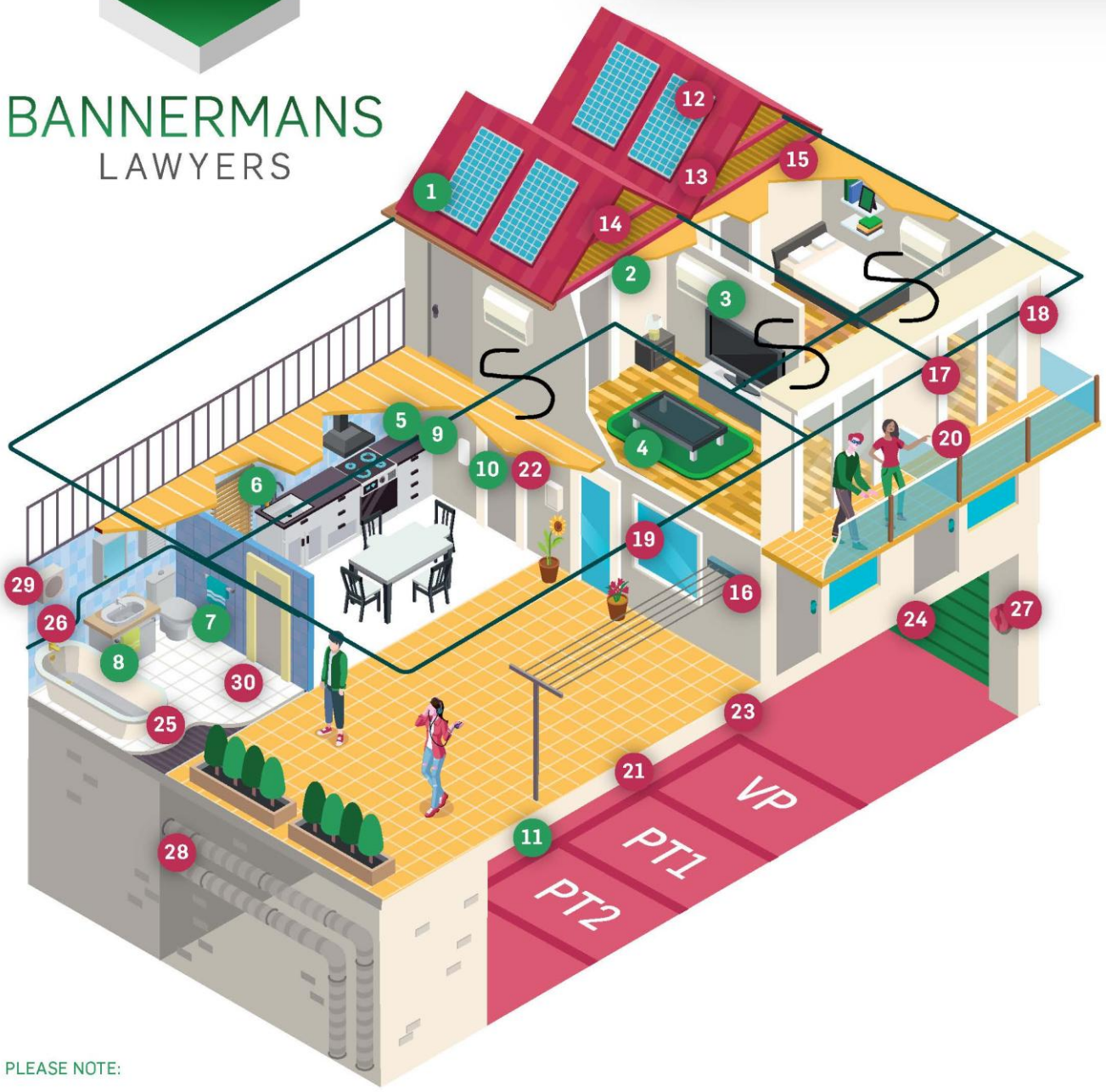
BANNERMANS
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WHAT DO I OWN AND WHAT IS COMMON PROPERTY?



