process.
- Consider ways to minimise disturbance to other residents and avoid damage to common property. For example:
 - i. Transportation of all construction materials, equipment, debris, and other materials will need to be considered and managed.
 - ii. Protecting the common property areas outside of your lot from damage caused by the transportation of construction materials, equipment, and debris in a manner reasonably acceptable by the owners corporation plan.
 - iii. Ensure all areas of the building outside of the lot are kept clean and tidy during the work.
 - iv. Make sure the contractors understand and abide by any agreed work hours specified by the local council and or imposed by the owners corporation plan under the terms of any by-laws.
 - v. If the work is likely to create noise that could cause discomfort, disturbance, or interfere with the activities of any other building resident, it's important to communicate with your neighbours and residents early. Let them know what type of disruption they might experience and how long it may last.

5. Checklist

Review the obligations laid out in your building rules.

You may need to apply for certain types of renovations. If you don't have a copy of your building rules, you can request this from your owners corporation manager. If needed, speak to your owners corporation about interpreting your building rules.

Determine whether the renovation will alter just your lot or parts of the common property.

This Victorian Government website may help you in determining this:

<https://www.land.vic.gov.au/land-registration/for-professionals/owners-corporations>

Request approval before commencing your renovation, if required.

If your improvements will alter common property and your lot, you must request approval for both aspects via an application form. Please request this form from your owners corporation manager and return it with a copy of your 'builders plans' showing how the works may affect any utilities (e.g. gas, electricity, water, waste, etc.). You may also need to include the relevant approved council development documentation if applicable.

Keep your owners corporation committee informed of your plans.

Even if your building rules do not state you must get approval for the works, it is best practice to notify your committee know out of courtesy.

Be considerate to other owners regarding noise levels and disruption during the renovation.

This may also be regulated by your building rules and local council laws, particularly in terms of the times of day the works can be carried out.