

# Strata Schemes (Leasehold Development) Regulation 1997

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New South Wales

## Status Information

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### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Authorisation

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New South Wales

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# Strata Schemes (Leasehold Development) Regulation 1997



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Strata Schemes (Leasehold Development) Regulation 1997*.

### 2 Commencement

This Regulation commences on 1 July 1997.

### 3 Definitions

In this Regulation:

**approved form** has the same meaning as it has in the *Real Property Act 1900*.

**plan** means a plan lodged in the office of the Registrar-General for registration as a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan.

**section 88B instrument** means an instrument of a kind that:

(a) under clause 19, is required to accompany a plan that creates an easement, profit à prendre, restriction or positive covenant, or

(b) under clause 20, is required to accompany a plan that releases an easement, under section 88B of the *Conveyancing Act 1919*.

**the Act** means the *Strata Titles (Leasehold Development) Act 1986*.

### 4 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

## 5 Application of other instruments

- (1) The provisions of this Regulation apply in addition to the provisions of:
  - (a) Division 3 of Part 3 of, and Schedule 5 to, the *Conveyancing (General) Regulation 1992* (which deal with instruments under section 88B of the *Conveyancing Act 1919*), and
  - (b) the *Real Property Regulation 1993*.
- (2) The provisions of this Regulation prevail in the event of any inconsistency between them and the provisions referred to in subclause (1) (a) and (b).

### Note—

This Regulation includes provisions concerning plans for land the subject of a strata scheme. All such land is under the provisions of the *Real Property Act 1900*. That Act, and the regulations under that Act, include provisions concerning the preparation and lodgment of dealings for such land (including provisions requiring the payment of fees).

## Part 2 Location plans, schedules of unit entitlement and floor plans

### 6 Location plans: sections 7, 10, 11

- (1) A location plan must show the following:
  - (a) the external boundaries, and the lengths of the external boundaries, of the parcel,
  - (b) except as provided by subclause (2), the projection onto a horizontal plane of the external limits of:
    - (i) the building,
    - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots,
    - (iii) any lots or parts of lots not within the building,
  - (c) if:
    - (i) any part of the building, or
    - (ii) in the case of a lot that is not within the building but is defined by linear measurement from a part of the building or from a part of some other structural feature, any part of that lot,is within 2 metres of a boundary of the parcel, the perpendicular distance from that part of the building or of the structural feature to that boundary of the parcel,
  - (d) the identity of:

- (i) the building, by reference to the street number, the material of its external construction and the number of floors or levels, and
    - (ii) any other structural feature used in the plan to define lots or parts of lots, by reference to its nature and the material of its construction,
  - (e) the identities of all adjoining lands,
  - (f) if any encroachment exists, such survey information as the Registrar-General may require to indicate the relationship of the encroachment to the parcel boundary.
- (2) In the case of a proposed stratum parcel, the matter to be shown on a location plan by means of the projection referred to in subclause (1) (b) is to include the following information instead of that required by subclause (1) (b):
- (a) the perimeter of the site of the building of which the proposed stratum parcel forms part,
  - (b) in relation to that perimeter, the external limits of:
    - (i) the building, and
    - (ii) the proposed stratum parcel,
  - (c) in relation to the boundaries of the proposed stratum parcel, such elevations, sections, levels and planes as are necessary to illustrate:
    - (i) the part of the building that will be the subject of the proposed leasehold strata scheme, and
    - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots,
    - (iii) any proposed lots or parts of lots not within the building.
- (3) All linear connections shown on a location plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- (4) A location plan must comply with the requirements of Schedule 1.

**7 Schedules of unit entitlement: sections 7, 13, 14**

- (1) A schedule of unit entitlement must show the following:
- (a) a reference, set out in vertical columns in numerical sequence, to the number of each lot in the strata scheme,
  - (b) opposite each lot number, in whole numbers, the proposed unit entitlement of that lot,

- (c) a proposed aggregate unit entitlement, which must be the numerical total of the proposed unit entitlement of all lots in the strata scheme.
- (2) Subclause (1) does not apply to a schedule of unit entitlement referred to in section 10 of the Act.
- (3) The references to successively numbered lots having the same unit entitlement may be grouped in abbreviated form instead of being set out in vertical columns.
- (4) The sheets forming part of the schedule of unit entitlement need not be in the relevant approved form but may instead comply with the requirements of Schedule 1 to the *Real Property Regulation 1993* as if they formed part of an instrument to which clause 6 of that Regulation applies.

