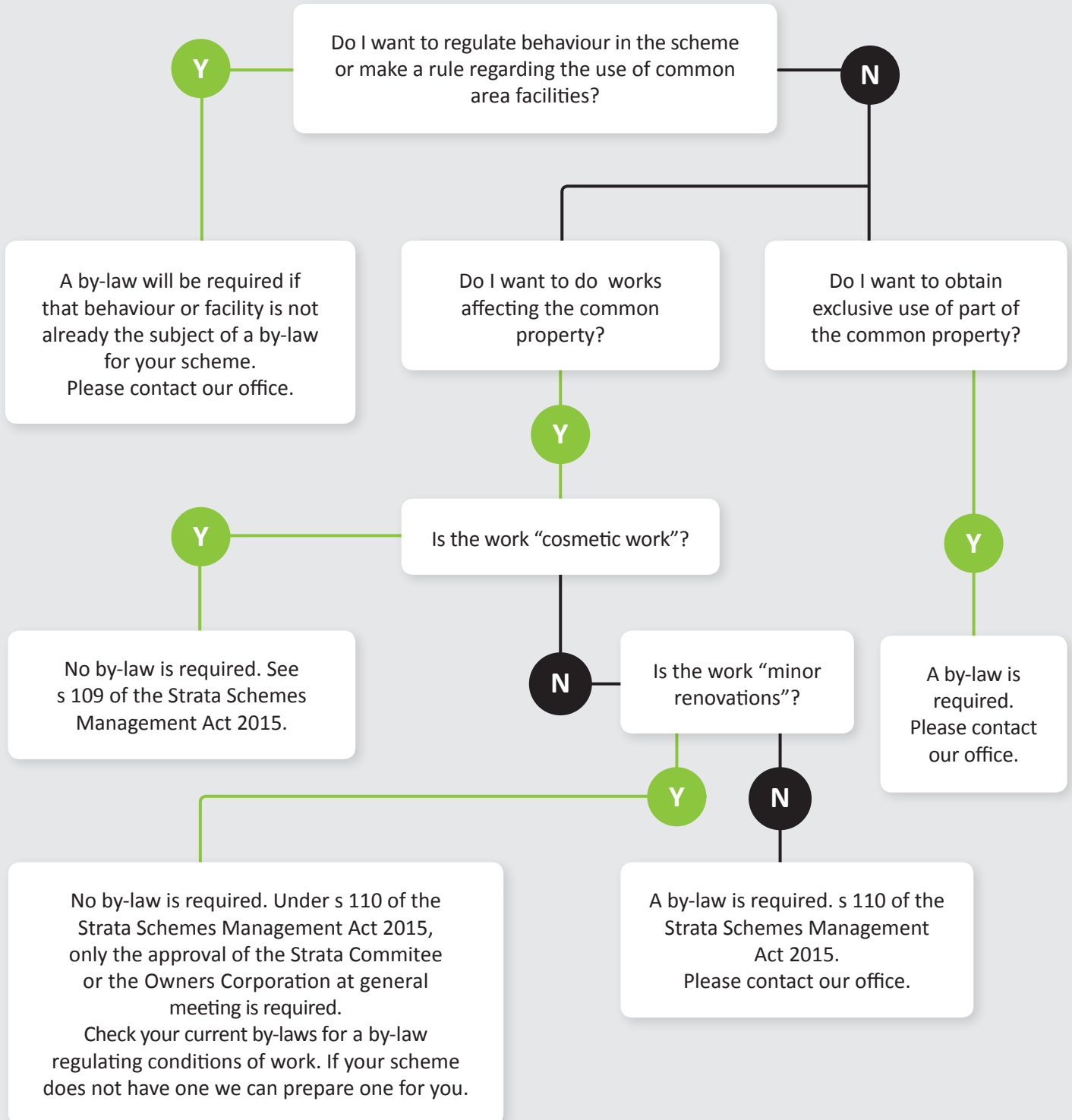


DO I NEED A BY-LAW?



KERIN BENSON LAWYERS

The Strata Schemes Management Act 2015 and the Regulations regulate what is and is not “cosmetic works” and “minor renovations”. The relevant sections are set out below.

COSMETIC WORKS

Section 109(2) states:

“Cosmetic work” includes but is not limited to work for the following purposes:

- (a) installing or replacing hooks, nails or screws for hanging paintings and other things on walls,
- (b) installing or replacing handrails,
- (c) painting,
- (d) filling minor holes and cracks in internal walls,
- (e) laying carpet,
- (f) installing or replacing built-in wardrobes,
- (g) installing or replacing internal blinds and curtains,
- (h) any other work prescribed by the regulations for the purposes of this subsection.

The Regulations do not currently prescribe any other works under this subsection.

MINOR RENOVATIONS

Section 110(3) states:

“Minor renovations” include but are not limited to work for the purposes of the following:

- (a) renovating a kitchen,
- (b) changing recessed light fittings,
- (c) installing or replacing wood or other hard floors,
- (d) installing or replacing wiring or cabling or power or access points,
- (e) work involving reconfiguring walls,
- (f) any other work prescribed by the regulations for the purposes of this subsection.

The Regulations at clause 28 state:

Work for the following purposes is prescribed as minor renovations for the purposes of section 110 (3) of the Act:

- (a) removing carpet or other soft floor coverings to expose underlying wooden or other hard floors,
- (b) installing a rainwater tank,
- (c) installing a clothesline,
- (d) installing a reverse cycle split system air conditioner,
- (e) installing double or triple glazed windows,
- (f) installing a heat pump,
- (g) installing ceiling insulation.

OTHER WORKS

Section 110(7) has the effect that the following work is not a minor renovation and a by-law is required to approve it:

- (a) work that consists of cosmetic work for the purposes of section 109,
- (b) work involving structural changes,
- (c) work that changes the external appearance of a lot, including the installation of an external access ramp,
- (d) work involving waterproofing,
- (e) work for which consent or another approval is required under any other Act,
- (f) work that is authorised by a by-law made under this Part or a common property rights by-law,
- (g) any other work prescribed by the regulations for the purposes of this subsection.

The Regulations do not currently prescribe any other works under this subsection.