

COASTALSTRATA

WHO'S RESPONSIBLE GUIDE

A GUIDE TO COMMON PROPERTY

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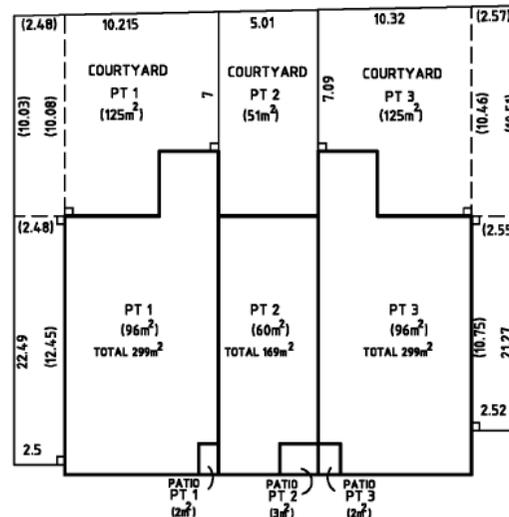
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A GUIDE TO COMMON PROPERTY

The owners corporation is responsible for looking after common property and doing all repairs.

Generally speaking, in most strata schemes, the lot owner owns the airspace and everything in it within the boundary of the unit. They don't own the main structure of the building. The owners corporation is responsible for the repair and maintenance of common property.

This guide provides a list of items found within a building that could generally be considered common property. However, depending on the history of the building, renovations and by-laws, determining what is and isn't common property is a complex matter. In most cases you will need to refer to the strata plan and by-laws to determine who is responsible for repairs and maintenance.



GROUND FLOOR

ALL AREAS ARE APPROXIMATE AND ARE MEASURED FOR STRATA PURPOSES ONLY.

THE DEPTH OF THE COURTYARDS EXTENDS TO 10 BELOW THE UPPER SURFACE OF THEIR RESPECTIVE UNITS ADJOINING GROUND FLOOR SLAB.

THE HEIGHT OF THE COURTYARD EXTENDS TO 10 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE UNITS ADJOINING GROUND FLOOR SLAB EXCEPT WHERE COVERED WITHIN THIS LIMIT.

ALL STRUCTURES WITHIN THE COURTYARDS AND PATIOS NOT SHOWN OR REFERRED TO IN THE PLAN FORM PART OF THEIR RESPECTIVE LOT WITH THE EXCEPTION OF COMMON SERVICES.

ALL EXTERNAL WATER HEATERS AND RAINWATER TANKS IN COURTYARDS ARE PART OF THEIR RESPECTIVE LOTS AND ARE NOT COMMON PROPERTY.

ANY SERVICE LINE WITHIN ONE LOT SERVICING ANOTHER LOT IS COMMON PROPERTY.

ALL PATIOS ARE COVERED.

ALL BRICK, TIMBER AND METAL FENCES FORMING COURTYARD BOUNDARIES ARE COMMON PROPERTY.

HOW TO USE THIS GUIDE

This guide outlines which building elements are part of the lot and which are common property. It is general in nature and is not tailored to your specific strata scheme.

Who's Responsible? The owner (O) or the owners corporation (OC).

INTERIOR

Floors

Item	Who's responsible O / OC		Notes
Floor coverings (floor boards, floating timber floors, carpet, linoleum)	O	OC	<p>Floating timber floors, carpets and linoleum within a unit are considered the owner's responsibility as they are not fixed to the floor.</p> <p>The owners corporation repairs and maintains carpets and floor surfaces in the common areas such as stairwells or hallways.</p> <p>Floor boards that were installed prior to registration of the strata plan would be considered the responsibility of the owners corporation.</p>
Floor and wall tiles	O	OC	Original tiles on the floor and the boundary walls are the owners corporation's responsibility. Tiles on internal walls are the owner's responsibility.
Skirting boards	O	OC	Skirting boards and architraves and the owner's responsibility unless situated on a common (boundary) wall.