## **8 Floor plans: sections 7, 10, 11**

- (1) A floor plan must show the following:
  - (a) by continuous lines, the boundaries of lots or whole separate parts of lots, so that boundaries defined by walls or other structural features are clearly distinguished from boundaries defined by lines only,
  - (b) if the boundary of a lot is defined by reference to the surface of a wall, linear connections to that surface and such linear dimensions of that boundary as the Registrar-General may require,
  - (c) if the boundary of a lot is defined by reference to the surface of a floor or ceiling, such vertical connections and notations as are necessary to define that boundary,
  - (d) notations sufficient to ensure that each cubic space forming the whole of a lot or a whole separate part of a lot is fully defined (provided that if it is intended that a lot boundary is to be defined in accordance with the formula set out in section 4 (2) (a) of the Act, but not otherwise, no notation need be made for the purpose of defining that boundary).
- (2) All linear connections shown on a floor plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- (3) No reference is to be made in a floor plan to the relationship of boundaries of lots to boundaries of the parcel, except to the extent required by subclause (4).
- (4) For the purposes of sections 5 (4) (a) and 17 (4) (a) of the Act, so much of an encroachment as is intended for use with a proposed lot is to be indicated in a floor plan in such manner as the Registrar-General may require.
- (5) Subclauses (3) and (4) do not apply to a floor plan for a stratum parcel.
- (6) A floor plan must comply with the requirements of Schedule 1.

## **Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans**

### **9 Strata plans: section 7**

- (1) A strata plan must include the following:
  - (a) a location plan,
  - (b) a floor plan,
  - (c) a schedule of unit entitlement.
- (2) The first sheet of the plan must be in the approved form, bearing such of the information and certification referred to in that form as are relevant to the plan.
- (3) The second and subsequent sheets of the plan must be in the approved form and must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and (except in the case of the schedule of unit entitlement) by the surveyor by whom the plan has been prepared.

**Note—**

Clause 7 (4) provides that a schedule of unit entitlement need not be in plan form but may instead be in a form that complies with the requirements set out in Schedule 1 to the *Real Property Regulation 1993*.

- (4) Each lot must be numbered consecutively, beginning with lot 1 and ending with a lot number corresponding with the total number of lots in the plan and, if a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

### **10 Strata plans of subdivision: sections 10, 11**

- (1) A strata plan of subdivision must include the following:
  - (a) a location plan (in the case only of a plan under section 10 of the Act or a plan under section 11 of the Act for which the Registrar-General requires a location plan),
  - (b) a floor plan,
  - (c) a schedule of unit entitlement.
- (2) The first sheet of the plan must be in the approved form, bearing such of the information and certification referred to in that form as are relevant to the plan.
- (3) The second and subsequent sheets of the plan must be in the approved form and must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and (except in the case of the schedule of unit entitlement) by the surveyor by whom the plan has been prepared.



**Note—**

Clause 7 (4) provides that a schedule of unit entitlement need not be in plan form but may instead be in a form that complies with the requirements set out in Schedule 1 to the *Real Property Regulation 1993*.

- (4) Each lot resulting from the subdivision must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme and, if a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

**11 Strata plans of consolidation: section 15**

- (1) A strata plan of consolidation must include a floor plan.
- (2) The first sheet of the plan must be in the approved form, bearing such of the information and certification referred to in that form as are relevant to the plan.
- (3) The second and subsequent sheets of the plan must be in the approved form and must be signed by the surveyor by whom the plan has been prepared.
- (4) Each lot resulting from the consolidation must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme and, if a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

**12 Building alteration plans: section 17**

- (1) A building alteration plan must include a floor plan and, if the Registrar-General so requires, a plan in the nature of a location plan.
- (2) The first sheet of the plan must be in the approved form, bearing such of the information and certification referred to in that form as are relevant to the plan.
- (3) The second and subsequent sheets of the plan must be in the approved form and must be signed by the surveyor by whom the plan has been prepared.
- (4) The Registrar-General may permit specified survey information of an encroachment, sufficient to define the perimeter of a parcel, to be shown on a location plan.
- (5) Each lot must be numbered and identified in accordance with its existing numbering and identity in the strata scheme.

**13 Renumbering of lots**

The Registrar-General may at his or her discretion and after giving notice to such persons as he or she may think fit:

- (a) number or re-number any lots in a plan, whether before or after registration, and
- (b) before registration of a plan, supply omissions and correct obvious errors in the plan.

