

“Who’s Responsible” A Guide to Common Property

INTRODUCTION

Definition of Common Property under Unit Titles Act 2001

- Common Property is identified on the Units Plan and is all areas of the land and buildings outside the boundaries of the units.

Definitions of A and B Class under Unit Titles Act 2001

- An A Class unit has boundaries defined by reference to floors, walls and ceilings of the building.
- The boundary of an A Class unit is midway between the walls, floors and ceilings of the unit.
- A B Class unit has boundaries unlimited by height unless there is an encroachment above or below ground level by another part of the parcel. This means that a B class unit is a piece of land identified in the Units Plan upon which buildings e.g. townhouse/garage/carports have been erected.
- The boundary of a unit subsidiary lies along the center of the wall. Everything outside that central line is common property.

Responsibility for Repair and Maintenance

- The Owners Corporation is responsible for repair and maintenance of common property.
- The Owners Corporation is also responsible for repair and maintenance of load bearing structures and balconies in buildings containing A Class unit.
- Unit owners are otherwise responsible for repair and maintenance of their unit.

How to Use this Publication

The tables on the following pages provide a general list of who is responsible for repairs and maintenance – the Owner (Owner) or Owners Corporation (OC).

It also gives assistance in regard to what is considered to be an insurable event. It should be noted, of course, that an insurable event is determined by the insurance policy held by the Owners Corporation.

Additional information on each item can be found in Appendices 1 and 2.

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TABLE OF RESPONSIBILITY

Type	Item	Responsibility		Add. Information	
		A Class	B Class	App. 1	App. 2
Balcony	Door flyscreens/security door	Owner	Owner	20	2
Balcony	Door, window & wall	Owner/OC	Owner	20	2
Balcony	Painting of balcony ceiling	Owner	Owner	21	2
Balcony	Railings	OC	Owner	20	2
Balcony	Awnings	Owner/OC	Owner	39	2
Balcony	Water pooling not draining away	Owner/OC	Owner	20/30	2 & 6
Balcony	Shade sails	Owner/OC	Owner	39	1 & 2
Balcony	Satellite dishes	Owner	Owner	2	2 or 7
Balcony	TV aerial	Owner	Owner	2	2 or 7
Balcony	Signs	Owner	Owner	43	2 & 3
Balcony	Tiles	Owner/OC	Owner	29	2
Balcony	Water leaking through external wall	OC	Owner	20	2 & 5
Bathroom	Bathroom cabinet &/or mirror	Owner	Owner	32	2
Bathroom	Blocked floor drain	Owner	Owner	1 & 35	4 & 6
Bathroom	Burst pipe general	Owner/OC	Owner	8	4, 5, 6
Bathroom	Cracked bath/hand basin	Owner	Owner	32	2
Bathroom	Dripping "S" bend under sink	Owner	Owner	1	4
Bathroom	Ducting covering stack	Owner	Owner	1	4
Bathroom	Exhaust fans	Owner/OC	Owner	6	2
Bathroom	Hot water service - exclusive to an individual unit	Owner	Owner	31	2
Bathroom	Leaking pipes under sink	Owner	Owner	1	4, 5, 6
Bathroom	Main stop cock to unit	Owner/OC	Owner	1	4
Bathroom	Plug and waste in bath	Owner	Owner	9	4, 6
Bathroom	Shower Screen repairs	Owner	Owner	32	2
Bathroom	Toilet bowl	Owner	Owner	32	2
Bathroom	Toilet cistern	Owner	Owner	32	2
Bathroom	Underfloor heating	Owner	Owner	26	2
Bathroom	Water leaking from bath	Owner/OC	Owner	12 & 30	4, 5, 6
Bathroom	Water leaking from shower	Owner/OC	Owner	12 & 30	4, 5, 6
Bathroom	Water leaking from shower taps	Owner	Owner	32	4
Bathroom	Water leaking through tiles	Owner/OC	Owner	11, 12 & 30	4, 5, 6
Ceilings/Roof	Ceiling cornices	Owner	Owner	28	1
Ceilings/Roof	Exhaust fans	Owner/OC	Owner	6	2
Ceilings/Roof	False ceilings	Owner	Owner	24	1
Ceilings/Roof	Membranes	Owner/OC	Owner	30	4, 5, 6
Ceilings/Roof	Plastered ceilings	Owner	Owner	13, 24	1
Ceilings/Roof	Insulation	Owner/OC	Owner	24	2
Ceilings/Roof	Guttering on building	OC	Owner	24 & 44	2
Ceilings/Roof	Satellite dishes	Owner/OC	Owner/OC	2	2
Ceilings/Roof	Solar collectors for HWS, power or pools	Owner/OC	Owner/OC	45	2 or 7
Ceilings/Roof	Ridge capping repair	OC	Owner	44	2
Ceilings/Roof	Lead flashing repair roof	OC	Owner	44	2

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Type	Item	Responsibility		Add. Information	
		A Class	B Class	App. 1	App. 2
Ceilings/Roof	TV aerial	Owner/OC	Owner	2	2 or 7
Ceilings/Roof	Vermiculite ceilings	Owner	Owner	24	1
Courtyard	Fencing/courtyard walls	Owner/OC	Owner/OC	16	1 or 3
Courtyard	Pavers	Owner	Owner	18	3
Courtyard	Rainwater/grey water reuse systems	Owner/OC	Owner/OC	42	3 or 7
Courtyard	Tree trimming/removal	Owner	Owner	18	4, 3 or 5
Courtyard	Planter boxes	Owner	Owner	36/18	3, 4, or 5
Courtyard	Satellite Dishes	Owner	Owner	2	2 or 7
Courtyard	Solar collectors for HWS, power or pools	Owner	Owner	45	2 or 7
Courtyard	Shade sails	Owner/OC	Owner	39	2 or 7
Courtyard	Deck, pergola or steps	Owner	Owner	18	2
Electrical	Air-conditioning systems - fixed	Owner/OC	Owner	7	2
Electrical	Air-conditioning systems - portable	Owner	Owner	7	7
Electrical	Electric garage door opener	Owner/OC	Owner/OC	15	1 & 4
Electrical	Exhaust fans	Owner/OC	Owner	6	2
Electrical	Fuses	Owner	Owner/OC	4	2
Electrical	Meters for services	Owner/OC	Owner/OC	4	2
Electrical	Hot water service - exclusive to unit	Owner	Owner	31	2 & 5
Electrical	Hot water services - communal	OC	N/A	31	2 & 5
Electrical	Insinkerators	Owner	Owner	32	2
Electrical	Intercom handset	Owner/OC	Owner/OC	33	2
Electrical	Intercom wiring	Owner/OC	Owner/OC	1	2
Electrical	Door buzzer	Owner/OC	Owner	33	2
Electrical	Light & power wiring	Owner/OC	Owner/OC	1	2
Electrical	Light fittings	Owner/OC	Owner/OC	5	7
Electrical	Light switches	Owner/OC	Owner/OC	1	2
Electrical	Power point socket	Owner/OC	Owner/OC	1	2
Electrical	Smoke detectors	Owner/OC	Owner/OC	3	2
Electrical	Underfloor heating	Owner/OC	Owner	26	2
Electrical	Stoves	Owner	Owner	32	2
Electrical	Telephone (additional wiring required)	Owner/OC	Owner/OC	2	2
Electrical	Telephone sockets	Owner	Owner	2	2
Electrical	Telephone wiring broken	Owner/OC	Owner/OC	2	2
Electrical	Neon signs	Owner/OC	Owner/OC	43	2 & 3
Electrical	TV (Foxtel wiring required)	Owner/OC	Owner/OC	2	2
Electrical	TV aerial	Owner/OC	Owner/OC	2	2 or 7
Electrical	Satellite dishes	Owner/OC	Owner/OC	2	2 or 7
Electrical	TV cabling	Owner/OC	Owner/OC	1	2
Electrical	TV socket	Owner/OC	Owner/OC	1	2
Entrance Door	Door locks	Owner/OC	Owner	19	2
Entrance Door	Entrance door automatic closer	OC	Owner/OC	34	2
Entrance Door	Entrance door to unit	Owner/OC	Owner	23	2
Entrance Door	Intercom handset	Owner/OC	Owner/OC	33	2
Entrance Door	Door buzzer	Owner/OC	Owner/OC	33	2

