



New South Wales

Strata Schemes (Leasehold Development) Amendment (Fees) Regulation 2005

under the

Strata Schemes (Leasehold Development) Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Leasehold Development) Act 1986*.

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 (Leasehold Development) Act 1986*. The fee increases are in line with movements in the Consumer Price Index.

This Regulation also rationalises items in the schedule of fees to the *Strata Schemes (Leasehold Development) Regulation 2002* relating to the supply of copies of documents:

- (a) by removing from the schedule items relating to specific document types (strata development contracts or by-laws lodged with strata plans), and
- (b) by introducing into the schedule items for the supply of copies of any type of documents in the custody of the Registrar-General (other than certified copies) according to the means of delivery of the copies (in person, by electronic means or by some other means).

This Regulation is made under the *Strata Schemes (Leasehold Development) Act 1986*, including section 196 (the general regulation-making power) and, in particular, section 196 (1) (d).

Strata Schemes (Leasehold Development) Amendment (Fees) Regulation 2005

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Strata Schemes (Leasehold Development) Act 1986

1 Name of Regulation

This Regulation is the *Strata Schemes (Leasehold Development) Amendment (Fees) Regulation 2005*.

2 Commencement

This Regulation commences on 1 July 2005.

3 Amendment of Strata Schemes (Leasehold Development) Regulation 2002

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

Schedule 1 Amendment

(Clause 3)

Schedule 6

Omit the Schedule. Insert instead:

Schedule 6 Fees

(Clause 37)

	\$
1 On lodgment of a plan for registration	823.00
In addition, for each quarter-hour or part of a quarter-hour in excess of the first 4 hours occupied in the examination	51.50
In addition, for the preparation and supply of a certificate of title for lease of common property in a leasehold strata scheme	82.30
In addition, for each lot shown on the plan	82.30
And, if the plan is accompanied by a copy of the proposed by-laws for the leasehold strata scheme, an additional	154.50
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	77.25
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	77.25
And, if the plan is lodged for registration as a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	15.45
2 On lodgment of a substituted plan or any sheet of such a plan	77.25
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

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Schedule 1 Amendment

	\$	
4	On lodgment of an application to amend a plan	77.25
	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	77.25
	(b) for each certificate or folio after the first	10.30
5	For examining a plan before lodgment	905.30
	In addition, for each quarter-hour or part of a quarter-hour in excess of the first 4 hours occupied in the examination	56.65
6	On lodgment of a notification of change of by-laws	77.25
7	On lodgment of a notice of conversion	77.25
8	On lodgment of a notification of change of address for service of notices on an owners corporation	77.25
9	On lodgment of an order varying a leasehold strata scheme	77.25
10	On lodgment of an application for an order terminating a leasehold strata scheme	77.25
	In addition, for each quarter-hour or part of a quarter-hour occupied in examining the application	51.50
11	On lodgment of an order terminating a leasehold strata scheme	77.25
12	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 11 (2) (d) (i), 16 (2) (b) (i) or 32 (4) (b) of the Act	77.25
13	On lodgment of a strata management statement	154.50
14	On lodgment for registration of a strata development contract	154.50
15	On lodgment for registration of an amendment to a strata development contract	77.25
16	For supplying a copy of a document or part of a document (other than a certified copy) in the custody of the Registrar-General:	
	(a) to any person attending an office of the Department of Lands	10.30
	(b) by electronic means to any agent licensed by the Department of Lands	4.65

		\$
(c)	to any person by some other means	Such reasonable fee (determined by the Registrar-General as is warranted by the work involved in providing the service
17	On lodgment of any document not otherwise referred to in this Schedule	77.25