## **Part 4 Strata development contracts**

### **14 Information to be included**

- (1) In addition to the information required by section 43 (2) of the Act, a strata development contract must include the covenants set out in Schedule 2AA to the Act.
- (2) The description referred to in section 43 (2) (c) of the Act must deal separately with each of the following matters in relation to each stage of the development:
  - (a) the types of buildings proposed, the proposed uses of the lots in the buildings, the proposed building style, and the height and density of the buildings,
  - (b) any common property amenities that will be provided,
  - (c) the maximum number of lots to be created,
  - (d) details of access and construction zones and accompanying rights over common property and development lots,
  - (e) the manner in which it is proposed to landscape the parcel,
  - (f) building materials and finishes to be used,
  - (g) details of any vertical staging, and of the insurance cover that applies to any such staging,
  - (h) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
  - (i) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.
- (3) The description referred to in section 43 (2) (d) of the Act must deal separately with each of the following matters in relation to each stage of the development:
  - (a) the types of buildings proposed, proposed uses of the lots in the buildings, the proposed building style, and the height and density of the buildings,
  - (b) the maximum number of lots to be created,
  - (c) details of any vertical staging, and of the insurance cover that applies to any such staging,
  - (d) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,

- (e) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.

### **15 Execution by developer on behalf of body corporate**

If a dealing, plan or other instrument is executed by a developer on behalf of a body corporate under section 54 (3) of the Act for the purpose of giving effect to a decision about a development concern:

- (a) the execution must be in the approved form, and
- (b) a statutory declaration in the approved form must be lodged with the dealing, plan or other instrument.

### **16 Notices relating to development concerns**

A motion that relates to a development concern must be identified by the matter “(THIS MOTION RELATES TO A DEVELOPMENT CONCERN—SEE SECTIONS 54, 55 AND 56 OF THE STRATA TITLES (LEASEHOLD DEVELOPMENT) ACT 1986)” appearing after the proposed wording of the motion in the following notices and requisitions:

- (a) a notice served on the secretary of the council requiring inclusion in the agenda of the next general meeting of the body corporate of such a motion,
- (b) a notice served on the secretary or, in the absence of the secretary, another member of the council requiring the convening of an extraordinary general meeting to consider such a motion,
- (c) a requisition served on the secretary or, in the absence of the secretary, another member of the council requiring a meeting of the council to be convened to consider such a motion,
- (d) notice of a meeting of the body corporate or of the council of the body corporate at which such a motion is to be considered.

### **17 Insurance for vertical staged development**

- (1) For the purposes of clause 8 of Schedule 2AA to the Act, a policy of indemnity must indemnify the developer against at least the following:
  - (a) contract works claims up to a value at least equivalent to the cover provided by the body corporate’s damage policy maintained under section 83 or 84 of the [Strata Schemes Management Act 1996](#), subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for contract works insurance,
  - (b) public liability claims up to a value of at least \$10,000,000, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for public liability insurance.

(2) This clause does not affect any obligation of a developer to effect and maintain insurance required by or under any other law, such as the [Workers Compensation Act 1987](#).

(3) In this clause:

**contract works claim** means a claim for accidental damage to buildings and works for the time being forming part of the parcel (including buildings erected and works carried out under the strata development contract), arising out of or resulting from the carrying out of the permitted development.

**public liability claim** means a claim for damages because of deaths or personal injuries for which the developer is liable as an occupier of the parcel.

## Part 5 Miscellaneous

### 18 Indication of site of proposed easement or variation of site of existing easement

- (1) A notation referring to an intention to create or release an easement, or to create a profit à prendre, restriction or positive covenant, must not be entered on a plan unless it is intended that it is to be created or released pursuant to section 88B of the [Conveyancing Act 1919](#).
- (2) However, a plan may designate the site of a proposed easement that is intended to be created (otherwise than by registration of the plan) by an instrument of grant or reservation, or the proposed varied site of an existing easement that is intended to be varied by an instrument of variation, if:
  - (a) the designation of the site of the proposed easement, or of the proposed variation of existing easement, includes the word “proposed” or an abbreviation of that word, and
  - (b) no other statement of intention to create or vary the easement is entered elsewhere on the plan.
- (3) The designation of the site of a proposed easement in accordance with subclause (2) does not, for the purposes of section 88B of the [Conveyancing Act 1919](#), indicate in the prescribed manner an intention to create an easement.
- (4) A notation referring to the proposed varied site of an existing easement must not be entered on a plan unless it is intended that the easement is to be varied pursuant to section 47 (5A) of the [Real Property Act 1900](#).