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Type	Item	Responsibility		Add. Information	
		A Class	B Class	App. 1	App. 2
Entrance Door	Keys, security cards etc.	Owner	Owner	15,19	4
Entrance Door	Peak hole	Owner	Owner	23	2
Entrance Door	Fire doors	Owner/OC	Owner	23	2
Entrance Door	Security & fly screen doors	Owner/OC	Owner	23	2
Entrance Door	Security door repair	Owner/OC	Owner	23	2
Floor	Blocked floor drain	Owner/OC	Owner	35	4
Floor	Floor & wall tiles	Owner	Owner	25,26,29	2
Floor	Floorboards/parquetry/floating floor	Owner	Owner	26	2
Floor	Cracked concrete floor	Owner/OC	Owner	20,26	2
Floor	Internal carpet	Owner	Owner	26	7
Floor	Lino/vinyl/cork tiles	Owner	Owner	26	2
Floor	Skirting boards & architraves	Owner	Owner	22,23,26	2
Floor	Mezzanines within lots	Owner	Owner	26	2
Floor	Underfloor heating	Owner	Owner	26	2
Floor	Magnesite floor base	Owner	Owner	26	2
Floor	Pavers	Owner/OC	Owner	18	3
Garden	Retaining walls	Owner/OC	Owner/OC	36,18	3
Garden	Pavers	Owner/OC	Owner/OC	18, 36	3
Garden	Irrigation system	Owner/OC	Owner/OC	1, 2	3
Garden	Pathways	Owner/OC	Owner/OC	36,18	3
Garden	Planter boxes	Owner/OC	Owner/OC	36,18	3
Garden	Swimming pool	Owner/OC	Owner/OC	38	3
Garden	On site detention systems	OC	Owner/OC	42	3
Garden	Rainwater/grey water reuse systems	Owner/OC	Owner/OC	42	3 or 7
Garden	Pond/water feature	Owner/OC	Owner/OC	38	3
Garden	Annual check on backflow device	OC	Owner/OC	38	4
Garden	Solar collectors for HWS, power or pools	Owner/OC	Owner/OC	45	2 or 7
Garden	Signs	Owner/OC	Owner/OC	43	2 & 3
Garden	Shade sails	Owner/OC	Owner/OC	39	2
Garden	Plants/trees	Owner/OC	Owner/OC	36,18	3
Garden	Fences	Owner/OC	Owner/OC	16	3
General	Built-in wardrobes/cupboards	Owner	Owner	32	1
General	Cracks in walls	Owner/OC	Owner	23	4
General	Damage to common property by tenant	Owner	Owner	27	1
General	Ducting covering stack	Owner	Owner	1,8,35	4
General	Stairs in unit	Owner	Owner	32	2
General	Shutters/screening	Owner/OC	Owner	39	2
General	Internal doors	Owner	Owner	23	2
General	Keys, security cards etc.	Owner	Owner	15,19	4
General	Lifts with exclusive or restricted use	OC	N/A	41	2
General	Tree trimming/removal	Owner/OC	Owner/OC	18, 36	4
General	Columns within unit	Owner/OC	Owner	23	2
General	Window treatments	Owner/OC	Owner	22	7
General	Planter boxes	Owner/OC	Owner/OC	11,36,18	3

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Type	Item	Responsibility		Add. Information	
		A Class	B Class	App. 1	App. 2
General	Driveways	/OC	Owner/OC	40	3
General	Signs	Owner/OC	Owner/OC	43	2 & 3
General	Retaining walls	Owner/OC	Owner/OC	36,18	3
General	Turntables	OC	OC	40	3
General	Conduit	Owner/OC	Owner/OC	1	2
General	Shade sails	Owner/OC	Owner/OC	39	2
General	Fencing/courtyard walls	Owner/OC	Owner/OC	16	1 or 3
General	Burst pipe general	Owner/OC	Owner/OC	1 & 8	5 & 6
General	Letter boxes	Owner/OC	Owner/OC	37	2
Kitchen	Burst pipe general	Owner/OC	Owner	1 & 8	5 & 6
Kitchen	Dishwasher	Owner	Owner	32	2
Kitchen	Dripping "S" bend under sink	Owner	Owner	1 & 8	5
Kitchen	Ducting covering stack	Owner	Owner	1,8,35	4
Kitchen	Exhaust fans	Owner	Owner	6	2
Kitchen	Floor & wall tiles	Owner	Owner	25 & 11	2
Kitchen	Hot water service exclusive to unit	Owner	Owner	31	2 & 5
Kitchen	Insinkerators	Owner	Owner	32	2
Kitchen	Benches, cabinets and joinery	Owner	Owner	32	2
Kitchen	Leaking pipes under sink	Owner	Owner	1 & 8	5 & 6
Kitchen	Lino/vinyl/cork tiles	Owner	Owner	26	2
Kitchen	Linoleum	Owner	Owner	26	7
Kitchen	Underfloor heating	Owner	Owner	26	2
Kitchen	Main stop cock to unit	Owner/OC	Owner	1	4
Kitchen	Stoves	Owner	Owner	32	2
Parking	Carports	Owner	Owner	14	1
Parking	Common property door control mechanism	OC	OC	15	4
Parking	Door hinge mechanism	Owner/OC	Owner/OC	14	2
Parking	Electric garage door opener	Owner/OC	Owner/OC	15	4
Parking	Garage door lock	Owner/OC	Owner/OC	14	2
Parking	Garage doors	Owner/OC	Owner/OC	14	2
Parking	Garage door auto opening mechanism	Owner/OC	Owner/OC	15	2
Parking	Garage door auto remotes	Owner	Owner	15	4 or 7
Parking	Cable gates/boom gate	OC	OC	14 & 15	2
Parking	Light fittings	OC	Owner/OC	5	2
Parking	Line marking	OC	OC	14	4
Parking	Turntables	OC	OC	40	3
Parking	Leaking suspended slab	OC	OC	36 & 17	2
Parking	Signs	Owner/OC	Owner/OC	43	2 & 3
Parking	Mesh between garages	Owner	Owner	14 & 16	2
Parking	Blocked floor drain	OC	Owner/OC	35	4
Parking	Water ingress into garage	OC	Owner/OC	17 & 8	4
Plumbing	Blocked floor drain	Owner/OC	Owner	35	4, 5 & 6
Plumbing	Blocked sewer	Owner/OC	Owner/OC	35	4, 5 & 6
Plumbing	Blocked stormwater	Owner/OC	Owner/OC	35	4, 5 & 6
Plumbing	Burst pipe general	Owner/OC	Owner/OC	8 & 35	4, 5 & 6
Plumbing	Damage to unit after water leak	Owner/OC	Owner	11 & 13	1, 5 & 6

