



STRATA PLANS

FAST FACTS 2013

February 2013

Document summary

Document control

Document	Date amended
Status	Complete Revision
Version	0.1
Version Date	05/11/12
Author	Mark Deal
Owner	Titling and Registry Services

Change history

Version	Version date	Authorised by	Change details
0.1	05/11/12	Darren Peters	
0.2	06/02/13	John Arthur	Legislation error page 25

Approval

Name	Role	Section to be approved
Tony Walsh	Manager Titling and Plan Services	All
John Arthur	Manager Strata Plan Section	Legislation Name

This publication provides a general overview to assist surveyors in the preparation of strata plans and should be used in conjunctions with the Registrar General's Directions for Strata Schemes http://rgdirections.lpi.nsw.gov.au/strata_schemes

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Strata plan fast facts

Date of Publication (February) 2013

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Disclaimer

Information contained herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Advice from a professional adviser should be sought if there is doubt as to the applicability of this information to individual circumstances. It should be used with Registrar General's Directions for Strata Schemes http://rgdirections.lpi.nsw.gov.au/strata_schemes.

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ISSN 2201-4292

This publication provides a general overview to assist surveyors in the preparation of strata plans.

Strata legislation

Access to strata legislation is available from the NSW Legislation website www.legislation.nsw.gov.au

Strata Schemes (Freehold Development) Act 1973 No. 68

Strata Schemes (Leasehold Development) Act 1986 No. 219

Strata Schemes (Freehold Development) Regulation 2012

Strata Schemes (Leasehold Development) Regulation 2012

Strata Schemes Management Act 1996

Strata Schemes Management Regulation 2010

Land and Property Information Policy and Practice

LPI policy and practice is available from the Registrar General's Directions for Strata Schemes http://rgdirections.lpi.nsw.gov.au/strata_schemes

Strata plan inquiries

Inquiries regarding strata plan may be directed to:

T: 02 9228 6798 - Plan Inquiry Service

E: plan-info@lpi.nsw.gov.au

The strata plan

A strata plan contains two parts; the administration sheets and plan drawing sheets containing location plan and floor plans.

Administration sheets

The administration sheet is for all administrative information (which includes name and address for service of notices, by-laws and schedule of unit entitlement), approvals for the plan (i.e. strata certificate and surveyor certificate), signatures and seals.

The administration sheets are approved forms and they are numbered separately from the plan drawing sheets.

It must contain Strata Plan form 3 (Part 1), Strata Plan form 3 (Part 2) and/or Strata Plan form 3A (Annexure sheet).

- **Strata Plan form 3 (Part 1)** will always be sheet 1 of the administration sheets.
- **Strata Plan form 3 (Part 2)** will be sheet 2 of the administration sheets.
- **Strata Plan form 3A (Annexure sheet)** will be used if there is insufficient space on the preceding sheet for signatures, statements and or the schedule of unit entitlements.

All administration sheets will consist of at least two sheets. A maximum of three annexure sheets, using Strata Plan form 3A, may be added. If further annexure sheets are required approval must be sought from the Strata Title Adviser.

Strata Plan form 3B is a specific administration sheet for Building Alteration plan.

The current Strata Plan Approved forms are available on the Land and Property Information website www.lpi.nsw.gov.au

- (1) The approved form must be produced including all of text. It is not permitted to omit any information. Inapplicable information should be struck through.
- (2) Surveyors should note that all relevant sections of the surveyor's certificate (Approved form 3) must be completed.
- (3) It is the surveyor's responsibility to complete the by-law panel. It should not be left blank. Inapplicable sections should be struck through.

By-laws

Section 8 (4B) *Strata Schemes (Freehold Development) Act 1973*, requires that a strata plan must specify the by-laws proposed to be adopted.

Example 1 - By-laws panel shown on the Administration sheet - Strata Plan Form 3 (Part 1)

The full detail of the model by-laws are set out in Schedules 2-7 Strata Schemes Management Regulation 2010 and include:

- Residential Schemes (requires the keeping of animals option to be selected).
- Retirement Village Schemes (requires the keeping of animals option to be selected).
- Industrial Schemes.
- Hotel/Resort Schemes.
- Commercial/Retail Schemes.
- Mixed Use Schemes (requires the keeping of animals option to be selected).

When Approved forms 9, 10, 11 or 12 are required to enable the registration of a plan they should be included in the signatures panel of the administration sheets.

Schedule of unit entitlements

The schedule of unit entitlements must be shown on the administration sheet in the appropriate panel in accordance with clause 6 *Strata Schemes (Freehold Development) Regulation 2012*.

