

solar panels



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Can I just put solar panels on my roof?

No ... the body corporate owns the roof **not** the unit below.

The Land Title Act 1994 defines the lot boundaries as being the centre of the floor, walls and ceiling.

48C Building format plan

- (1) A **building format** plan of survey defines land using the structural elements of a building, including, for example, floors, walls and ceilings.

Further section 49C(4) defines

- (4) Except to the extent permitted under a direction given by the registrar under section 10(1)(b), the boundary of a lot created under the plan, and separated from another lot or common property by a floor, wall or ceiling, must be located at the centre of the floor, wall or ceiling.

The lot is really just a "box". So common property includes the following: -

- Under the slab (below the "box")
- Above the ceiling ie the roof cavity and roof (above the "box")
- Outside the walls (outside the "box")

However, we also need to remember that sometimes lots are not divided by a wall. For example, an outside balcony may form part of the lot and the boundary is simply an invisible plane at the edge of the balcony.

Who controls the roof?

The body corporate owns the roof and controls what is put on the roof.

So the bottom line is the body corporate needs to consent to an owner installing solar panels on the roof.

Can the body corporate impose conditions?

Is the body corporate allowed to impose conditions for the installation of solar panels ... **ABSOLUTELY** and they normally do!

For example

	Installation Costs including ongoing costs	By the owner
	Meter and meter box upgrades	By the owner – discussed further below

	What happens if the roof needs maintenance	The owner of the panels (at their expense) needs to remove the panels to allow the body corporate to maintain the roof
	What happens if the panels make the roof sag because of their weight	The body corporate may require a certificate to confirm the roof is strong enough to hold the weight
	Saw tooth installation (ie tilted up) or installed flat to the roof	The body corporate may require a flat to the roof installation
	Will panels be allowed to face public areas for all see	The body corporate may want installation to only happen in areas not visible
	How many panels can I install	The body corporate may limit the number of panels
	Can I allow my panels to be placed anywhere on the roof ... how much can be covered	The body corporate may require that panels are only located directly above the unit

Multi-Level Units



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Some bodies corporate feel it is not fair that only top-level units can use the roof space. For example, some multi-level complexes do **not** allow any owners to install solar panels on the roof and ‘reserve’ the roof area for future body corporate owned solar panels.

Alternatively, the body corporate may attempt to divide the roof space. For example, if there are 16 units the body corporate may allow each owner to install solar panels on a maximum of 1/16th of the roof space.

Upgrading the Electrical Switchboard



WARNING!

POSSIBLE HIGH HIDDEN COSTS

Switchboards are the part of the building where the circuit breakers or fuses are housed. They may be in the same enclosure as the electricity meters or located separately from the meters.

Installing solar panels may require an upgrade to the switchboard – this would normally need to be paid for by the owner wanting to install the solar panels.



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The above is an example of an older Meter Box that would certainly need to be updated to accommodate solar panels electrical infrastructure.

Ongoing Roof Maintenance



WARNING!
POSSIBLE HIGH
HIDDEN COSTS



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If you are installing solar panels, please factor into your budget future costs to remove the solar panels.

For example, if the body corporate needs to carry out essential maintenance to the roof the body corporate may direct you to remove the panels (at your cost) to allow the body corporate clear access to undertake the maintenance work.

Roof Damage caused by the Solar Panel Installation

Roof damage caused by the solar panel installation is relatively common and usually caused by:

- The roof not being compatible with solar panels (ie not the required strength)
- Poor installation standards
- The roof is old (eg tiles are very brittle or the supporting timber is weak)

If the roof is damaged (either during installation or later) by having the solar panels installed the costs to fix the damages rest with the owner (not the body corporate).

Insurance



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Don't forget to insure your solar panels!

These panels are owned by you not the body corporate.