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Type	Item	Responsibility		Add. Information	
		A Class	B Class	App. 1	App. 2
Plumbing	Dampness in a unit	Owner/OC	Owner	10 & 11	1
Plumbing	Dripping "S" bend under sink	Owner	Owner	1 & 8	4 & 5
Plumbing	Leaking pipes under sink	Owner	Owner	1 & 8	5 & 6
Plumbing	Stop cock to unit	Owner/OC	Owner	1	4
Plumbing	Main stop cock to development	OC	OC	1	4
Plumbing	Plug & waste in bath	Owner	Owner	9	4
Plumbing	Water hammer	Owner/OC	Owner/OC	1	4
Plumbing	Grease traps blocked	Owner	Owner	35	4
Plumbing	Back flow prevention device	Owner/OC	Owner/OC	38	3
Plumbing	Rising damp bottom of unit	OC	Owner	10 & 23	1
Plumbing	Toilet bowl	Owner	Owner	32	2
Plumbing	Toilet cistern	Owner	Owner	32	2
Plumbing	Burst hot water service	Owner/OC	Owner	31	2 & 5
Plumbing	Water ingress into garage	Owner/OC	Owner/OC	8, 17, 30	4 & 6
Plumbing	On site detention systems	OC	Owner/OC	42	3
Plumbing	Rainwater/grey water reuse systems	Owner/OC	Owner/OC	42	3
Plumbing	Water leaking from bath	Owner	Owner	11 & 12	4, 5 & 6
Plumbing	Water leaking from shower	Owner	Owner	11, 12 & 30	4, 5 & 6
Plumbing	Water leaking from shower taps	Owner	Owner	1	4
Plumbing	Water leaking through tiles	Owner/OC	Owner	25, 29 & 30	4, 5 & 6
Windows	Cleaning outside	Owner/OC	Owner	22	1
Windows	Flyscreen's/security screens	Owner/OC	Owner	22	2
Windows	Locks	Owner	Owner	22	2
Windows	Repairs	Owner/OC	Owner	22	2
Windows	Sash cord replacement	Owner	Owner	22	2
Windows	Window treatments	Owner	Owner	22	7
Windows	Signs	Owner	Owner	43	2 & 3
Windows	Awnings/shutters	Owner/OC	Owner	39	2
Windows	Seal to window	Owner/OC	Owner/	22	2
Windows	Privacy or sunscreen/louvres	Owner/OC	Owner	39	2

APPENDIX 1 – ADDITIONAL INFORMATION – REPAIRS

1	<p><i>Any pipe, cable, ducting, taps, conduit and light switches</i></p> <p>A & B Class</p> <ul style="list-style-type: none"> • Repairs to any pipe, cable, ducting or the like that is for the exclusive use of the unit, (i.e. branch line if it only benefits the unit) – Owner responsibility • Repairs to any pipe, cable, ducting or the like that is on the main or common line that services some or all units – OC responsibility • Stop cock to a unit – Owner responsibility • Main stop cock to development – OC responsibility • Taps inside the unit boundary – Owner responsibility • Taps on common property – OC responsibility (Unless individually approved) • Light switches inside the unit – Owner responsibility • Light switches on common property (i.e. stairwells, foyer, communal garages etc.) – OC responsibility • Power point inside the unit – Owner responsibility • Power point on common property – OC responsibility • Water hammer: <ul style="list-style-type: none"> - Installation of water hammer/washers to taps inside the unit – Owner responsibility - Installation of inhibitor valve to pipes inside the unit - Owner responsibility. - Installation of inhibitor valve to the main stop cock for the development – OC responsibility
2	<p><i>Telephone/Foxtel/TV aerials/Satellite dishes</i></p> <p>B Class</p> <ul style="list-style-type: none"> • Telephone cable to unit only – Owner responsibility • Telephone cable servicing all units – OC responsibility • Foxtel/TV aerials for individual unit – Owner responsibility • Foxtel/TV aerials installed on roof of joined townhouses and services all units – OC responsibility • Satellite dishes for individual unit – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • If telephone or Foxtel wiring is for the benefit of the unit only & not installed by the OC – Owner responsibility to install/repair • If telephone/Foxtel wiring is for the benefit of all owners &/or installed by the OC – OC responsibility • TV aerial installed into roof cavity by Owner – Owner responsibility • TV aerial installed on roof – communal for all units – OC responsibility • TV aerial installed on balcony by Owner – Owner responsibility (subject to OC consent) • Communal satellite dish installed on roof to service all units – OC responsibility • Satellite dish installed within unit boundary (i.e. courtyard, garden, balcony, roof space etc.) – Owner responsibility (subject to OC consent)
3	<p><i>Smoke detectors</i></p> <p>A & B Class</p> <ul style="list-style-type: none"> • If the smoke detectors are stand alone, installed in a unit – Owner responsibility • If the smoke detectors are on common property and/or not connected to a fire board in the building – OC responsibility