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Walls

Item	Who's responsible O / OC		Notes
Gyprock / wall surfaces	O	OC	The owners corporation are responsible for the boundary walls. The owner must repair any walls within the lot.
Curtains / blinds / window coverings	O		Part of the lot and therefore the owner's responsibility.
Paintwork	O		Part of the lot and therefore the owner's responsibility.

Ceilings

Item	Who's responsible O / OC		Notes
Ceiling		OC	The owners corporation must repair anything in the ceiling
Cornices	O	OC	Cornices are generally the responsibility of the owners corporation unless they abut a false ceiling or are attached to an internal wall.
False ceilings	O	OC	If the false ceiling was installed on the registration of the strata plan and were there to hide communal piping, ducting or wiring etc then the owners corporation are responsible. Otherwise they are the owner's responsibility.
Light fittings	O	OC	If it is recessed in the ceiling, it is generally the owners corporation's responsibility. If it hangs into the lot, it is the owner's responsibility.
Paintwork	O		Part of the lot and therefore the owner's responsibility.

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Kitchen

Item	Who's responsible O / OC		Notes
Dishwasher / sink	O		Part of the lot and therefore the owner's responsibility.
Exhaust fans	O	OC	If it is inside the lot it is the owner's responsibility. If it is mounted within "Structural cubic space" e.g. communal ducting or a false ceiling which is designed to carry communal pipes etc or outside the lot, then it is the responsibility of the owners corporation.
Floor and wall tiles	O	OC	Original tiles on boundary walls and the floor are the owners corporation's responsibility. Tiles on internal walls are the owner's responsibility.
Kitchen cupboards	O		Part of the lot and therefore the owner's responsibility.
Oven / stove top	O		Part of the lot and therefore the owner's responsibility.

Bathroom

Item	Who's responsible O / OC		Notes
Bath	O		Part of the lot and therefore the owner's responsibility.
Bathroom cabinet and mirror	O		Part of the lot and therefore the owner's responsibility.
Exhaust fans	O	OC	If it is inside the lot it is the owner's responsibility. If it is mounted within "Structural cubic space" e.g. communal ducting or a false ceiling which is designed to carry communal pipes etc or outside the lot, then it is the responsibility of the Owners Corporation.
Hot water service (servicing only one unit)	O		Part of the lot and therefore the owner's responsibility.

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Hot water service (servicing more than one unit)		OC	If a hot water service is common (services more than one unit) it is deemed common property.
Plumbing	O	OC	Any pipe, cable, ducting, plug or the like that is for the exclusive use of the lot, then if it breaks: <ul style="list-style-type: none"> • Within the lot – owner's responsibility • Outside the lot or in a wall, floor or ceiling that abuts to either common property or another lot – owners corporation's responsibility.
Shower screen / head / taps	O		Part of the lot and therefore the owner's responsibility.
Toilet bowl / cistern	O		Part of the lot and therefore the owner's responsibility.
Water leaking from shower	O	OC	If a leak is occurring through the floor or a common property (boundary wall of the unit) the owners corporation are responsible to repair the leak. If a leak is occurring through an internal wall the owner is responsible.

Electrical

Item	Who's responsible O / OC		Notes
Air conditioning systems	O	OC	Air conditioners that service only 1 lot are generally deemed the owner's responsibility. If an air conditioner is communal (services more than unit 1) it is deemed common property.
Exhaust fans	O	OC	If it is inside the lot it is the owner's responsibility. If it is mounted within "Structural cubic space" e.g. communal ducting or a false ceiling which is designed to carry communal pipes etc or outside the lot, then it is the responsibility of the owners corporation
Intercom handset		OC	As intercom handsets are part of an integrated system and a faulty handset can affect the overall workings of the intercom system, handsets are deemed to be an owners corporation responsibility regardless of whether they are mounted entirely within the airspace of a lot.