- The schedule must contain two vertical columns the first should show the lot numbers in numerical sequence and the second should show the unit entitlements for each lot.
- The final row must show the aggregate of the unit entitlements.
- All unit entitlements must be expressed in whole numbers.

It is the responsibility of the surveyor to show the schedule of unit entitlements, however the information should be provided to the surveyor by the developer. The unit entitlements should be based upon the market value of the lots at the date of registration of the strata plan. Attention is drawn to section 183 *Strata Schemes Management Act 1996*.

Strata plan

The schedule of unit entitlement

LOT	UNIT ENTITLEMENT
1	25
2	25
3	30
4	30
5	90
Aggregate	200

Example 2 - Schedule on a strata plan

Successively numbered lots with the same unit entitlement may be grouped in abbreviated form instead of being set out in vertical columns. The schedule of unit entitlement may be prepared as shown in example below.

THE UNIT ENTITLEMENTS FOR LOTS 1 TO 10 ARE 10 EACH. AGGREGATE IS 100

Example 3 - Schedule on a strata plan

The schedule of unit entitlement

LOT	UNIT ENTITLEMENT
1	10
2	10
3	10
4	10
5	10
6	10
7	20
Aggregate	80
	OR
LOT	
1-6	10
7	20
Aggregate	80

Example 4 - Schedule on a strata plan

Strata plan of subdivision

The schedule on a strata plan of subdivision, (not including the subdivision of a development lot), must include reference to all lots in the strata scheme, whether existing or new lots, except for the lot or lots being subdivided.

The aggregate unit entitlement, and the existing unit entitlement of any lot in the strata scheme, may be changed, where common property is being created or subdivided, by showing the change in the schedule. Approved form 11 is also required – see Registrar General's Directions for Strata Scheme.

The schedule of unit entitlement

LOT	UNIT ENTITLEMENT 1
1	25
4	30
5	90
6	27
7	28
Aggregate	200

Example 5 - Strata plan of subdivision of lots 2 and 3

Strata plan of subdivision of a development lot

The schedule of unit entitlements should only show the new lots in the strata plan of subdivision. The total aggregate must equal the unit entitlement of the development lot subdivided.

The schedule of unit entitlement

LOT	UNIT ENTITLEMENT
8	30
9	30
10	30
Aggregate	90

Example 6 - Strata plan of subdivision of a development lot 7

Location plan

The basic purpose of a location plan is to show the building and any lots outside the building in relation to the parcel boundary.

The requirements for location plans are set out in Clause 5 *Strata Schemes (Freehold Development) Regulation 2012.* A location plan is not required for a strata plan of subdivision that affects lots and/or common property that is wholly within the original building.

The location plan is prepared on Strata Plan form 2, on a separate sheet from the floor plan(s) and must show the following.

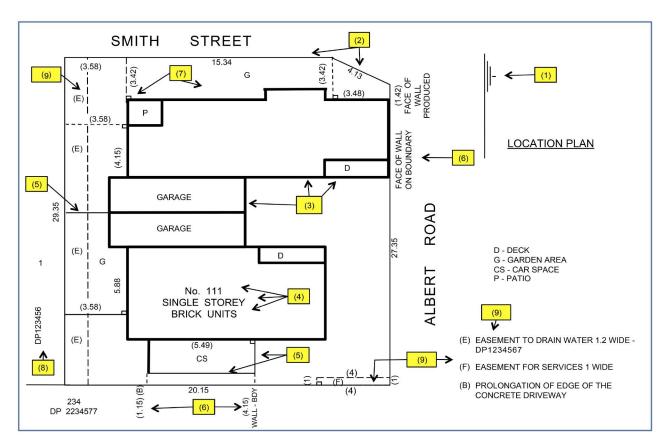
- (1) A north point (directed upwards). Indication of plan orientation e.g. (ISG, MGA) not required.
- (2) External boundaries of the land being subdivided and their lengths.
- (3) External limits of the building and any other structures used to define the lots on the floor plan.
- (4) Identity of the building by indicating the street number, the number of levels and the materials of its external construction.
- (5) Boundaries of any lots not within the building (these should not be dimensioned).
- (6) When a building containing lots is within 2 metres of the parcel boundary, connections must be provided from the building to the parcel boundary.
- (7) When a lot external to a building is within 2 metres of the parcel boundary, connections must be provided from the structural feature used to define the lot to the parcel boundary. These connections should correspond to those used on the floor plan to define the lots. The connections must be sufficient to establish that any lot boundaries do not extend beyond the parcel boundaries.

