

Parking on common property



Parking Your Car

Finding a parking spot in Sydney can be a real challenge. However, living in strata settings adds even more pressure on residents when it comes to parking.

We find that the main causes of the issue for strata residents are drivers who occupy designated parking spaces without permission and drivers who occupy visitors' car spaces for an extended period, which is not considered socially acceptable.

Your Car Space

Coming home to find someone else's car parked in your car space can be very frustrating, to say the least. In most cases, if a car has been parked in your dedicated spot then it's been parked there by mistake. Many strata car parks don't mark the individual spaces with the unit numbers to protect the safety of the residents.

As an initial course of action, we suggest placing a note under the windscreen wiper, pointing out the error to the car owner. We find that when the car owner returns, an apology generally follows and they won't park in your space again.

It's very important to note that while the car may be parked on your 'property,' the vehicle belongs to someone else. Therefore, do not have the wheels of the offending car clamped – as this is illegal.

While it might be tempting to have the car towed away, this is not advisable because if the car is damaged during the towing process, you will be responsible for the repairs.

If the situation isn't resolved with a simple note, the next step would be to call the police and seek their assistance in resolving the situation.

Visitor's Parking

Car owners who abuse the common property visitor parking is a contentious issue in strata settings. Some strata schemes set a time limit on visitor parking, while other schemes trust that lot owners and their visitors won't outstay their welcome.

The standard By-Law No. 1 of the Strata Schemes Management Regulation 2016 states that;
“An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the written approval of the owners corporation.”

Many strata schemes in Sydney have adopted this by-law prohibiting apartment owners from using the visitor's space without permission.

There isn't any Government legislation regulating the use of visitor parking at the property. In general, the time limit and regularity of people using the spaces in the visitor's car park are up to the Owners Corporation.

The visitor's parking is just that. It is a parking space for the use of family and friends visiting residents of the strata scheme. In most cases, guests generally stay for an afternoon or an evening and then vacate the space for others to use. If your strata scheme has a special by-law that caps the time limit on visitor parking, then it's your responsibility to ensure your visitors obey this time limit.

If you believe that someone is abusing the visitor's parking space in your scheme, speaking with that resident, in most cases, will solve the issue. If this fails to resolve the situation, then the next step would be to take photographs to document the abuse and present the evidence to the Owners Corporation.

If the Owners Corporation agree that there has been an abuse of the visitor's parking, the Owners Corporation can pursue the issue further where the offender, if found in breach, can be issued with a fine.

CONTACT US

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