



Strata Schemes (Freehold Development) Amendment (Fees) Regulation 2004

under the

Strata Schemes (Freehold Development) Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Freehold Development) Act 1973*.

ANTHONY BERNARD KELLY, M.L.C.,

Minister for Lands

Explanatory note

The object of this Regulation is to increase certain fees payable to the Registrar-General under the *Strata Schemes (Freehold Development) Act 1973*. The increases include charging a fee for examining:

- (a) a plan lodged for registration or examining a plan before lodgment based on a quarter-hour or part of a quarter-hour occupied in the examination of the plan after the first 4 hours instead of on an hour or part of an hour after that 4-hour period, and
- (b) an application for an order to terminate a strata scheme based on a quarter-hour or part of a quarter-hour occupied in the examination of the application instead of on an hour or part of an hour.

This Regulation also introduces a new fee for each easement, restriction on the use of land, positive covenant or profit à prendre created, or each easement released, in a section 88B instrument accompanying a plan.

This Regulation is made under the *Strata Schemes (Freehold Development) Act 1973*, including section 158 (the general regulation-making power) and, in particular, section 158 (1) (d).

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under the

Strata Schemes (Freehold Development) Act 1973

1 Name of Regulation

This Regulation is the *Strata Schemes (Freehold Development) Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Strata Schemes (Freehold Development) Regulation 2002

The *Strata Schemes (Freehold Development) Regulation 2002* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

[1] Schedule 6

Omit the Schedule. Insert instead:

Schedule 6 Fees

(Clause 35)

	\$
1 On lodgment of a plan for registration	800.00
And, in addition, for each quarter-hour or part of a quarter-hour in excess of the first 4 hours occupied in the examination	50.00
In addition, for the preparation and supply of a certificate of title for common property in a strata scheme	80.00
In addition, for each lot shown on the plan	80.00
And, if the plan is accompanied by a copy of the proposed by-laws for the strata scheme, an additional	150.00
And, if the plan is accompanied by a section 88B instrument, for each easement, restriction on the use of land, positive covenant or profit à prendre to be created, irrespective of the number of lots burdened or benefited, an additional	75.00
And, if the plan is accompanied by a section 88B instrument, for each easement to be released, irrespective of the number of lots burdened or benefited, an additional	75.00
And, if the plan is a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	15.00
2 On lodgment of a substituted plan or any sheet of such a plan	75.00

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2004**

Schedule 1 Amendment

		\$
3	On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment fee
4	On lodgment of an application to amend a plan	75.00
	In addition, if the application involves the amendment of a certificate of title or folio of the Register:	
	(a) for the first certificate or folio	75.00
	(b) for each certificate or folio after the first	10.00
5	For examining a plan before lodgment	880.00
	In addition, for each quarter-hour or part of a quarter-hour in excess of the first 4 hours occupied in the examination	55.00
6	On lodgment of a notification of change of by-laws	75.00
7	On lodgment of a notice of conversion	75.00
8	On lodgment of a notification of change of address for service of notices on an owners corporation	75.00
9	On lodgment of an order varying a strata scheme	75.00
10	On lodgment of an application for an order terminating a strata scheme	75.00
	In addition, for each quarter-hour or part of a quarter-hour occupied in examining the application	50.00
11	On lodgment of an order terminating a strata scheme	75.00
12	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 9 (3) (d) (i), 13 (2) (b) (i) or 28 (4) (b) of the Act	75.00

	\$
13 On lodgment of a strata management statement	150.00
14 On lodgment for registration of a strata development contract	150.00
15 On lodgment for registration of an amendment to a strata development contract	75.00
16 For supplying a copy of a strata development contract or part of a strata development contract to any person attending an office of the Department of Lands	10.00
17 For supplying a copy of a strata development contract or part of a strata development contract in response to a requisition requiring dispatch of information by post, facsimile or other means approved by the Registrar-General	22.00
18 For supplying a copy of any by-laws lodged with a strata plan to any person attending an office of the Department of Lands	10.00
19 On lodgment of any document not otherwise referred to in this Schedule	75.00