4	<p>Fuses</p> <p>B Class</p> <ul style="list-style-type: none"> • If the fuse board is within the unit boundary – Owner responsibility • Meter box could be located on a townhouse built within a unit boundary but services irrigation system – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • If the fuse board is within the unit boundary (i.e. services only that unit) – Owner responsibility • If the fuse switch is located on a mains board but only services 1 unit – Owner responsibility • If the fuse board is in the common property meter room but only services 1 unit – Owner responsibility • Meter box could be within a unit boundary but services irrigation system – OC responsibility <p><i>NOTE: Because the meter room is common property, the OC cannot prevent owners gaining access to it. However, it is not a requirement to give them a key. The OC should be made aware that if an owner obtains a key and electrocutes themselves, the OC could be held responsible. If damage occurs to the meters, the owner is responsible for the repair. They can get a key from ACTEWAGL.</i></p>
5	<p>Light fittings</p> <p>A & B Class</p> <ul style="list-style-type: none"> • Light fittings inside a unit and on balconies – Owner responsibility • Light fittings on common property – OC responsibility • Light fittings on common property but connected to the meter of a unit – OC responsibility • Light fittings installed on roof of basement garage, but comes within unit subsidiary – OC responsibility
6	<p>Exhaust fans</p> <p>B class</p> <ul style="list-style-type: none"> • If exhaust fans are installed inside the unit – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • If exhaust fans are installed inside the unit – Owner responsibility • If common exhaust fans are installed on common property (i.e. plant room, basement garage, cabana room, sauna room, internal pool room etc.) – OC responsibility • If unit exhaust fan is located on Common Property – Owner responsibility to obtain access and service as required • If commercial unit exhaust fan traverses common property to expel to exterior – Owner responsibility
7	<p>Air conditioners</p> <p>B Class</p> <ul style="list-style-type: none"> • Air conditioners that service the individual unit (i.e. split system internal unit inside the unit and external compressor on balcony or grounds of unit) – Owner responsibility • Portable air conditioners – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Air conditioners that service the individual unit (i.e. split system internal unit inside the unit & external compressor on balcony or common property wall,

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	<p>common property basement car parking area) – Owner responsibility unless resolved otherwise by article/OC</p> <ul style="list-style-type: none"> • Communal air conditioning systems/plant/cooling towers for the benefit of all units – OC responsibility • Portable air conditioners and dehumidifiers – Owner responsibility
8	<p>Burst pipes</p> <p>B Class</p> <ul style="list-style-type: none"> • Burst pipes on branch line which only benefit one unit – Owner responsibility • Burst pipes on main line which benefit all or some units – OC responsibility regardless of its location (could run through portion of the boundary of a unit) <p>A Class</p> <ul style="list-style-type: none"> • Burst pipes on branch line which only benefit one unit – Owner responsibility • Burst pipes on main line which benefits all or some units – OC responsibility
9	<p>Plug & waste in bath</p> <p>Plug and waste in bath is generally within the unit boundaries – Owner responsibility</p>
10	<p>Dampness/Condensation</p> <p>If dampness and condensation (e.g. mould) is occurring in a unit, it must be first determined where the water is coming from. If the dampness is coming from condensation from the inside – Owner responsibility</p> <p>Common causes of this are:</p> <ul style="list-style-type: none"> • Kitchen cooking • Use of clothes dryer • Sleeping in bedroom without opening window (the average person expels 400ml of water each night while sleeping) <p>In this case, mould is normally more virulent in the colder months and would normally occur on a southern wall or on flat concrete roof. The mould would occur on the surface of the paint with no paint lifting</p> <p>If the dampness was coming from outside, the paint would lift with white powder under the paint</p> <p>Common causes of this are:</p> <ul style="list-style-type: none"> • Damp course is covered by landscaping/mulch; • Problems with the window seals; • Leakage from water penetration windows, roof leaks, skylight; • Leakage from bathroom/kitchen/laundry in unit above; and • Overflow relief valve <p>B Class – Owner responsibility</p> <p>A Class</p> <ul style="list-style-type: none"> • Problems emanating from common property – OC responsibility • Problems emanating from another unit – at-fault unit owner’s responsibility • Overflow relief valve/internal problems identified above – Owner responsibility

	Resultant damage may be an insurable event and claimable under the OC insurance policy
11	<p>Water leakage</p> <p>B Class</p> <ul style="list-style-type: none"> Water leakage is Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> Tiles on the floor or walls inside the unit including tiles, grout and adhesive on the bathroom floor, bath and shower base – Owner responsibility (unless insurable event) However, if water is leaking due to issues with the wet seal or waterproof membrane e.g. under bath or shower recess – OC is responsible for repair of wet seal or waterproof membrane as it is considered a functional treatment that is practically integrated with the slab (a defined part) If water is leaking into a unit from another unit or common property, responsibility for internal repair rests with the at-fault unit owner or the OC depending on the cause of the leak. The resultant repair could be the subject of an insurance claim (i.e. water damage) If the tiles of a floor/wall need to be lifted to repair pipes, then the lifting and replacement of the tiles may be claimed under search & find under the OC insurance policy Water leakage from planter boxes – inside unit boundary – Owner responsibility Water leakage from planter boxes – common property (i.e. gardens, courtyards, foyer, entrance etc.) – OC responsibility
12	<p>Water proofing</p> <p>B Class</p> <ul style="list-style-type: none"> The tiles, grouting, adhesive and seal around the top of the bath and the shower recess is the Owner’s responsibility to maintain The plug & waste under the bath is within the unit boundaries and therefore is the Owner’s responsibility to maintain <p>A Class</p> <ul style="list-style-type: none"> The tiles, grouting adhesive and seal around the top of the bath and the shower recess is the Owner’s responsibility to maintain if water is leaking into the unit below However, the wet seal or waterproof membrane in the bathroom floor, under the bath/shower, whilst within the boundary of the unit, if applied directly to the slab is considered a functional treatment that is practically integrated with the slab (a defined part), and therefore, is OC responsibility If water leaks into the unit below, the at fault owner or OC (depending on the cause of the leak) is responsible to repair and maintain (i.e. OC would be required to replace wet seal or waterproof membrane)
13	<p>Owners Corporation causes damage during maintenance work</p> <p>If damage is caused to a unit owner’s property while the OC is undertaking a repair, the OC is responsible to fix the damaged property. However, if the cause of the damage to the unit (e.g. paintwork or plastered ceiling) was not made when the OC was fixing the problem, and instead was caused by the problem itself, then the OC is not responsible to make good the owner’s property unless the OC can be deemed to be liable in negligence or nuisance e.g.:</p> <ul style="list-style-type: none"> A burst occurs to a common pipe in a wall & the OC has to knock a hole in the wall to fix it. The OC is responsible to fix the hole and repaint the wall afterwards A burst occurs to a common pipe in a concrete slab. The OC repairs the leak, but water

