



Exclusive Use of Condo Common Property: Match the Resolution

Description

An exclusive-use arrangement over common property should state the area, user, purpose, conditions and duration. The resolution threshold changes when the grant is up to one year, between one and three years, or longer than three years.

The practical task is to match the proposed duration and rights to the correct general-meeting resolution and record. A sound decision separates the controlling condition from convenience, then records the evidence before money, travel, work or a deadline makes the choice harder to reverse.

Choose the branch before acting

Situation	Practical next step
Exclusive use is not more than one year	Test the ordinary-resolution route and exact by-law terms
Exclusive use is over one year and up to three	Prepare the special-resolution notice and vote
Exclusive use exceeds three years	Test the 90 per cent resolution requirements
The area may not be common property	Confirm the strata title plan before drafting a motion

Identify the area

[BCA Strata Living guide](#) states the controlling point used here: The BCA summary maps exclusive-use by-laws to ordinary, special and 90 per cent resolutions according to duration. A lobby corner, roof, car park or planter may have a different title status. Attach a marked strata plan

For identify the area, this becomes consequential when “Exclusive use is not more than one year” applies. The next move is to test the ordinary-resolution route and exact by-law terms, but only after the underlying condition has been verified and dated.

State the right

Access, storage, seating and commercial use are not interchangeable. Describe permitted and prohibited use

For state the right, record the result as confirmed, pending or not applicable. If it is still pending, do not let a convenient assumption close the gap; identify the person or service that can resolve it and the last safe time to ask.

Choose duration first

The voting threshold follows the duration of the exclusive right. Put start and end dates in the motion

For choose duration first, this becomes consequential when “Exclusive use exceeds three years” applies. The next move is to test the 90 per cent resolution requirements, but only after the underlying condition has been verified and dated.

Price the estate impact

[BCA Strata Management Guides](#) states the controlling point used here: BCA guidance explains by-laws, motions and resolution types for management corporations and owners. Exclusive access can shift maintenance, insurance and opportunity costs. Record contribution and reinstatement terms

For price the estate impact, record the result as confirmed, pending or not applicable. If it is still pending, do not let a convenient assumption close the gap; identify the person or service that can resolve it and the last safe time to ask.

Draft an executable motion

A vague approval leaves the council unable to enforce boundaries. Name the beneficiary and conditions

For draft an executable motion, this becomes consequential when “Exclusive use is not more than one year” applies. The next move is to test the ordinary-resolution route and exact by-law terms, but only after the underlying condition has been verified and dated.

Maintain the by-law record

Future owners need to know what exists and when it ends. File the resolution, plan and registered by-law evidence

For maintain the by-law record, record the result as confirmed, pending or not applicable. If it is still pending, do not let a convenient assumption close the gap; identify the person or service that can resolve it and the last safe time to ask.

A duration-to-resolution table for grants up to one year, one to three years and over three years

Start with Identify the area, then test State the right and Choose duration first. Show the input, the condition applied and the resulting action in separate columns. If a number is calculated, retain the arithmetic; if a route is selected, retain the branch that ruled out the alternative.

Input or condition	Evidence to keep	Decision it changes
Exclusive use is not more than one year	Attach a marked strata plan	Test the ordinary-resolution route and exact by-law terms
Exclusive use is over one year and up to three	Describe permitted and prohibited use	Prepare the special-resolution notice and vote
Exclusive use exceeds three years	Put start and end dates in the motion	Test the 90 per cent resolution requirements

A motion checklist covering title boundary, user, purpose, fee, maintenance, insurance and reinstatement

Use Price the estate impact, Draft an executable motion and Maintain the by-law record as the verification pass. Check the live condition, note the time checked and keep the response or document that supports the conclusion. Unknowns remain visible until resolved; they should not be replaced by a guessed price, deadline, eligibility result, service level or operating detail.

Worked example

An owner wants sole use of a small common-property recess for two years. The MCST first confirms the area on the strata plan, then drafts a time-limited by-law with access, maintenance and reinstatement terms. Because the proposal exceeds one year but not three, the estate does not simply reuse the one-year voting route.

The example is a calculation or decision model, not a guarantee. Change one material input at a time, preserve the original inputs and recheck the live authority or operator page before relying on the result.

Before you commit

1. Test the ordinary-resolution route and exact by-law terms.
2. Prepare the special-resolution notice and vote.
3. Test the 90 per cent resolution requirements.
4. Confirm the strata title plan before drafting a motion.
5. Save the date and evidence used for every material condition.
6. Stop and ask the controlling authority, operator or qualified professional if a disputed fact changes the outcome.

Keep the property, party, document, amount and decision date in separate fields. A sales description, managing-agent explanation or remembered conversation should not replace the controlling plan, resolution, contract or regulator record.

Limits

The correct resolution and registration steps depend on current legislation and the exact right proposed. Obtain professional advice for valuable or disputed grants.

For an adjacent live guide, see [Condo By-Laws: What Owners and Tenants Must Check](#). If the next decision shifts to a second practical issue, [Condo Defects Liability Period: What Owners Should Record](#) provides the relevant progression without duplicating this primary intent.

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