### 19 Indication of creation of easement

- (1) In a plan which, on registration, is intended to create an easement, profit à prendre, restriction or positive covenant pursuant to section 88B of the [Conveyancing Act 1919](#):

- (a) a statement of intention to create the easement, profit à prendre, restriction or positive covenant must be legibly printed in the panel provided on the approved form, and
  - (b) the site of an easement must be shown in the plan drawing area of the approved form with sufficient indication of the nature of the easement to distinguish it from any other easement intended to be created on registration of the plan, and
  - (c) if an easement is limited in height or depth, the levels of the limits must be related to Australian Height Datum.
- (2) A statement of intention referred to in subclause (1) (a) must neither incorporate the text of the easement, profit à prendre, restriction or positive covenant nor specify the lots intended to be benefited and burdened.
- (3) The plan must be accompanied by an instrument (a **section 88B instrument**) that complies with Division 3 of Part 3 of the *Conveyancing (General) Regulation 1992*.

## 20 Indication of release of easement

- (1) In a plan which, on registration, is intended to release an easement (in respect of some or all of the land to which it formerly applied) pursuant to section 88B of the [Conveyancing Act 1919](#):
- (a) a statement of intention to release the easement must be legibly printed in the panel provided on the approved form, and
  - (b) sufficient information must be shown on the plan, or included in the relevant section 88B instrument, to indicate the extent of the release.
- (2) The plan must be accompanied by an instrument (a **section 88B instrument**) that complies with Division 3 of Part 3 of the *Conveyancing (General) Regulation 1992*.

## 21 Lodgment of plans

- (1) A plan must be produced by hand to the proper officer at the office of the Registrar-General.
- (2) A plan must be accompanied by:
- (a) a duly completed plan lodgment form, and
  - (b) a print of each sheet of the plan (each sheet being a positive reproduction on a light background).
- (3) If the Registrar-General so requires, a plan must also be accompanied by:
- (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel, and

(b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme, and

(c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme,

unless evidence is furnished to the satisfaction of the Registrar-General that any relevant certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan or that notice has been served under section 18 (1) (d) of the Act.

(4) A plan lodgment form referred to in subclause (2) (a) is not duly completed unless it indicates the name, in full, of the registered proprietor of the land, the name of the person on whose behalf the plan is being lodged, the name and full postal address of the person by whom the plan is being lodged and such particulars of title to the land as the Registrar-General may require.

(5) If an original of a plan referred to in subclause (2) (b) bears evidence of a strata certificate, the print of each sheet of the plan must contain particulars of that certificate under the original signature of a duly authorised officer of the council or of the accredited certifier (as appropriate).

## **22 Alterations**

Each alteration to a sheet of a plan (other than an alteration made by the Registrar-General) must be authenticated:

(a) except in the case of a sheet showing only the whole or a part of a schedule of unit entitlement, by the surveyor by whom the plan has been prepared, and

(b) if the alteration concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme, by a duly authorised officer of the local council or by the accredited certifier (as appropriate).

## **23 Lessees' certificates**

For the purposes of section 7 (1) (c) (iii) of the Act, the prescribed persons by whom a certificate referred to in that subparagraph must be signed are:

(a) if the total number of leases is 3 or less, all of the lessees, or

(b) if the total number of leases is more than 3:

(i) the person presiding at the meeting referred to in section 7 (1) (c) (iii) of the Act, and

(ii) two other lessees (not being joint lessees).

## **24 Surveyors' certificates**

A certificate given by a surveyor under section 11 (2) (c) or 17 (1) (d) of the Act must be in the approved form.