	<p>stained the ceiling paintwork of the unit below. The OC is not responsible to repaint the ceiling (unless the OC had been on notice of the issue and had failed to repair in a timely manner) because it was not the fixing of the repair that caused the damage</p> <ul style="list-style-type: none"> • The OC had to remove a possum from the roof cavity of an A Class unit. As a result, damage occurred to the ceiling of the top unit -the OC is responsible to repair the damage to the plaster and repaint the ceiling • The OC, whilst repairing the common property driveway, damages cladding/paintwork external to a B Class unit – the OC is responsible for repairs to the cladding and repainting • Cladding in a B Class unit is damaged as the Owner arranged for repair of guttering – Owner responsibility
14	<p>Garages</p> <p>B Class</p> <ul style="list-style-type: none"> • Always Owner responsibility unless the garages or carports are common property • If common property and license between OC and unit owner is in place, then subject to terms of license – Owner responsibility • Basement carpark is common property – garage doors to underground car parking area – OC responsibility (includes hinge mechanisms, locks, automatic opening and closing, access card mechanisms etc.) • Cable gates/boom gates – OC responsibility • Line marking in parking areas – OC responsibility • Line marking in underground garage to divide individual unit subsidiaries – OC responsibility • Numbering of individual car parking spaces – OC responsibility • Mesh between parking spaces – Owner responsibility unless resolved otherwise <p>A Class</p> <ul style="list-style-type: none"> • Garage doors to underground car parking area – OC responsibility (includes hinge mechanisms, locks, automatic opening and closing, access card mechanisms etc.) • If individual garages in A Class development, door forms the common property (i.e. midway from the middle of the door to the external part of the door) – OC responsibility • Separate garages within an A class designated as owner – Owner responsibility • Carports in A Class development – OC responsibility, unless special privilege granted to unit owner • Cable gates/boom gates – OC responsibility • Line marking in parking areas – OC responsibility • Line marking in underground garage to divide individual unit subsidiaries – OC responsibility • Numbering of individual car parking spaces and storage cages – OC responsibility • Mesh between parking spaces – Owner responsibility unless resolved otherwise
15	<p>Garage doors - mechanisms/remotes</p> <p>B Class</p> <ul style="list-style-type: none"> • Mechanisms/remotes to garage doors – Owner responsibility • Individual cable gate/boom gate opener (remote, key card) – Owner responsibility • Underground garage (within unit boundary) – mechanisms/remotes – Owner responsibility • Common property underground garage (mechanisms) – OC responsibility • Common property underground garage (remotes) – Owner responsibility

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	<p>A Class</p> <ul style="list-style-type: none"> • OC responsible for common property mechanism • The individual electric garage door opener (remote, key card) – Owner responsibility • Individual cable gate/boom gate opener (remote, key card) – Owner responsibility
16	<p>Fences taken to be built on the boundary</p> <p>B Class</p> <ul style="list-style-type: none"> • Divides two units – 50/50 responsibility between each Owner • Divides a unit and common property – 50/50 Owner and OC responsibility (unless OC resolves otherwise) • Divides a unit and Territory land – Owner responsibility • Divides a unit and another property – 50/50 Owner and adjoining property owner responsibility • Divides common property and another property – 50/50 OC and adjoining property owner responsibility • Generally, OC agree that Owner will be responsible for fencing <p>A Class</p> <ul style="list-style-type: none"> • Divides two units (i.e. courtyard wall/fence) – 50/50 responsibility between each Owner • Divides a unit and common property (i.e. courtyard wall/fence) – 50/50 Owner and OC responsibility (boundary midway through wall) • Divides a unit and Territory land –Owner responsibility (reimbursement can be sought from local government) • Divides a unit and another property – 50/50 Owner and adjoining property owner responsibility • Divides common property and another property – 50/50 OC and adjoining property owner responsibility • In an A Class development, all of the above applies unless the OC has resolved otherwise • If the Units Plan has identified the walls/fences as purely common property, then the OC is responsible
17	<p>Waterproofing garage</p> <p>A garage by definition is not a livable area. It is therefore exempt from compliance with the waterproofing standards for habitable use, set by the Building Code of Australia, that it be impervious to water penetration</p> <p>Unless there is some damage to common property that is causing the water penetration, the OC is not responsible to ensure a garage area remains dry</p> <p>However, in an A Class development, the OC is responsible to stop water dripping on to a car and damaging the paintwork, and to prevent any other damage that may occur such as concrete cancer, major flooding etc. as a result</p>
18	<p>Courtyards/ Gardens</p> <p>B Class</p> <ul style="list-style-type: none"> • Courtyards and gardens are Owner responsibility • Further, a tree growing in a courtyard/garden is deemed to belong to the Owner and they are responsible for all pruning, removal or damage caused by the tree <p>A Class</p> <ul style="list-style-type: none"> • Most courtyards or garden areas attached to a unit are unit subsidiaries. Except for

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	<p>the boundary walls/fences, all maintenance inside the unit (i.e. timber decking, pavers, pergolas, landscaping, planter boxes etc.) is the responsibility of the Owner</p> <ul style="list-style-type: none"> • Further, 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 • Boundary walls and fences – 50/50 Owner and OC responsibility
19	<p>Door locks</p> <p>B Class</p> <ul style="list-style-type: none"> • Door locks are Owner responsibility within unit • Access door in underground shared carpark – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Unit doors, storage area (unit subsidiary), mailboxes, individual garage doors etc. – Owner responsibility • Common property doors (i.e. shared laundry doors, garage access doors, stairwell doors, entrance doors to building, common storage doors etc.) – OC responsibility
20	<p>Balcony</p> <p>B Class</p> <ul style="list-style-type: none"> • Repairs to balcony – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Balcony is a unit subsidiary (unless otherwise specified in Units Plan) • All parts of the balcony (wall, slab, drainage pipes and conduits, railings) – OC responsibility • Water leaking through wall lack of maintenance could jeopardize the structural integrity – OC responsibility to repair • Water pools/ponds on balcony and does not drain away, could jeopardize the structural integrity – OC responsibility to repair • If occupier overwaters plants on balcony – occupier must stop as continued overwatering can undermine the structural integrity – Owner responsibility • Painting – Owner responsibility (unless the OC resolves otherwise) • Gate/door (if it does not form part of the common property) – Owner responsibility • If tiles and other improvements to the balcony need to be updated – Owner responsibility • The windows/doors and working parts if they form part of the common property (i.e. external boundary where balcony meets building) then repair and maintenance – 50/50 Owner and OC responsibility • Fly screens/security doors – Owner responsibility (unless OC resolves otherwise) • Balcony drain maintenance – Owner responsibility
21	<p>Painting balcony ceiling</p> <p>B Class</p> <ul style="list-style-type: none"> • Painting is Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Painting is generally the responsibility of the Owner. However, the OC will normally include the painting of this area when the whole building gets repainted • If water damage occurs to the ceiling, then the repainting/repair could be the subject of an insurance claim under OC insurance policy • Repair and maintenance of any surface applied to the balcony ceiling – Owner responsibility (i.e. vermiculite, plaster, paint, timber etc.)

