STR-08 Termination of a Survey-Strata Scheme

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1 Termination by Unanimous Resolution (Section 30A of the STA)

The registered proprietors may resolve by unanimous resolution that the survey-strata scheme be terminated.

An application form signed by the Strata Company is required and must be supported by:

- a notification of termination of a scheme (Form 15 from the ST GR)

- a certificate by the Western Australian Planning Commission stating that it consents to the termination of the survey-strata scheme, unless the scheme is exempt from this requirement under the ST GR

and

- the (unencumbered) duplicate certificate of titles (if any) for the survey-strata lots.

Simultaneously with the lodgement of the application to terminate the scheme, the lot proprietors may, if a unanimous resolution has been passed, lodge a transfer of common property that is executed by the strata company. The transfer is prepared in the name of the strata company as the transferor and must be supported by a certificate of the strata company (Form 14 of the ST GR).

2 Termination by the Taking of the Whole of the Parcel (Section 29C of the STA)

The Minister may in a Taking Order declare that the survey-strata scheme is terminated.
The Registrar of Titles will register the land in the parcel in the name of the State of Western Australia or other authority in which it has vested under the Taking Order.

Note: For a variation of survey-strata scheme upon the taking of part of the land in the parcel, see section 29A of the STA as amended.

3 Termination by Order of District Court (Section 31 of the STA)

The District Court may make an order terminating a survey-strata scheme.

If an Order is made terminating the scheme, the strata company must register the Order by the lodgement of an application form signed by the strata company that is supported by:

- the Order of the District Court

and

- the (unencumbered) duplicate certificate of titles (if any) for the survey-strata lots.

Where common property is to be transferred by the strata company, the requirements as outlined above in section 1 are to be followed.

4 Also see

- SUB-01 Subdivision

- STR-01 Strata/Survey-Strata Plans