## **25 Councils' strata certificates and notices**

- (1) A strata certificate issued or notice given by a local council under section 66 (1), (2), (3), (4), (5) or (6) of the Act must be in the approved form.
- (2) A notice under section 66 (3) of the Act must be accompanied by a copy of a plan illustrating the proposed subdivision, identified by the signature of the duly authorised officer of the council who signed the notice.
- (3) A local council must keep (as part of the register kept by the council under clause 109A or 109B of the *Environmental Planning and Assessment Regulation 1994*) a record of the following:
  - (a) the date of issue of each strata certificate issued by the council under section 66 of the Act,
  - (b) the date of issue of each strata certificate issued by an accredited certifier under section 66A of the Act in relation to a building or proposed building within the area of the council.
- (4) A local council must keep the following documents for each strata certificate issued by it under section 66 of the Act, or by an accredited certifier under section 66A of the Act in relation to a building or proposed building within the area of the council:
  - (a) a copy of the strata certificate,
  - (b) a copy of the proposed strata plan, strata plan of subdivision or notice of conversion to which the strata certificate relates,
  - (c) copies of any related documents submitted to the council by the applicant for the strata certificate in connection with the application.
- (5) A local council must make the documents kept by it under subclause (2) available for inspection at its principal office, free of charge, during the council's ordinary office hours. A copy of any such document may be made on payment of a reasonable copying charge set by the council.

## **25A Accredited certifier certificates**

- (1) A strata certificate issued by an accredited certifier under section 66A of the Act must be in the approved form.
- (2) An accredited certifier must within 7 days after issuing a strata certificate send a copy of the following documents to the consent authority that granted the relevant

development consent and to the local council (if the local council is not the consent authority):

- (a) the strata certificate,
- (b) the proposed strata plan, strata plan of subdivision or notice of conversion concerned,
- (c) any other related documents submitted to the accredited certifier by the applicant for the strata certificate in connection with the application.

(3) Clause 81M (Record keeping by accredited certifiers) of the *Environmental Planning and Assessment Regulation 1994* applies (as a requirement of this Regulation) in respect of strata certificates and applications for strata certificates in the same way as it applies in respect of certificates and applications for certificates referred to in that clause.

## 26 Body corporate certificates

- (1) A certificate given by a body corporate under section 11 (2) (d) (i), 14 (b), 16 (2) (b) (i), 22 (5) (b), 32 (4) or 66 (3), (5) (a) or (6) (a) of the Act must be in the approved form.
- (2) For the purpose of identification, a plan in respect of which a certificate is given under section 66 (3) of the Act must be signed by each person who attested the affixing of the seal of the body corporate to the certificate.

## 27 Notice to water supply authorities

- (1) A lessor must give written notice to the relevant water supply authority within 60 days after the lessor grants or terminates a lease, or allows or terminates occupation, of a lot in a leasehold strata scheme.

Maximum penalty: 2 penalty units.

- (2) In this clause:

**water supply authority** means:

- (a) the Sydney Water Corporation Limited, the Hunter Water Corporation Limited or a water supply authority constituted under the [Water Supply Authorities Act 1987](#), or
- (b) a council or county council exercising water supply, sewerage or stormwater drainage functions under Division 2 of Part 3 of Chapter 6 of the [Local Government Act 1993](#).

## 28 Fees

- (1) The fees specified opposite the matters listed in Schedule 2 are payable to the



Registrar-General in respect of those matters.

- (2) A fee is payable before the service to which the fee relates is provided or at such time, and in accordance with such conditions, as the Registrar-General may agree with the person paying the fee.

## **29 Repeal**

The *Strata Titles (Leasehold) Regulation 1989* is repealed.

## **Schedule 1 Requirements for plans**

(Clauses 6 and 8)

### **1 Material on which plan to be drawn**

- (1) Each plan sheet must consist of a polyester film, or some other medium approved by the Registrar-General.
- (2) A plan must be drawn on one side of a plan sheet only, and must be drawn on a matt surface.
- (3) Each plan sheet must be free from blemishes and creases.

### **2 Plan sheet dimensions**

Each plan sheet must have external dimensions of 420 millimetres by 297 millimetres (standard A3 size).

### **3 Margins**

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

### **4 Lettering**

Unless the Registrar-General otherwise approves, all words, letters, figures and symbols appearing on a plan:

- (a) must be drawn in dense black waterproof ink or dense black plastic ink, and
- (b) must be shown in capital letters (except as otherwise provided by this Schedule), and
- (c) must be open in formation and construction, and
- (d) must be drawn in an upright style.

## **5 Use of colouring and edging prohibited**

Neither colouring nor edging is to be used on a plan sheet.

## **6 Clarity of detail**

The plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.

## **7 Alterations**

- (1) A plan may be altered only by striking through the matter to be altered.
- (2) In particular, a plan may not be altered by the use of liquid paper or by rubbing, scraping or cutting the surface of the plan sheet.
- (3) The Registrar-General may require a plan sheet to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for copying.