22	<p>Windows</p> <p>B Class</p> <ul style="list-style-type: none"> • Windows are Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • If a window forms part of the common property (i.e. boundary of the unit) then repair and maintenance – 50/50 Owner and OC responsibility (unless the OC resolves otherwise) • If window does not form boundary of unit – Owner responsibility <ul style="list-style-type: none"> - If window treatments are inside the boundary of the unit – Owner responsibility - If window treatments are on common property windows (i.e. entrance foyer, gym, library) – OC responsibility • All windows require replacement or double glazing – OC responsibility or may resolve 50/50 Owner and OC responsibility (if boundary of unit) [see 20] • Architraves: <ul style="list-style-type: none"> - Inside the unit boundary – Owner responsibility - External to the unit on common property/wall/entrance foyer/garage/communal laundry/cabana/gym/sauna/spa/pool room – OC responsibility • Fly screens/security screens – Owner responsibility (unless OC resolves otherwise) • Locks – Owner responsibility (unless OC resolves otherwise) • Sash cord replacement – Owner responsibility as it is inside the unit boundary and not located on common property
23	<p>Doors/Walls</p> <p>B Class</p> <ul style="list-style-type: none"> • Generally, Owner responsibility • Security door to communal basement garage – OC responsibility (if basement garage is common property) • Damp course – Owner responsibility • Columns within unit boundary – Owner responsibility • Columns in basement garage – OC responsibility (if basement garage is common property) <p>A Class</p> <ul style="list-style-type: none"> • Internal walls/doors – Owner responsibility • Peep holes – Owner responsibility (subject to OC consent) • Architraves – inside unit boundary/unit subsidiary – Owner responsibility • Outside unit on common property wall i.e. hallway – OC responsibility • Around entrance doors to building/garage/corridors/fire stairs/communal laundry areas/storage areas – OC responsibility • Boundary walls/doors – 50/50 Owner/OC responsibility (unless the OC resolves otherwise) • Load bearing walls (defined parts – structural element only) – OC responsibility • Damp course – 50/50 Owner and OC responsibility [Note: an engineer’s report may be required to determine if the crack is structural or superficial.] • Security screen/Fly screen doors – Owner responsibility • Unit entrance door – Owner responsibility for maintenance of fixtures and fittings i.e. door handle, and 50/50 Owner and OC responsibility if door requires replacement

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	<ul style="list-style-type: none"> • Unit to balcony – Owner responsibility (if permitted – see above) • Security doors (not security screen) – generally Owner responsibility • Entrance door to building – OC responsibility • Entrance door to communal garage – OC responsibility • Entrance door to individual garage – Owner responsibility • Communal areas only – OC responsibility <p><u>Fire doors</u></p> <ul style="list-style-type: none"> • Common property i.e. from fire stairs to corridors/landings/verandahs/foyers or to outside of building or garage – OC responsibility • Internal doors inside unit – Owner responsibility <p><u>Columns</u></p> <ul style="list-style-type: none"> • Inside unit boundary (load bearing – structural integrity only) – OC responsibility • Inside unit boundary (non-load bearing) – Owner responsibility • Common property – OC responsibility (i.e. foyers, basement garage, part of common property structure supports)
24	<p><i>False ceilings/Ceilings</i></p> <p>B Class</p> <ul style="list-style-type: none"> • Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Internal ceiling inside unit – Owner responsibility • Common property – OC responsibility • Balcony – OC responsibility • Insulation – roof space between ceiling and roof in common property: <ul style="list-style-type: none"> - If insulation installed by individual unit owner (special privilege granted) – Owner responsibility. - If insulation in place at time of building – OC responsibility
25	<p><i>Tiles</i></p> <p>B Class</p> <ul style="list-style-type: none"> • Within unit boundary - Owner responsibility • On common property (i.e. pool surrounds, cabana, sauna, spa etc.) – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Tiles on the walls, floors etc. within the unit boundary – Owner responsibility • Tiles on the floor of the balcony – Owner responsibility (unless resolved otherwise by the OC) [see 29] • On common property – tiles on walls, floor etc. of pool, sauna, spa, gym areas, paving, verandahs, foyer, corridors, lifts etc. – OC responsibility
26	<p><i>Floors/Floorboards/Parquetry flooring/Floating floors/Mezzanine floors/Carpets</i></p> <p>B Class</p> <ul style="list-style-type: none"> • Within the unit boundary – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Within the unit boundary – internal floor coverings – (boundary midway between walls, floors and ceilings) – Owner responsibility (i.e. floorboards, parquetry, floating floors, carpets, vinyl, tiles, corkboard /carpet) • Concrete floor slab – OC responsibility as the slab is a defined part of an A Class building • Timber flooring on balcony – Owner responsibility if installed by Owner (unless resolved otherwise by OC) • Common property flooring – foyer, corridors, lifts, verandahs/concrete floor slab –

	<p>floor itself and floor covering – OC responsibility</p> <ul style="list-style-type: none"> • Skirting boards inside unit boundary – Owner responsibility • Skirting boards on common property – OC responsibility • Mezzanine floor within unit boundary – Owner responsibility • Mezzanine floor in common property (i.e. entrance foyer) – OC responsibility • Underfloor heating within unit boundary – Owner responsibility (i.e. installed between slab and floor covering therefore inside unit boundary). If installed in slab (a defined part of a Class A building), the question becomes more difficult. It may be characterised as part of the slab, and therefore OC responsibility. • Underfloor heating in entrance foyer/common property – OC responsibility
27	<p>Damage</p> <p>A & B Class</p> <ul style="list-style-type: none"> • Deliberate damage, vandalism, impact damage caused by an Owner or their tenant which is deemed to be a breach of the Default Rules – Owner responsibility • Resultant damage caused to common property by Owner/tenants (i.e. damage to stairwells including walls, banisters, floor coverings, entrance doors etc.) if not deliberate and no evidence available of who caused the damage – possibly Owner/tenants moving in and out of units – OC responsibility unless Owner is identified • Normal wear and tear of common property areas – OC responsibility
28	<p>Ceiling cornices</p> <p>B Class</p> <ul style="list-style-type: none"> • Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Within unit boundary – internal walls/ceilings (i.e., midway between walls, floors and ceilings) – Owner responsibility • Unit subsidiaries such as storage rooms, laundries etc. – Owner responsibility • Balcony – Owner responsibility (unless subject of water damage that could jeopardize the structural integrity of the balcony – OC responsibility) • Within common property (i.e. foyer, verandahs, corridors, indoor pool rooms, gym rooms, communal laundries, storage rooms etc.) – OC responsibility
29	<p>Tiles on balcony</p> <p>B Class</p> <ul style="list-style-type: none"> • Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • May be Owner or OC responsibility e.g. if the tiles need to be replaced for aesthetics, or quality improved – Owner responsibility) • If there are waterproofing issues, e.g. the waterproofing membrane requires replacement, OC responsibility • Installation of upgraded/better quality tiles – Owner responsibility • If tiles are damaged and could let water through so need to be replaced – may be OC responsibility as water leaking through tiles could cause structural damage
30	<p>Membranes</p> <p>B Class</p> <ul style="list-style-type: none"> • On flat roof, balcony, bathroom floor, laundry floor, shower recess – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • On flat roof, balcony, communal laundry etc. – OC responsibility (i.e. if water is leaking