Connections are not required on the location plan if the lot boundaries are coincident with the parcel boundary.

In this instance a note should be added to the relevant boundary on the location plan e.g. "lot boundary is coincident with the parcel boundary."

All connections must be perpendicular from specific points on a structure or prolongations of the face of the structure.

- (8) Identities of the adjoining lands.
- (9) The site and description of all existing easements which affect the parcel or new easements remote from the building which affect common property.
- (10) If an encroachment exists, sufficient information to indicate the extent and nature of the encroachment.



Example 7 - Location plan

To ensure clarity all lettering on Strata Plan form 2 should have a minimum height of 2.5mm

The following items must NOT be shown on the location plan.

- × Survey information e.g. bearing, pegs (unless an exemption has been issued).
- × Dimensions and lot numbering of the strata lots.
- × The stratum statements.

Floor plan

Purpose of the floor plan is to define new strata lots. The requirements for floor plans are set out in Clause 7 *Strata Schemes (Freehold Development) Regulation 2012*. Floor plan(s) are prepared on Strata Plan form 2, on a separate sheet/sheet(s) from the location plan.

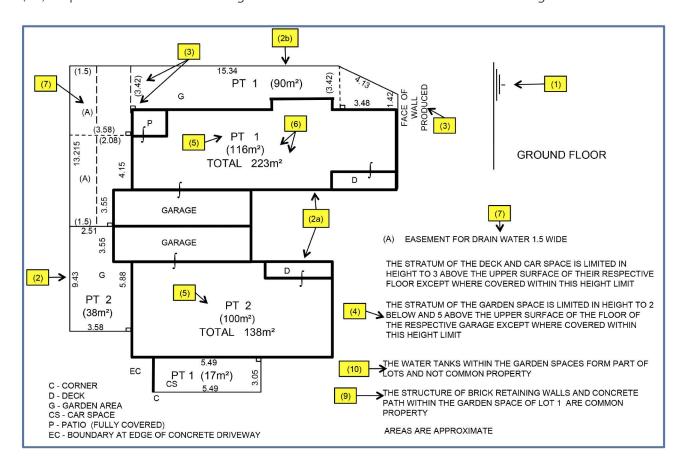
The following information should be shown on the floor plan(s).

- (1) A north point (directed upwards). Indication of plan orientation eq. (ISG, MGA) not required.
- (2) Boundaries of all lots and part lots defined by continuous (i.e. unbroken) lines.
 - (a) boundaries which are defined by a structure must be shown by thick lines

Only one consistent line thickness should be used regardless of thickness of the structure.

- (b) boundaries not defined by structures must be shown by thin lines
- (3) Boundaries which are not defined by a structure are referred to as line boundaries. Line boundaries must be dimensioned by distance only and be defined by right angled offsets and/or connections from specified points on a structural feature shown on the floor plan.
- (4) Stratum statements for those parts of the lots which do not have structural cover and or a structural base to define their horizontal boundaries (i.e. upper and lower limits).
- (5) The lot number for each lot or part lot. Lot numbering must be consecutive and commence with lot 1. Any part lot should be identified as part of the lot or connected by vinculum.

- (6) An area for each lot or part lot. Part lot areas should be shown in brackets and a total area must be shown within or relevant to the most significant part of the lot. The total area must be the mathematical aggregate of the separate parts.
- (7) The site and description of all easements which affect the lots that are to be created upon registration of the plan. If the easement sites are not defined by a structure, they must be defined by rectangular offsets from the building or other structural feature in the same manner as lot boundaries.
- (8) Easements effecting common property that are remote from the building may be defined on the location plan only.
- (9) All occupations within an external part of a lot and within 1 metre of any lot boundary must be shown or referred to. The floor plan should indicate the materials and nature of the occupation and indicate if it forms common property or part of the lot. This is not required for fencing within the meaning of the *Dividing Fences Act 1991*.
- (10) Any other notes which indicate items which are within the air space of a lot are to form common property and not part of the lot. Example "The hot water service within the courtyard of lot 1 is common property and not part of the lot."
- (11) Any equipment within common property proposed to be exclusive to a lot and should be referred to in an exclusive use by-law. For example air-conditioning units, water tank, antenna etc.
- (12) Separate floors of the building must be shown from the lowest level to the highest level.



Example 8 - Floor plan

To ensure clarity all lettering on Strata Plan form 2 should have a minimum height of 2.5mm.

