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MONTHLY NEWS

FROM NOWRA & WOLLONGONG

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COMMON ISSUES FOR BALCONIES IN STRATA

While a balcony is a wonderful asset to have, when it's located in a strata title development, there are certain issues you need to be aware of - what's common and what's not when it comes to balcony/deck degradation.

According to some building authorities, a well-maintained (properly constructed) balcony should last 40-50 years without much issue.

Balcony structural elements have several components:

- Balustrade, columns and railings
- Surface tiles
- Waterproof membrane
- Airspace
- Concrete slab, which may include:

- awnings or pergolas

Despite looking simple, balconies are complex and should be treated as such.

The Most Common Issues with Strata Titled Balconies:

Other than “well maintained” there are other underlying assumptions including:

- The balcony was well designed in the first place with good drainage.
- The balcony and all its components were well constructed.
- Good quality and location-appropriate materials were used in construction.

Water Leaks

The most common issue with body corporate balconies is, by far, water ingress.

Water leaks from a balcony can be into the lot or common property below or beside or into the subject lot.

Adequate drainage is the first issue that should be checked. An incorrect fall (resulting from poor design or construction) can funnel water directly into the lot or away from the appropriate drains.

Water pooling in also indicates poor draining.

Leaks to the lot below are, usually, indicators of a failure of the waterproof membrane.

There are lots of reasons membranes fail but poor workmanship accounts for up to 90% of failures. That can be everything from the slab being too wet to bond with the membrane, poor preparation of the surface, poor application of the membrane or subsequent tearing of the membrane when tiles are added or afterwards.

Leaks into the lot are more problematic since the failure may be the windows and doors rather than the balconies themselves. Or, as is often the case, the leaks have multiple causes.

If you have water ingress issues from your balcony have your own sliding doors checked first. If that proves not to be the cause of ingress, then report the matter to your strata manager.

If you have water ingress from the lot above or common property report straight to the strata manager.

Cracked or “Drummy” tiles

Tiles are laid over the waterproof membrane to which they bond providing protection for the membrane which itself stops water leaking into the lot below and protects the slab.

Sometimes expansion joints are inadequate, and the tiles push against each other as the slab moves. When that happens, the tiles can become de-bonded from the membrane and lift becoming “drummy”, named because of the hollow drumming sound they make with struck with something heavy.

Cracked tiles are, usually, the result of some sort of impact though it is possible that underlying

issues can cause tiles to move and crack.

Cracked or lifted tiles need to be repaired as soon as possible. The movement of the tiles can tear the waterproof membrane. Even if the tiles come away cleanly it opens the way for water to penetrate to the membrane. It will have no way to drain away and can cause deterioration.

Repair of drummy or cracked tiles are the lot owner's responsibility.

If the cause of the problem comes from a structural issue such as concrete spalling the repair will be the OC responsibility.

Deterioration of the Balustrade or Fittings

Balustrades are made of all sorts of materials such as concrete, steel, wood, or glass. They are also fixed to the slab by either cementing in place or a complex arrangement of bolts.

All the materials are open to the elements and erosion or other deterioration will happen.

Regular maintenance is crucial. Concrete and steel balustrades should be painted regularly as painting seals the structure and prevents rust. Wooden balustrades, usually part of a wooden balcony, need to be treated regularly and inspected for evidence of wood rot and/or timber pests. Glass balustrades need to be cleaned and inspected regularly.

The most common balustrade issue is a breakdown of the connection to the slab. If bolts are used, they can rust weakening the structure.

When Balustrades No Longer Meet Australian Standards

Balustrades, like all building items, are subject to Australian Standards. Australian Standards are made more rigid, reasonably often, certainly more often than balcony balustrades are changed.

The changes to the Standards are not retroactive so if a non-compliant balustrade remains in good order then it's not an issue. The balustrade may be maintained, indefinitely.

There comes a point however when maintenance becomes a repair. Balustrades that are not compliant with Australian Standards may not be repaired.

It is common for a strata scheme with balustrade issues to find that replacement is their only option.

Concrete Cancer

Concrete cancer, or more correctly concrete spalling, is common in coastal areas.

For most buildings, concrete cancer is a treatable problem.

Regular painting is crucial. The paint seals the concrete against moisture penetration. Painting goes hand in hand with inspection of the building and, if identified, repair of any spalling.

Balconies should be checked and painted regularly in concrete buildings as part of their regular maintenance.

Brick buildings by contrast do not need regular painting and balcony slabs are sometimes overlooked. The exposed concrete slab for the balcony should still be inspected, painted and repaired if necessary.

If you're unsure about any issues with your balcony, speak to your building or strata manager in the first instance.



NEW PROVISIONS IN THE STRATA SCHEMES MANAGEMENT ACT 2015

The new provisions in the *Strata Schemes Management Act 2015* that will commence on **1 July 2021**.