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	<p>through balcony then this can undermine the structural integrity of the balcony and the waterproof membrane must be repaired)</p> <ul style="list-style-type: none"> • Within the unit boundary – bathroom floor, laundry floor, shower recess – generally OC responsibility if the waterproof membrane is applied directly to the slab
31	<p>Hot water service</p> <p>B Class</p> <ul style="list-style-type: none"> • Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Hot water service that services individual unit – Owner responsibility • Communal hot water service that services all units – OC responsibility
32	<p>Internal fixtures</p> <p>B Class</p> <ul style="list-style-type: none"> • Inside the unit boundary – Owner responsibility • Communal areas such as cabana, gym, pool room, tennis court – OC responsibility (includes plumbing accessories such as taps etc.) <p>A Class</p> <ul style="list-style-type: none"> • Inside boundary of unit (i.e. midway between walls, floors, ceiling) – Owner responsibility (i.e. cabinets, permanently fixed mirror, cupboards, toilet and cistern, bath, basin, sink, shower, internal stairs, plumbing accessories, built in dishwasher, benches, stoves) • Common property – OC responsibility (i.e. gym, tennis court, pool room, cabana, barbecue fixtures, communal laundry, plumbing accessories, storage cupboards, television room/library, cupboards, shelves)
33	<p>Intercom</p> <p>B Class</p> <ul style="list-style-type: none"> • Communal entrance door to units – OC responsibility • Communal intercom to garage – OC responsibility • Handset for individual unit (located inside unit) – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Communal entrance door to units – OC responsibility • Communal intercom to garage – OC responsibility • Handset for individual unit (located inside unit) – Owner responsibility • Individual wiring for intercom – Owner responsibility
34	<p>Door closers</p> <p>B Class</p> <ul style="list-style-type: none"> • Inside unit boundary – Owner responsibility • Entrance door from underground car parking area – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Inside unit boundary – Owner responsibility • Entrance door to building – OC responsibility • Entrance door from underground car parking area – OC responsibility • Door from fire escape to corridors/verandahs – OC responsibility • Any common property rooms – door closers – OC responsibility

35	<p>Blockages</p> <p>B Class</p> <ul style="list-style-type: none"> • Inside the unit boundary and/or branch line affecting unit – Owner responsibility (i.e. toilet, floor drain, kitchen drains, laundry sink, sewerage/water lines) • Branch line affecting that unit regardless of location – Owner responsibility • Main line affecting all units (i.e. sewerage/water/storm water) – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Inside the unit boundary (i.e. midway walls, floors, ceilings) and/or branch line affecting unit (i.e. toilet, floor drain, kitchen drains, laundry sink, sewerage/water) – Owner responsibility • Branch line affecting that unit regardless of location – Owner responsibility • Common property blockage (i.e. inspection area, drain grates on grounds, lift well filling with water, sump pump in basement) – OC responsibility • Main drainage/sewerage/storm water/water lines – OC responsibility • Grease traps – Owner responsibility unless resolved otherwise by OC
36	<p>Gardens</p> <p>B Class</p> <ul style="list-style-type: none"> • Trees/vegetation <ul style="list-style-type: none"> - Within unit boundary – Owner responsibility - On common property (outside individual unit boundaries) – OC responsibility (i.e. Owners are responsible for removal or trimming of trees located within unit boundaries. However, if the tree is located on common property, the OC must trim or remove, particularly if tree is causing a potential threat to the unit) • Retaining walls <ul style="list-style-type: none"> - Within unit boundary – Owner responsibility - On common property – OC responsibility • Pergolas <ul style="list-style-type: none"> - Within unit boundary – Owner responsibility - On common property – OC responsibility • Suspended slab <ul style="list-style-type: none"> - Located on common property such as garden, pool, garage etc. – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Trees/vegetation <ul style="list-style-type: none"> - Within the unit subsidiary (i.e. courtyard) – Owner responsibility - On common property – OC responsibility (i.e. If a tree is located on common property and the roots are found to be causing damage to a courtyard wall of a unit subsidiary, the OC is responsible for removal of the tree or installation of root barriers to protect the courtyard wall.) • Retaining walls <ul style="list-style-type: none"> - Within the unit subsidiary (i.e. courtyard)– Owner responsibility - On common property – OC responsibility • Pergolas <ul style="list-style-type: none"> - Inside courtyard or unit subsidiary as shown on Units Plan (i.e. does not form boundary wall of unit) – Owner responsibility - On common property (i.e. is not within courtyard or area classed as unit subsidiary and is located on common property walls or other location on common property) – OC responsibility

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	<ul style="list-style-type: none"> • Suspended slab <ul style="list-style-type: none"> - Located on common property such as garden, pool, garage etc. – OC responsibility
37	<p>Letterboxes</p> <p>B class</p> <ul style="list-style-type: none"> • If the individual unit has a letterbox – Owner responsibility • If bank of letterboxes at the entrance to the development – OC responsibility • If the lock is broken or damaged to one letterbox – Owner responsibility • If key is lost – Owner responsibility • If individual letterbox in letterbox bank is vandalized – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • A bank of letterboxes at the entrance to the development or in the foyer of the development – OC responsibility • If letterbox is located in the courtyard wall of an individual unit – Owner responsibility • If the lock is broken or damaged to one unit – Owner responsibility • If key is lost – Owner responsibility • If individual letterbox in letterbox bank is vandalized – Owner responsibility
38	<p>Swimming pool/Pond/Water feature</p> <p>B Class</p> <ul style="list-style-type: none"> • Pool/pond/water feature inside the boundary of the unit – Owner responsibility • Pool/pond/water feature on common property – OC responsibility • Backflow prevention device relating to pool/pond/water feature located inside the boundary of the unit – Owner responsibility • Backflow prevention device relating to pool/pond/water feature located on common property – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Swimming pool internal or external but located on common property – OC responsibility • Pond located on common property – OC responsibility • Backflow prevention device annual check – OC responsibility • Water feature on common property (internal/external) – OC responsibility • Water feature within boundary of unit – Owner responsibility
39	<p>Awnings/Shutters/Shade sails</p> <p>B Class</p> <ul style="list-style-type: none"> • Within unit boundary (i.e. affixed to townhouse built on unit) - Owner responsibility • Awnings on common property buildings (i.e. gazebo, gym, pool room etc.) – OC responsibility • Shade sails – within unit boundary – Owner responsibility • Shade sails – on common property – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • If attached to the common walls of buildings and erected by developer – OC responsibility • If attached to courtyard walls/fences which form boundary of unit subsidiary and erected by developer – 50/50 OC/Owner responsibility • If attached by Owner to balconies or common property walls – Owner responsibility (unless resolved otherwise by the OC) • If affixed to courtyard walls/fences which form boundary of unit subsidiary and