Areas of strata lots

The floor plan must show the base area of each cubic space of a strata lot. When there is more than one part to a strata lot (i.e. more than one cubic space), a total floor area must be shown in the main part of the strata lot.

Areas of less than 1 hectare must be expressed in square metres.

No objection will be made to the addition of a statement on the plan - "AREAS ARE APPROXIMATE".

Rental property areas

The only areas that are to be shown in any strata scheme plan are those calculated from the base of the strata lot as depicted in the floor plan.

LPI recognises that they may not represent the useable floor areas available for rental purposes.

Where a strata scheme plan is being developed for lease purposes, LPI will allow the following statement on the plan:

MEASUREMENTS OF FLOOR AREA SHOWN ON THE FLOOR PLAN ARE APPROXIMATE AND CALCULATED FOR THE PURPOSE OF THE STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT 1973 ONLY. THEY MAY DIFFER FROM MEASUREMENTS OF FLOOR AREA FOR OTHER PURPOSES

Stratum statements

Stratum statements are required if a lot is not limited in height and or depth by a structure. Lots which are within a building are generally accepted to extend from the upper surface of the floor to the lower surface of the ceiling. A stratum statement will be required for all lots outside a building which are not fully covered by a structure or do not have a structural base for their entire area.

The following points must be considered when providing stratum statements in the floor plan.

- All stratum statements must be related to a permanent structural surface within the parcel.
- The maximum limitation for the height or depth of a lot defined by a stratum statement acceptable to LPI is 50 metres. If there is a requirement to exceed this limit, an application should be put to Strata Plan Advisor for approval.
- When referring to surface of the floor/ceiling, the statement must clearly state whether the reference is to the upper or lower surface.
- Wherever possible the structural surface should be referred to e.g. upper tiled floor, upper concrete surface.
- If a dwelling has more than one floor, any reference to the surface must clearly specify the relevant floor level.
- If the stratum statement is complex, it is recommended that separate statements for height and depth limits be provided.

The following are some commonly used terms to describe areas outside of the building:

Courtyard, garden area, yard space

It would not be expected that these areas have a structural base or are fully covered and statements would be required.

Balcony, patio, porch, veranda, terrace, deck, car space

It would be expected that these areas have a structural base but are not necessarily fully covered

Carport

It would be expected that this area would be fully covered by a structure but not necessarily have a structural base.

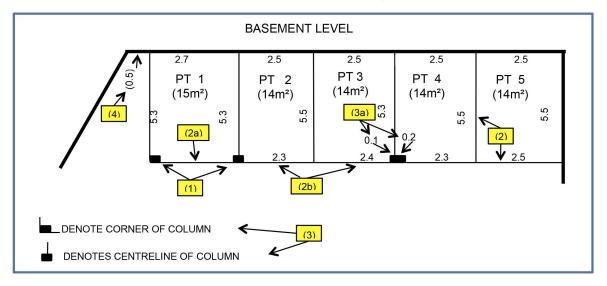
The above descriptions are examples and suggestions only and surveyors are required to provide appropriate stratum statements.

If one of the above is fully covered and/or has a structural base, the surveyor should state that on the floor plan to avoid requisition. See Example 8 for legend on patio.

Defining car spaces

The principles of car spaces are the same for any other strata lot defined by line boundaries. The following information should be shown on the floor plan(s) for car spaces:

- (1) All corners of each lot must be defined by reference to structural features or right-angled offsets from them. In this example the walls and columns are used.
- (2) All line boundaries are to be dimensioned by distance.
 - a) One allowance is line between two structural features see front boundary of lot 1. A dimension is not required but may be shown at the surveyor's discretion.
 - b) See front boundaries of lots 2 and 3; you must show length of both. You can not only show one and leave the other to be the residue of the total length of line between the two columns.
- (3) Identify lines as line of face of column or centreline of column.
 - a) If the boundary is not from centre of column show connections along column.
- (4) Connection from corner of wall to car space boundary (0.5).
- (5) There is no need to define the stratum of internal car spaces.



Example 9 - Basement level car spaces

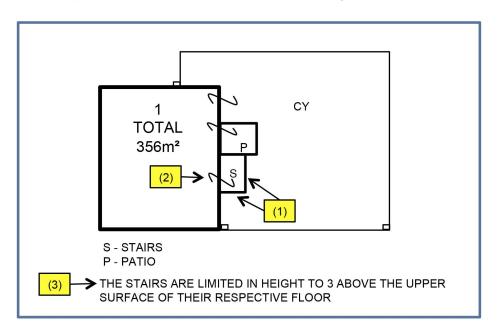
The following methods are UNACCEPTABLE for defining line boundaries.