LOT PROPERTY

1. Solar panels installed by lot owner with approval
2. Internal walls (not shown on strata plan)
3. Split system air conditioning internal unit and external unit, with approval
4. Carpet
5. Kitchen cupboards and appliances
6. Curtains, blinds
7. Tiles and waterproof membranes on internal walls (not shown on strata plan)
8. Bath, basin, toilet and plumbing above upper surface of the floor
9. Light fittings, light switches, powerpoints
10. Internal doors (not shown on strata plan)
11. Lot car parking spaces, above surface

COMMON PROPERTY

12. Common property solar panels
13. Roof tiling
14. Voids enclosing shared plumbing and wires
15. Ceiling
16. External doors
17. Balcony doors
18. Upper and lower boundary of balconies, as shown on strata plan
19. External windows
20. External balustrades
21. Slab
22. Wiring outside premises or shared wiring with other lots
23. Visitor car parking spaces
24. Original common storage cages, if shown on solid thick linespaces
25. Original waterproofing below floor tiles
26. Tiles and waterproof membrane on the boundary walls
27. Fire alarms
28. Plumbing outside premises or shared plumbing with other lots
29. Penetrations for ventilation
30. Original floor tiles, including floor tiles in shower

PLEASE NOTE:

- This diagram is provided as a guide for strata schemes registered **AFTER** 1 July 1974.
- To a limited extent, notations on the strata plan can modify the general position, as can any by-laws, alterations, additions or removal of common property put in place after the registration of the plan.
- **CLICK HERE** for a guide for strata schemes registered PRIOR 1 July 1974.

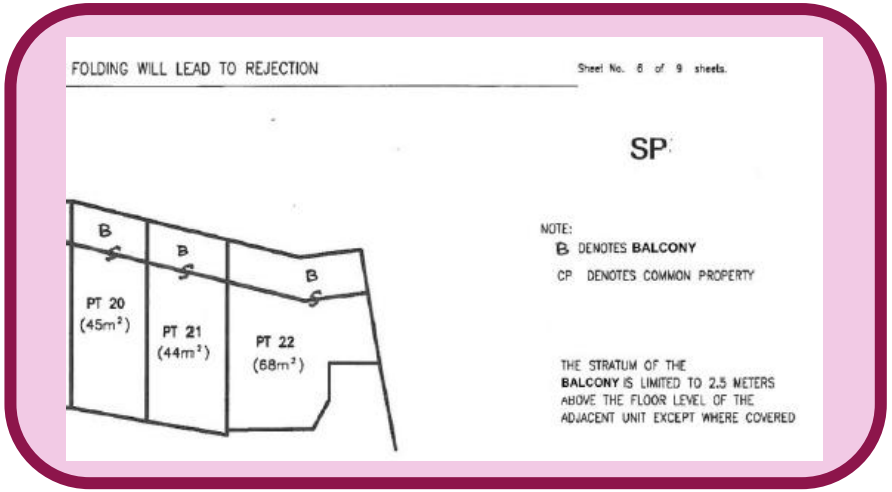
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What is Lot and Common Property?

The important question of who owns what needs to be established, as the answer will dictate how a strata scheme is correctly managed and who is responsible for what parts of a strata scheme.

Common property is the responsibility of the owners corporation, and **Lot property** is the responsibility of the lot owner.

The picture adjacent is an extract from a typical strata plan. The strata plan does not tell you all of the details about what is common property and what is lot property. Further details are described by the relevant legislation and case law.



General position (subject to exceptions)

As a guide, the general rules applicable to the majority of strata schemes registered after 1 July 1974 are:

- The structures located on the solid thick line at the registration of the strata plan are common property.
- The ceiling, the structure of the floor including fixed tiles or floorboards, the electrical wiring located in the ceiling, external windows and balcony doors are usually all items of common property.
- Internal walls, not shown on a strata plan are lot property and a structure located on a thin line is usually lot property.
- Carpet, light fittings, blinds, curtains, toilet bowls, bath tubs and kitchen cupboards will all usually be lot property and the responsibility of a lot owner.

Key takeaways

- Common property is managed by the owners corporation, while lot property is the responsibility of the lot owner.
- Structures on the solid thick line of a strata plan are generally considered common property.
- Exceptions exist for strata plans registered before July 1974 and notations on the strata plan.
- Lot property typically includes items like internal walls, carpets, and light fittings.
- For specific situations, it is advisable to consult an expert in strata law.

Exceptions

The following exceptions to the general position apply:

- The general position does not apply to strata plans registered before July 1974.
- To a limited extent notations on the strata plan can modify the general position.
- Owners or owners corporations can with proper approval alter, add to or remove common property after the registration of the plan.

Bannermans Lawyers is a NSW strata law firm advising owners corporations, strata managers and lot owners.

There is no 'one size fits all' answer so if in doubt, ask an expert to work it out.

CLICK HERE for a guide for strata schemes registered PRIOR 1 July 1974.

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