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	<p>common property by Owner – Owner responsibility</p> <ul style="list-style-type: none"> • Shade sails within unit boundary (i.e. balcony or courtyard, affixed to building – all with OC consent) – Owner responsibility • Shade sails on or attached to common property – OC responsibility
40	<p>Driveways/Roadways</p> <p>B Class</p> <ul style="list-style-type: none"> • Driveway from boundary of unit/common property to garage/carport – Owner responsibility • Main driveway from street entrance through common property – OC responsibility • Roadways throughout common property from street entrance – OC responsibility • If driveway into unit runs across common property from main roadway servicing all units, and is for the benefit of unit only – Owner responsibility (unless resolved otherwise) • Turntables for common property use – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Main roadway through development – OC responsibility • Roadway into basement garage – OC responsibility • Roadway into individual garages – OC responsibility (i.e. generally the roadway runs across common property into the garage as the garage would form the boundary of the unit) • Floor of the carports or individual garages (if unit subsidiaries) – Owner responsibility • Floor of basement garage from roadway into garage – OC responsibility • Turntables for common property use – OC responsibility
41	<p>Lifts</p> <p>A Class</p> <ul style="list-style-type: none"> • Shared lifts are common property – OC responsibility • Lifts that service only a few units (i.e. restricted access) – Generally OC responsibility (However, the OC may have agreed by unopposed resolution that only a particular number of units have to contribute to the cost of the lifts as they are the only ones with access. Repair and maintenance of the lift, in that circumstance, would come out of that particular budget but is still OC responsibility as the lifts are common property)
42	<p>Rainwater/Grey water</p> <p>B Class</p> <ul style="list-style-type: none"> • Water detention tanks – generally located on common property for storage for irrigation – OC responsibility • Water detention tanks if located within boundary of unit for unit owner exclusive use – Owner responsibility • Rainwater tanks within the unit boundary for exclusive use of that unit – Owner responsibility (would need to seek OC consent for installation) • Rainwater tanks on common property or within unit but for use of common property or all units – OC responsibility • Grey water systems installed into individual unit boundary for exclusive use of unit – Owner responsibility • Grey water systems installed on common property for use on common property and/or all units – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Water detention tanks – generally located on common property for storage for

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	<p>irrigation – OC responsibility</p> <ul style="list-style-type: none"> • Rainwater tanks within the unit boundary for exclusive use of that unit – Owner responsibility (would need to seek OC consent for installation) • Rainwater tanks on common property for use of common property or all unit owners – OC responsibility • Grey water systems installed on common property for use on common property and/or all units – OC responsibility
43	<p>Signs</p> <p>B Class</p> <ul style="list-style-type: none"> • Common property signs (i.e. speeding, pool signs, gym signs, name of development etc.) – OC responsibility • Junk mail signs – Owner responsibility <p>A Class</p> <ul style="list-style-type: none"> • Signs on buildings and common property (i.e. name of building, parking, speeding, pool signs, gym signs including neon signs) – OC responsibility • Unit owner/s may have naming rights for a building (as agreed by the OC, including use of neon signs) - responsibility for signage rests with the Owner/s • Signage for a commercial enterprise on residential/commercial building (will require special privilege/OC consent) – Owner responsibility • Portable signage for commercial enterprise on common property (will require special privilege/OC consent) – Owner responsibility • Junk mail signs – Owner responsibility (design subject to consent of OC)
44	<p>Roof</p> <p>B Class</p> <ul style="list-style-type: none"> • All roof repairs including, guttering, downpipes, tiles, ridge capping, lead flashing, bedding, Colorbond, insulation – Owner responsibility • If two townhouses are joined together and share ridge capping, lead flashing, bedding – 50/50 responsibility of each Owner <p>A Class</p> <ul style="list-style-type: none"> • All roof repairs including, guttering, downpipes, tiles, ridge capping, lead flashing, bedding, Colorbond – OC responsibility • Insulation installed by developer at construction in roof cavity – OC responsibility • Insulation installed by individual unit owner – Owner responsibility
45	<p>Solar panels/Collectors</p> <p>B Class</p> <ul style="list-style-type: none"> • Installed on unit by unit owner for personal use – Owner responsibility • Installed on buildings located on unit/s by OC for pool heating, energy collection – OC responsibility • Installed on common property by OC – OC responsibility <p>A Class</p> <ul style="list-style-type: none"> • Installed on roof by unit owner for individual use (subject to OC consent) – Owner responsibility (unless resolved otherwise by OC) • Installed on common property by OC – OC responsibility • Installed within unit boundary by Owner for individual use (subject to OC consent) – Owner responsibility

APPENDIX 2 – ADDITIONAL INFORMATION – INSURANCE

In broad terms, building policies issued by insurance companies extend to include owner’s fixtures and structural improvements in addition to common property considerations. The degree of cover is dependent upon the insurer and type of cover held. The broadest types of cover available in the market are accidental loss or damage policies. At the other end of the market are the cheaper defined events type covers. Section 100 of the *Unit Titles Management Act 2011* (ACT) provides that the owners corporation must insure and keep insured all buildings on the land for their replacement value from time to time against all of the following risks:

- (a) fire, lightning, tempest, earthquake and explosions;
- (b) riot, civil commotion, strikes and labour disturbances;
- (c) malicious damage;
- (d) bursting, leaking and overflowing of boilers, water tanks, water pipes and associated apparatus;
- (e) impact of aircraft (including parts of, and objects falling from, aircraft) and of road vehicles, horses and cattle;
- (f) anything prescribed by regulation (nothing is currently prescribed).

The owner’s corporation must also take out an insurance policy that covers, to the greatest extent practicable, the costs incidental to the reinstatement or replacement of the insured building, including the cost of removing debris and the fees of architects and other professional advisors.

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For the purpose of this exercise it is assumed:

- cover has been issued under an accidental loss or damage type policy;
- the installations are not illegal;
- the said items have suffered loss or damage as a result of accidental means; and
- maintenance, deterioration, corrosion or other specific policy conditions or exclusions are not applicable.

Having regard to the assumptions noted above, the classifications 1-7 noted in the “Additional Information – App. 2” column have the following meanings:

1	The item forms part of the building for insurance purposes. Cover may be available against accidental loss or damage situations.
2	The item forms part of the building for insurance purposes however is unlikely to be covered having regard to maintenance issues. If, however, maintenance is not an issue (i.e. fire damage, impact damage, vandalism) the situation could alter into a classification rating 1.
3	The item may not necessarily form part of the building for insurance purposes, however, could be covered in certain circumstances by a special or additional benefit under the policy.
4	Cover is unlikely. This is probably a maintenance issue or not insured property under the building policy.
5	The item is part of the building but not covered for insurance purposes in regard to maintenance, however, resultant damage to other areas which form part of the building may be claimable as an insurable event.
6	The item is part of the building but not covered for insurance purposes as purely maintenance issue, but accessing the item through other parts of the building may be claimable under insurance as search and find/investigating costs.
7	Covered under contents policy, not building cover. The item is unlikely to be covered in regard to maintenance issues. However, if not maintenance issue (i.e. fire damage), the item could be covered.

NOTE – this classification rating is intended as a guide only. Actual cover is dependent on the prevailing policy terms, conditions and exclusions that may apply with the insurer at the time of loss.