- At right angles to a curved structure such as a round column.
- × Prolongation of the centre line of a single circular column.
- Use of intersecting method, where two boundaries of fixed lengths are each fixed at one end and the other end is fixed by their intersection. Although this is mathematically possible it is not acceptable for a strata plan.
- × Prolongations of structures which are not visible (e.g. the prolongation of an internal wall to define an external boundary).

Defining stairs

If the stairs are part of a lot and are external to the building (see Example 10) the following rules apply.

- (1) As the stairs are defined by the structure itself they should be represented by thick line work.
- (2) Stairs must be identified as part of the lot i.e. connected to the lot by vinculum or shown as 'Pt Lot'.
- (3) A separate statement should be added defining their stratum limits.



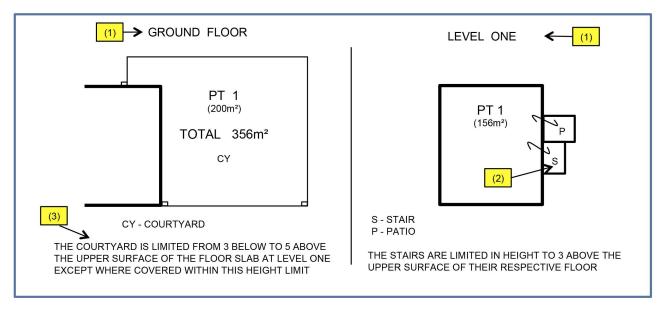
Example 10 - External stairs

This example will result in the structure of the stairs becoming common property.

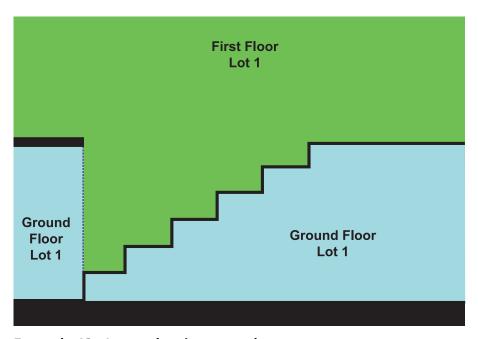
If you give a depth limitation which extends below the upper surface of the stairs it will make the structure of the stairs part of the lot, which may cause future problems.

If there is useable area under the stairs and patio that you wish to include as part of the courtyard (see Example 11) you should:

- (1) show separate floor plans one showing the structural parts of the lot as upper level and another for the courtyard part
- (2) show stairs as part of the upper level
- (3) amplify the stratum statement for the courtyard to refer to 'except where covered'.



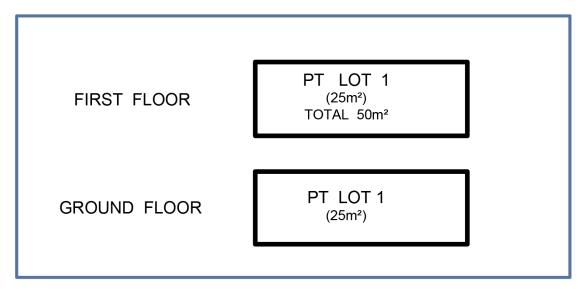
Example 11 - Useable area beneath stairs



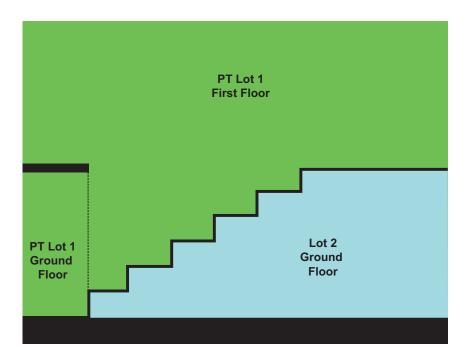
Example 12 - Internal stairs - same lot

Internal stairs between different levels of the same lot as shown in Example 12 should not be shown on the plan.

- (1) The upper limit of the ground floor is defined by the underside of the ceiling above or the underside of the stairs.
- (2) The lower limit of the first floor is defined by the upper surface of the floor or the upper surface of the stairs.
- (3) The structure of the stairs is common property, the same as the structure of the floor between the two levels.
- (4) The floor plan for these situations should look like Example 13 below.



