

**FORM 35**

*Strata Titles Act 1985*

Sections 21T(1)(c), 21U

**STRATA PLAN No.**

**CERTIFICATE OF LICENSED SURVEYOR — MERGER IN STRATA SCHEME**

I, ....., being a licensed surveyor, certify in respect of the sketch plan under section 21T(1)(b) of the Act accompanying the notice of resolution of merger of land dated ..... relating to the strata plan mentioned above ("the strata plan") —

- \* (a) (if the sketch plan shows an extension or alteration of a building shown on the strata plan, or includes a building not shown on the plan) that —
  - (i) the extension, alteration or building not shown on the strata plan has been the subject of a building permit under the *Building Act 2011* or a building licence under section 374 of the *Local Government (Miscellaneous Provisions) Act 1960*; and
  - (ii) the extension, alteration or building not shown on the strata plan has been approved by the strata company or all of the proprietors of the lots in the scheme; and
  - (iii) any building or part of a building not shown on the strata plan, that is shown on the sketch plan as being within a lot, is wholly within the ground surface boundaries of that lot, except for any permitted boundary deviation (as that term is defined in section 3(1) of the Act);
 and
- \* (b) (if any land, or building or part of a building not shown on the strata plan is shown on the sketch plan as common property to be merged into a lot) that —
  - (i) the land or building or part of a building is wholly within the external surface boundaries of the parcel; or
  - (ii) the requirements of section 22(1)(c) of the Act are satisfied;
 and
- \* (c) (if the sketch plan shows any land that is common property to be merged into a lot) that the rights and amenities required to be provided for by the relevant town planning scheme in force under the *Town Planning and Development Act 1928*<sup>1</sup>, as prescribed by regulation 14M —
  - (i) are provided for in accordance with that scheme at the time when this certificate is given; or
  - (ii) will be provided for when the notice of resolution and documents referred to in section 21V of the Act are registered;
 and
- \* (d) (if the sketch plan shows any land that is common property to be merged into a lot) that an easement \*is/is not required to be created on the sketch plan under section 21W of the Act for the purposes of satisfying the certification in paragraph (c)(ii) above; and
- (e) that a reference on the sketch plan to a lot by a designated number is a reference to the lot designated by that number on the strata plan; and
- (f) that there are not more lots on the sketch plan than there are on the strata plan.

.....  
Licensed Surveyor

.....  
Date

\*Delete if inapplicable.

Note:

1. Repealed by the *Planning and Development (Consequential and Transitional Provisions) Act 2005* s. 4.