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Light and power wiring	O	OC	Any pipe, cable, ducting, plug or the like that is for the exclusive use of the lot, then if it breaks: <ul style="list-style-type: none"> • Within the lot – owner's responsibility • Outside the lot or in a wall, floor or ceiling that abuts to either common property or another lot – owners corporation's responsibility.
Light switches	O		Part of the lot and therefore the owner's responsibility.
Light fittings	O	OC	If it is recessed in the ceiling, it is generally the owners corporation's responsibility. If it hangs into the lot, it is the owner's responsibility.
Smoke detectors	O	OC	If the smoke detectors are stand alone and are not connected to a fire board in the building then they are owner's responsibility, otherwise they are common property.
Telephone socket	O		Part of the lot and therefore the owner's responsibility.

EXTERIOR

Roof / Walls

Item	Who's responsible O / OC		Notes
Roof surface (tiles / colorbond sheets etc)		OC	The roof structure is common property.
Guttering & downpipes		OC	Even though gutters and downpipes may be within the boundaries of a strata lot (eg: attached to a wall within a courtyard or balcony of a lot) the down pipes and attached drainage pipes are structural cubic space as they service the roof and gutters which are common property.
Skylights	O	OC	If a skylight was installed prior to the strata plan being established then it is common property.

Windows

Item	Who's responsible O / OC		Notes
Flyscreens	O	OC	If not installed on the registration of the strata plan then the owners corporation are not required to install them.
Locks	O	OC	If they were there on the registration of the strata plan, then they are the responsibility of the owners corporation.

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Balcony / Patio / Verandah

Item	Who's responsible O / OC		Notes
Balcony door	O	OC	For strata plans registered before 1/07/1973 The balcony door is considered part of the lot making the owner responsible. For strata plans registered after 30/06/1973 The balcony door is considered common property.
Balustrades / railings		OC	Balcony balustrades / railings are common property.
Paint on balcony ceiling	O	OC	It is nearly always the responsibility of the owner. However, the owners corporation will normally include the painting of this area when the whole building is repainted.

Car parking

Item	Who's responsible O / OC		Notes
Carports	O	OC	If installed on the registration of the strata plan then the owners corporation is responsible.
Light fittings	O	OC	In the situation where the light fitting is in a carport or garage of a lot but is connected to communal power, the responsibility to maintain it still falls with the owner of the lot except where the light fitting is installed to also illuminate other areas within the scheme.
Garage door motor	O	OC	If they were there on the registration of the strata plan, then they are the responsibility of the owners corporation. However, if they were installed after by the owner, then they are the owner's responsibility.
Garage doors	O	OC	Normally always owners corporation's responsibility to maintain, this includes the spring and hinge mechanisms unless they were installed by the owner under an exclusive use by-law

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Courtyard

Item	Who's responsible O / OC		Notes
Deck, pergola / steps	O	OC	<p>Most balconies, courtyards or garden areas attached to a lot have their vertical boundaries defined on the strata plan.</p> <p>E.g. The stratum of the courtyards are limited to a depth of 3 metres below and except where covered to a height of 10 metres above the concrete ground floor of its respective adjoining lot.</p> <p>Therefore anything within that area that is not shown on the strata plan as a thick black line and is for the exclusive use of the lot, they are the owner's responsibility to maintain which may include timber decking, awnings and pavers.</p>
Fencing	O	OC	<p>If they are shown as a thick line on the strata plan then they are deemed a common wall and the responsibility of the owners corporation. However, if they are shown as a thin, dotted or no line on the strata plan then they are treated in accordance with the Dividing Fences Act and are treated as follows:</p> <ol style="list-style-type: none"> 1. Divides two lots. Each owner is responsible 50/50 2. Divides one lot from common property. The owner is responsible 50% & the owners corporation is responsible 50% 3. Divides one lot from the adjoining property. The owners corporation are responsible for 100% of its share.
Tree trimming / removal	O		<p>A tree growing in a courtyard is deemed to belong to the owner and they are responsible for all pruning, removal or damage caused from the tree irrespective of whether some of the branches extend beyond that lot.</p>
Rain water tanks	O		<p>Part of the lot and therefore the owner's responsibility.</p>