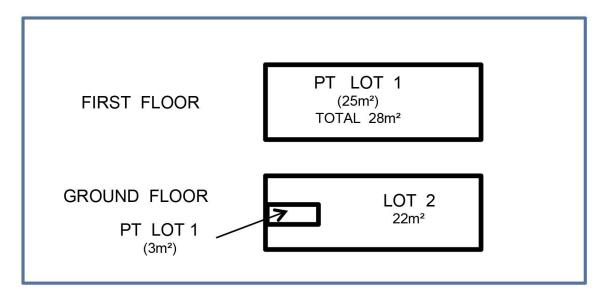
Example 13 - Internal stairs - same lot



Example 14 - Internal stairs - different lots

Internal stairs where different lots are at each level such as in Example 14 are not required to be shown.

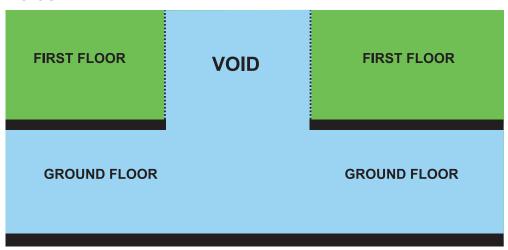
- (1) The base of the first floor part of lot 1 is the upper surface of the floor and the upper surface of the stairs.
- (2) The upper limit of the ground floor lot 2 is the underside of the ceiling and the underside of the stairs.
- (3) The structure of the stairs is common property, the same as the structure of the floor between the two levels.
- (4) In this situation the floor plan should be prepared as in Example 15.
- (5) The part of lot on the ground floor is only the entry foyer, the stairs should not be shown.



Example 15 - Internal stairs - different lots

Those examples have been provided as a general guide to assist surveyors with the preparation of the plan. Specific circumstances on site may require those examples to be varied to suit those circumstances.

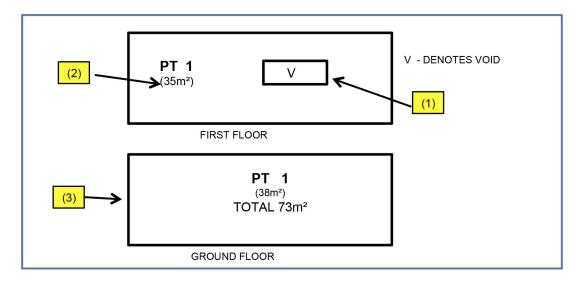
Voids



Example 16 - Void

The void must be shown on the first floor level of the floor plan and it must show the following:

- (1) The edge of the void is the boundary of the first floor level and should be shown by thick line work.
- (2) The area of the void is 3m² therefore the area of the first floor is 3m² less than the area of the ground floor.
- (3) The void is not referred to at all on the ground floor.



Example 17 - Void shown on the floor plan

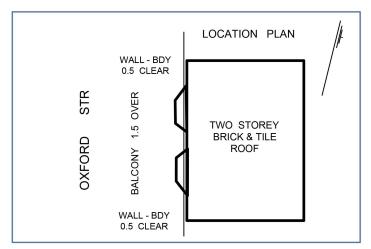
Encroachments

Circumstances may arise where buildings in a strata scheme encroach upon the surrounding land. The following principles apply.

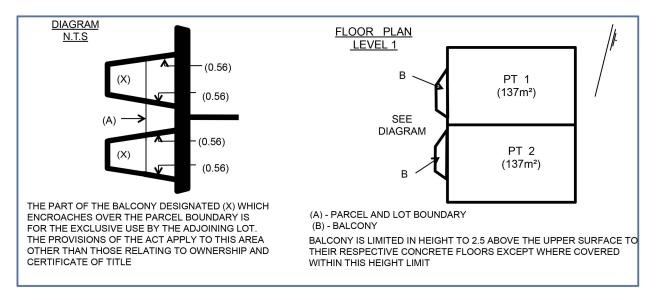
- Encroachments may be across public or private land.
- In all cases, the site of the encroachment must be defined.
- For an encroachment across public land, such as roads or reserves, the plan must clearly indicate the existence of the encroachment, its nature and extent.
 - The council must be satisfied that the encroachment does not endanger public safety or interfere with the amenities of the neighbourhood. The encroachment must be accepted in the Strata Certificate by the completion of the appropriate clause/s by either the council or accredited certifier.
 - Encroachment must be referred to in the surveyor's certificate.
- An encroachment over private land is treated differently.
 - The plan must show the encroachment and it must be referred to in the surveyor's certificate.
 - Furthermore, an appropriate easement to permit the encroachment to remain must exist.
 - The site of the easement **must** be defined by a plan of survey.
- It is possible for the encroachment to extend inside the walls of the building.

