

**STRATA TITLES (AMENDMENT) ACT, 1977**

**New South Wales**



ANNO VICESIMO SEXTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 93, 1977.**

An Act to amend the Strata Titles Act, 1973, so as to permit the subdivision, under that Act, of certain land otherwise than into strata and to validate certain matters. [Assented to, 20th October, 1977.]

**BE**

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*Strata Titles (Amendment).*


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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title.      **1.** This Act may be cited as the "Strata Titles (Amendment) Act, 1977".

Principal Act.      **2.** The Strata Titles Act, 1973, is referred to in this Act as the Principal Act.

Amendment of Act No. 68, 1973.      **3.** The Principal Act is amended in the manner set forth in Schedule 1.

Registration of certain plans as strata plans validated.      **4.** Where—

- (a) the Registrar-General recorded, before the commencement of this Act, on a plan a certificate purporting to be a certificate of registration referred to in section 41 (2) of the Principal Act;
- (b) at the time the Registrar-General recorded that certificate, that plan did not comply with any provision of the Principal Act; and
- (c) that plan would, had the amendments to the Principal Act made by this Act been in force at that time, have complied with the Principal Act as amended by those amendments,

that plan shall be deemed to have been duly registered as a strata plan at that time.

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**SCHEDULE**

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*Strata Titles (Amendment).*

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SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE STRATA TITLES ACT, 1973.

(1) Long title—

Omit “strata”, insert instead “cubic spaces”.

(2) (a) Section 5 (1), definition of “floor plan”—

Omit the definition, insert instead :—

“floor plan” means a plan, consisting of one or more sheets, which—

(a) defines by lines (in paragraph (c) of this definition referred to as “base lines”) the base of each vertical boundary of every cubic space forming the whole of a proposed lot, or the whole of any part of a proposed lot, to which the plan relates;

(b) shows—

(i) the floor area of any such cubic space; and

(ii) where any such cubic space forms part only of a proposed lot, the aggregate of the floor areas of every cubic space that forms part of the proposed lot; and

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*Strata Titles (Amendment).*


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SCHEDULE 1—*continued.*AMENDMENTS TO THE STRATA TITLES ACT,  
1973—*continued.*

(c) where proposed lots or parts thereof to which the plan relates are superimposed on other proposed lots or parts thereof to which the plan relates—

(i) shows the base lines in respect of the proposed lots or parts thereof that are so superimposed separately from those in respect of the other proposed lots or parts thereof upon which they are superimposed; and

(ii) specifies, by reference to floors or levels, the order in which that superimposition occurs;

(b) Section 5 (2) (b)—

Omit “a stratum or part of a stratum which includes”.

(3) Section 8 (1) (b)—

Omit the paragraph, insert instead :—

(b) where no part of the land to which the plan relates would become common property upon registration of the plan as a strata plan, at least one of the proposed lots or part thereof

SCHEDULE

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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT,  
1973—*continued.*

to which the floor plan relates is superimposed  
upon another proposed lot or part thereof to  
which the floor plan relates;

(4) Section 51 (7) (b) (ii)—

Omit "on".

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