## **8 Information to be included on plan sheets**

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively, in the form "Sheet ... of ... sheets" in the top right hand corner of each sheet.
- (2) Each plan sheet must contain a north point (directed upwards).
- (3) Any separate diagrams or tabulations of dimensions or marks used in an additional sheet must be shown on the sheet.
- (4) No information (other than the plan and any separate diagrams and tabulations of dimensions and marks relating to the plan) is to appear within the plan drawing area of a plan sheet.
- (5) Any signature or seal that cannot satisfactorily be shown on the plan sheet may be shown on an additional plan sheet.

## **9 Linear dimensions**

- (1) Linear measurements must be expressed in metres, correct to 3 decimal places, without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

## **10 Area dimensions**

- (1) Area measurements must be expressed as follows:
  - (a) areas of less than one hectare must be expressed in whole square metres, accompanied by the symbol "m<sup>2</sup>", and

- (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol “ha”, and
- (c) areas of 10 000 hectares or more must be expressed in square kilometres, accompanied by the symbol “km<sup>2</sup>”.

(2) The total area of a lot:

- (a) must be shown within or relevant to the most significant part of the lot, and
- (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

### **11 Bearings and angles**

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

### **12 Reduction ratio**

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

### **13 Identification of adjoining lands on location plans**

The identities of all adjoining lands must be shown on a location plan.

### **14 Identification of easements on location plans**

- (1) A location plan must contain sufficient information to define the site of:
  - (a) any easement intended to be created as a consequence of the registration of the plan, and
  - (b) any easement intended to be partially released as a consequence of the registration of the plan, and
  - (c) any proposed easement, or proposed variation or partial release of an easement, other than an easement referred to in paragraph (a) or (b),

and, where necessary, must also contain sufficient information to indicate the relationship of any such easement to the boundaries of any affected parcel or lot.

- (2) The site, nature and origin of any existing easement affecting a parcel or lot in a location plan, and its relationship to the boundaries of that parcel, must be shown wherever possible. **Origin**, in relation to an existing easement, means the Gazette

reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

- (3) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.

## Schedule 2 Fees

(Clause 28)

	\$
1 On lodgment of a plan for registration	590.00
And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	60.00
And, in addition, for the preparation and supply of a certificate of title for common property in a leasehold strata scheme	60.00
And, in addition, for each lot shown on the plan	60.00
And, if the plan is accompanied by a copy of the proposed by-laws for the leasehold strata scheme	120.00
And, if the plan is accompanied by a section 88B instrument in which only one easement, restriction on the use of land, positive covenant or profit à prendre is to be created, irrespective of the number of lots burdened or benefited, an additional	60.00
And, if the plan is accompanied by a section 88B instrument in which the combined number of easements, restrictions on the use of land, positive covenants or profits à prendre to be created is 2 or more, an additional	120.00
And, if the plan is accompanied by a section 88B instrument in which only one easement is to be released, irrespective of the number of lots burdened or benefited, an additional	60.00
And, if the plan is accompanied by a section 88B instrument in which the number of easements to be released is 2 or more, an additional	120.00
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	15.00
2 On lodgment of a substituted plan or any sheet of such a plan	60.00
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	60.00

	And, 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	60.00
	(b) for each certificate or folio after the first	10.00
5	For examining a plan before lodgment	649.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	63.80
6	On lodgment of a notification of change of by-laws	60.00
7	On lodgment of a notice of conversion	60.00
8	On lodgment of a notification of change of address for service of notices on an owners corporation	60.00
9	On lodgment of an order varying a leasehold strata scheme	60.00
10	On lodgment of an application for an order terminating a leasehold strata scheme	60.00
	And, in addition, for each hour or part of an hour occupied in examining the application	100.00
11	On lodgment of an order terminating a leasehold strata scheme	60.00
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	60.00
13	On lodgment of a strata management statement	60.00
14	On lodgment for registration of a strata development contract	120.00
15	On lodgment for registration of an amendment to a strata development contract	60.00
16	For supplying a copy, available from the Document Copy Service, of a strata development contract or part of a strata development contract	4.00
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	20.00
	And, in addition, for supplying documents by facsimile transmission, for each sheet in excess of 2 sheets	1.00
	And, for each requisition if more than 20 pages but not more than 100 pages of a strata development contract or contracts are to be copied	20.00
18	For supplying a copy, available from the Document Copy Service, of any by-laws lodged with a strata plan	4.00

19	On lodgment of any document not otherwise referred to in this Schedule	60.00
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