As in Examples 22 and 23, the balcony of the lot encroaches beyond the parcel boundary.

- (1) The location plan should show the relationship of the outside face of the wall to the parcel boundary.
- (2) The floor plan should show sufficient cuts to define the position of the parcel boundary within the building.
- (3) The only time a parcel boundary can be shown on a floor plan is when the inside wall of a building encroaches over it.
- (4) The encroachment can be either treated as common property under the control of the owner's corporation or for the exclusive of use of the adjoining lot.
- (5) The area of the encroachment should not be included in the total area of the lot.
- (6) Where the inside face of a wall encroaches a note should be added to the floor plan stating the extent of the lot owners responsibility.
 - "The part of the first floor which encroaches over the parcel boundary is for the exclusive use of the adjoining lot. The provisions of the act apply to this area other than those relating to ownership and certificate of title".
- (7) These conditions apply whether the encroachment is over private or public land.



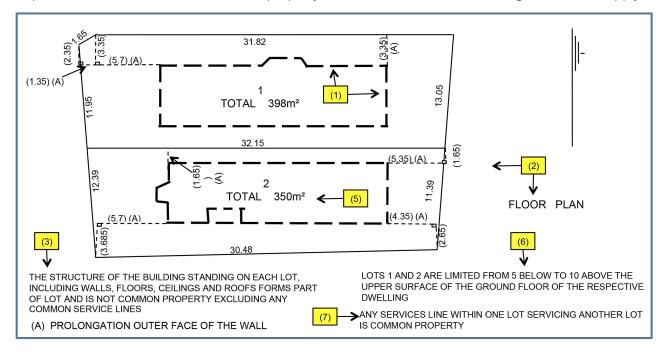
Example 18 - Part of the location plan showing balcony encroaching over the parcel boundary



Example 19 - Plan of first floor showing balcony and relevant boundaries of lots and common property

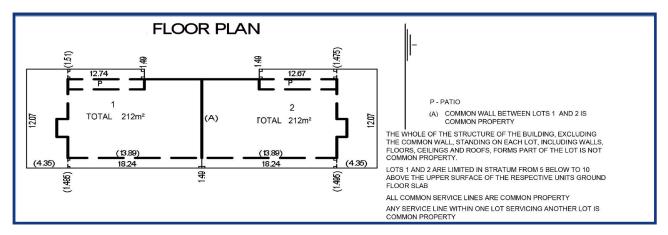
Buildings forming part of the lot

It is possible to prepare a strata plan where it is intended that the buildings form part of their respective lot and not become common property. In these instances the following conventions apply.

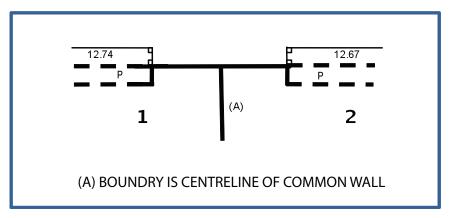


Example 20 - Buildings not common property

- The location plan is prepared as normal.
- The floor plan is prepared differently and it must show the following:
- (1) The walls will be shown by thick broken lines unless they form a lot boundary.
- (2) There will be only one floor plan regardless of the number of levels in the building. The floor plan will represent the perimeter walls of the building at ground level.
- (3) The plan must have a statement indicating that the building forms part of the lot and is not common property for example.
 - "The structure of the building standing on each lot, including walls, floors, ceilings and roofs, form part of the lot and is not common property."
- (4) If a common wall exists the plan must indicate its status i.e. The Common Wall is Common Property or Boundary is Centreline of Common Wall shown in Examples 21 and 22.
- (5) The area will be calculated at ground level only regardless of the number of levels.
- (6) A stratum statement should be provided for the whole of the lots. The stratum statement should take into account the height of the building. Consideration should also be given to any possible vertical extensions of the building.
- (7) It is recommended that the following statements be added:
 - "Any service line within one lot servicing another lot is common property."
 - All common service lines are common property.
- (8) No vinculum or reference to part lots will be used as there are no separate parts of the lots.