The commencing provisions relate to processes and penalties for strata disputes through the NSW Civil and Administrative Tribunal (NCAT). The provisions will:

- require an owners corporation to serve all lot owners with copies of any NCAT application concerning their scheme, and
- enable an applicant to seek a monetary penalty for contravention of an NCAT order.

An owners corporation must serve copies of an NCAT application to lot owners

Previously, the NCAT Registrar served copies of an NCAT application all lot owners in the relevant strata scheme. However, under the new provisions, the Registrar will instead provide a copy of the application directly to the owners corporation. The owners corporation will then be required to distribute copies of the application to lot owners in their scheme, excepting the parties already named in the application.

Strata dispute applicants can seek a monetary penalty for breaches of NCAT orders

Applicants will also now be able to more easily seek monetary penalties for the contravention of an NCAT order concerning a strata dispute.

From 1 July 2021 onwards, an application for the penalty can be made to NCAT by:

- the original applicant for the order that was breached,
- another party with an interest in the lot to which the order relates, or
- either party to a mediation (if the order that was breached arose through mediation)

Background

The provisions were introduced through the [Strata Schemes Management Amendment \(Sustainability Infrastructure\) Act 2021](#) (the amendment Act). The amendment Act primarily reduced barriers to the installation of sustainable infrastructure in strata schemes, and also included changes to other areas of strata law. The majority of the amendment Act commenced on 24 February 2021, however, the improvements to NCAT penalties and processes (detailed above) are commencing separately. Information on the new requirements and penalties will be available on the NSW Fair Trading website following commencement.

Design and Practitioners Act 2020

From 1 July 2021, many practitioners working on class 2 buildings will have new obligations under the [Design and Building Practitioners Act 2020](#).

You may need to:

- **Register online** to declare and lodge designs and documents
- Complete two [online learning modules](#) before registering



Our Team

STAFF

| | |
|-------------------------|---|
| Director: | Leo Paternoster - Licensed Strata Manager (Nowra) |
| Director: | David Paternoster - Licensed Strata Manager (Wollongong) |
| General Manager: | Katrina Longmore - Licensed Strata Manager (Wollongong) |
| Branch Manager: | Claire Clarke - Licensed Strata Manager (Nowra) |

| | |
|-----------------------------|---|
| Donna Morice | Licensed Strata Manager - Wollongong |
| Caitlin Hosking | Licensed Strata Manager - Wollongong |
| Michelle Parker | Portfolio Manager - Wollongong |
| Jennifer Paternoster | Portfolio Manager - Wollongong |
| Ruby Foster | Portfolio Manager - Wollongong |
| Simone Montgomery | Trainee Strata Manager – Nowra |
| Tanya Chapman | Licensed Strata Manager – Nowra |

Personal Assistants

| | |
|----------------------------|-------------------|
| Lynette Green | Nowra |
| Oxana Rozdolovskaia | Nowra |
| Margaret Carlotta | Wollongong |
| Samantha Walsh | Wollongong |
| Sarah Pogson | Wollongong |

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HOMESTEAD

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For more information contact the following:

Paul - 0499 988 394

Craig - 0414 505 365

Geoff - 0414 453 986

Office - 02 4283 5797

Welcome to All Trade Services Illawarra

All Trades Services Illawarra provides a maintenance management service for strata management and real estate agents from Helensburgh in the north to Ulladulla down south. All Trades Services Illawarra work with you and your clients to provide the best service, tradesmen and quality of work assuring you and your clients have a hassle-free experience while we maintain your properties.



All Trades Services Illawarra will work with your tradesmen you have on file or we also have our own tradesmen we use if needed. The benefit in using All Trades Services Illawarra is you and your staff only need to contact one tradesmen for all maintenance issues, quotes and reports while we deal with all trades to ensure the job is completed to the highest of standards. All Trades Services Illawarra is on call 24/7 for all emergencies and after hour services needed.

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For more information:

Contact: 0431 147 746

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STRATA INSURANCE

CRM Brokers' Strata division engages specialist strata brokers whose main function is to deal solely with all things strata. Our in-house Claims team ensures we provide accurate assessments when discussing claims and potential issues with insurers.

We are mindful of the fact that the Owners Corporations' premium is one of the major

expenses for strata, however, this should not be isolated as a sole factor when considering the placement of cover with an insurer. The importance of having claims paid when most needed; i.e. the speed at which a claim is assessed and approved; the policy wording to accompany a claim, are additional factors that must be taken into account during the broking process.



Loz Electrical is licenced and insured to carry out Electrical, Security & Air Conditioning work, servicing areas from South Sydney to Huskisson. Our diversity in the industry allows us to be your one-stop-shop.

Contact Peter - Loz Electrical
Phone: 0414794753
Email: peter@lozelectrical.com.au

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- CCTV
- Intercom Systems (House and Apartments)

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