Example 21 - Common wall is common property



Example 22 - Centre line of common wall is boundary

Staged development

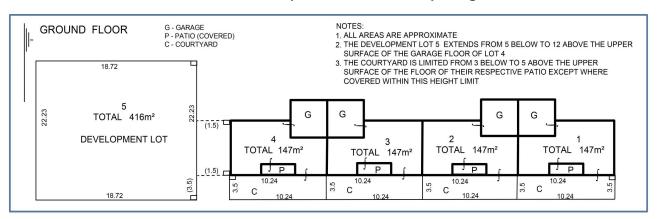
A staged development strata plan enables a developer to provide a disclosure document which indicates the proposed future developments within a scheme.

The initial plan in a staged development strata scheme is prepared in the same manner as a conventional strata plan. However, the following information is required as regards the development lot(s).

- (1) The development lot(s) must be identified as such on the floor plan.
- (2) The development lots must be numbered and have areas the same as any strata lot. The lot numbering must agree with the development contract.
- (3) A development lot is required for each stage after the initial plan. The subsequent number of stages will be indicated in the development contract as either a Warranted Development or Authorised Proposals.
- (4) In most cases development lots are an open space not containing any buildings. Appropriate stratum statements defining the upper and lower boundaries must be provided. These statements must be related to an appropriate datum, this may be a structural surface within another lot in the scheme.
- (5) Careful consideration must be given to providing stratum limitations which are appropriate for the future development.
- (6) The administration sheet showing the schedule of unit entitlement must contain a warning as in Approved form 29 see example 24.

(7) If the plan is stage one of a staged development it will include a development contract and a statement as follows must be included:

"This Plan Contains a Development Contract comprising ____ sheets"



Example 23 - Floor plan of a staged development strata plan

Strata Certificate Details Subdivision No:

Date:

SCHEDULE OF UNIT ENTITLEMENT

(if space is insufficient use additional annexure sheet)

LOT	UNIT ENTITLEMENT
1	25
2	25
3	30
4	30
5	90
AGGREGATE	200

Warning Statement regarding the initial Schedule of Unit Entitlements
The Schedule of unit entitlements may, on completion of the staged strata
development to which it relates, be revised in accordance with section28QAA
Strata Schemes (Freehold Development) Act 1973 or section 57AAA Strata
Schemes Leasehold Development Act 1986.

This Plan Contains Development Contract comprising 12 sheets

SURVEYOR'S REFERENCE

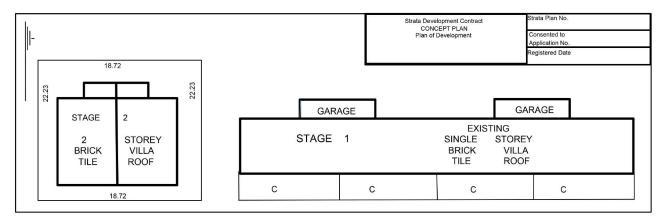
Example 24 - Warning statement and a statement referred to the plan included a development contract shown on Administration sheet

Concept plan

The concept plan should illustrate the sites proposed for and the nature of buildings and works that would result from the carrying out of all permitted development under the strata development contract.

The concept plan(s) are prepared on Approved form 15A and the following information should be shown on the concept plan(s).

- (i) The location of buildings proposed to be erected or retained on the parcel.
- (ii) Elevations and sections of those buildings and their external finishes and heights.
- (iii) Perspectives of those buildings.
- (iv) The proposed finished levels of the land in relation to roads and those buildings
- (v) Any additional land that may be added to the scheme.
- (vi) Any vertical staging.



Example 25 - Concept plan - the site of the proposed building

When preparing the concept plan, the following points require attention.

- (i) The concept plan showing the site of the proposed building should be suitable for clear reproduction. It should be free of all non relevant information including contours lines, levels, landscaping, all notes columns, legends, etc.
- (ii) The elevation concept plans should show the finished height level to the top of the building roofs in metres.
- (iii) The standard of lettering on all concept plans should be sufficient to ensure clear reproduction.
- (iv) The future proposed lot numbers should **not** be shown on the concept plan or development contract.

Subdivision of development lot

A plan of subdivision of a development lot may be prepared differently from a conventional strata plan of subdivision.

- (1) There will always be a location plan.
- (2) The location plan will show the boundaries with dimensions of the development lot.
- (3) The floor plan must contain enough information to show the new lots are completely within the boundaries of the development lots. This is particularly relevant for any stratum statements. It is not permitted to subdivide common property in a staged development plan.
- (4) The schedule of unit entitlements should only show the new lots in the strata plan of subdivision.

Survey base for strata plans

Strata plans prepared after 31 May 2002 must be based on a plan of survey that is connected to survey control in accordance with sec 6 (a) *Strata Schemes (Freehold Development) Act 1973.*

Land and Property Information

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